STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Alejandro Manuel Walters

Case No.: FEC 13-048

TO: Alejandro Manuel Walters 10500 SW 17th Court Miramar, FL 33025-3025 Division of Elections 500 S Bronough Street, Room 316 Tallahassee, FL 32399

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on February 25, 2014, at 10:30 am, or as soon thereafter as the parties can be heard, at the following location: Senate Office Building, Room S-110, 404 South Monroe Street, Tallahassee, FL 32399.

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106 25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have 5 minutes to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have 5 *minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases

The Commission will electronically record the meeting Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Amy McKeever Toman Executive Director Florida Elections Commission February 4, 2014 Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case. If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part The Commission may reduce a fine after considering the factors in Section 106 265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order If the Commission accepts the consent order, the case will be closed and become public If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged.

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case. *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120 569 and 120 57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code. At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause The Respondent will be permitted to testify. However the Respondent may not call witnesses to testify

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause. At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk.

13 DEC -4 AM 9:28

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

Florida Elections Commission, Petitioner,

v.

1. S. 19

Case No.: FEC 13-048

Alejandro M. Walters, Respondent.

____/

ORDER OF PROBABLE CAUSE

THIS MATTER was heard by the Florida Elections Commission at its regularly

scheduled meeting on November 13, 2013, in Tallahassee, Florida.

Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral

statements (if any) made at the probable cause hearing, the Commission finds that there is

probable cause to charge Respondent with the following violations:

Count 1:

On or about November 2, 2012, Respondent violated Section 106.07(1), Florida Statutes, when he failed to timely file his 2012 G4 report reflecting all contributions received and expenditures made by or on behalf of Respondent during the G4 reporting period

DONE AND ORDERED by the Florida Elections Commission on November 13, 2013

Tim Holladay, Chairman Florida Elections Commission

Copies furnished to: David Grossman, Assistant General Counsel Alejandro M Walters, Respondent Division of Elections, Complainant

NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by <u>consent order</u> where you and Commission staff agree to resolve the violations and agree to the amount of the fine. The agreed to consent order is then presented to the Commission for its approval To discuss a consent order, contact the attorney who signed the Staff Recommendation attached to the Order of Probable Cause.

Second, you may request an <u>informal hearing</u> held before the Commission, if you <u>do not</u> dispute any material fact in the Staff Recommendation You have 30 days from the date of the Order of Probable Cause to request such a hearing. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violations and the potential fine At the request of Respondent, the Commission will consider and determine willfulness at an informal hearing. Otherwise, live witness testimony is unnecessary.

Third, you may request a <u>formal hearing</u> held before an administrative law judge in the Division of Administrative Hearings (DOAH), if you dispute any material fact in the Staff Recommendation. You have 30 days from the date of the Order of Probable Cause to request such a hearing At the hearing, you will have the right to present evidence relevant to the violation(s) listed in this order, to cross-examine opposing witnesses, to impeach any witness, and to rebut the evidence presented against you

If you do not elect to resolve the case by consent order or request a formal hearing at the DOAH or an informal hearing before the Commission within 30 days of the date of this Order of Probable Cause, the case will be sent to the Commission and you will be entitled to a formal or informal hearing

To request a hearing, please send a written request to the Commission Clerk, Donna Ann Malphurs. The address of the Commission Clerk is 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida 32399-1050. The telephone number is (850) 922-4539. The Clerk will provide you with a copy of Chapter 28-106, *Florida Administrative Code*, and other applicable rules upon request. No mediation is available.

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Alejandro M. Walters

Case No.: FEC 13-048

TO: Alejandro M Walters 10500 SW 17th Court Miramar, FL 33025-3025 Division of Elections 500 S Bronough Street, Room 316 Tallahassee, FL 32399-1050

NOTICE OF HEARING

A hearing will be held in this case before the Florida Elections Commission on November 13, 2013, at 9:00 am, or as soon thereafter as the parties can be heard, at the following location: Senate Office Building, Room 110-S, 404 South Monroe Street, Tallahassee, FL 32399.

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106 25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have 5 minutes to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have 5 minutes to present your case to the Commission

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing

If you require an accommodation due to a disability, contact Donna Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

<u>Amy McKeever Toman</u>

Executive Director Florida Elections Commission October 24, 2013 Please refer to the information below for further instructions related to your particular hearing:

If this is a hearing to consider **an appeal from an automatic fine**, the Filing Officer has imposed a fine on you for your failure to file a campaign treasurer's report on the designated due date and, by filing an appeal, you have asked the Commission to consider either (1) that the report was in fact timely filed; or (2) that there were unusual circumstances that excused the failure to file the report timely. You are required to prove your case If the Commission finds that the report was filed timely or that there were unusual circumstances that excused the failure, it may waive the fine, in whole or in part. The Commission may reduce a fine after considering the factors in Section 106 265, Florida Statutes. If the Commission finds that the report was not timely filed and there were no unusual circumstances, the fine will be upheld. Pursuant to Rule 2B-1 005 F.A.C., you may file supplemental documents related to your appeal up to five business days before the hearing for consideration by the Commission.

If this is a hearing to consider a **consent order before a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed and become public. If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the case will remain confidential, unless confidentiality has been waived.

If this is a hearing to consider a **consent order after a determination of probable cause has been made**, the Commission will decide whether to accept or reject the consent order. If the Commission accepts the consent order, the case will be closed If the Commission rejects the consent order or does not make a decision to accept or deny the consent order, the Respondent will be entitled to another hearing to determine if the Respondent committed the violation(s) alleged

If this is a **probable cause hearing**, the Commission will decide if there is probable cause to believe that the Respondent committed a violation of Florida's election laws Respondent should be prepared to explain how the staff in its recommendation incorrectly applied the law to the facts of the case *Respondent may not testify, call others to testify, or introduce any documentary or other evidence at the probable cause hearing* The Commission will only decide whether Respondent should be *charged* with a violation and, before the Commission determines whether a violation has occurred or a fine should be imposed, Respondent will have an opportunity for another hearing at which evidence may be introduced.

If this is an **informal hearing**, it will be conducted pursuant Sections 120.569 and 120.57(2), Florida Statutes; Chapter 28 and Commission Rule 2B-1.004, Florida Administrative Code At the hearing, the Commission will decide whether the Respondent committed the violation(s) charged in the Order of Probable Cause The Respondent will be permitted to testify. However the Respondent may not call witnesses to testify.

Respondent may argue why the established facts in the Staff Recommendation do not support the violations charged in the Order of Probable Cause At Respondent's request, the Commission may determine whether Respondent's actions in the case were willful. The Respondent may also address the appropriateness of the recommended fine. If Respondent claims that his limited resources make him unable to pay the statutory fine, *he must provide the Commission with written proof of his financial resources* at the hearing. A financial affidavit form is available from the Commission Clerk

		COVER SHEET
	CASE NA	ME: FEC vs. Alejandro M. Walters
CAS	E NUMBER	R(S): FEC No. 13-048 DOAH No.
I IN	IVESTIGAT	OR: Cedric Oliver
ATTOR	NEY FOR F	EC: David Grossman
1	ING ATTOF ONE NUME	3ER:
ENTRY	DATE	TEM
1	1/28/13	Complaint
2	2/1/13	14 day letter to Respondent
3	4/29/13	Letter of Legal Sufficiency
4	8/30/13	Search information for Respondent
5	8/30/13	Additional Filing Officer information for Respondent
6	8/30/13	Phone Log
7	8/30/13	Report of Investigation with case exhibits (ROT)
8	9/4/13	L to K W copy of ROI
9		
10	·	
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		ļ
22		
23		
24		
25		
26		
27		
28		
29		· · · · · · · · · · · · · · · · · · ·
30		
31		
32		

STATE OF FLORIDA FLORIDA ELECTIONS COMMISSION

In Re: Alejandro M. Walters

Case No.: FEC 13-048

_____/

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106 25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the complaint in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(1)**, Florida Statutes Based upon a thorough review of the Report of Investigation submitted on September 3, 2013, the following facts and law support this staff recommendation:

1 On January 28, 2013, the Florida Elections Commission ("Commission") received a referral from the Division of Elections ("Division") alleging that Alejandro M. Walters ("Respondent") violated Chapter 106, Florida Statutes

2. Respondent was a candidate for State Representative, District 102 in the 2012 election.

3. By letter dated April 29, 2013, the Executive Director notified Respondent that Commission staff would investigate the following alleged violation:

Section 106.07(1), Florida Statutes: Alejandro Manuel Walters, candidate for State Representative, District 102, and designated as the treasurer for his own campaign, failed to file the 2012 G4 report, due on or before November 2, 2012

4. On June 8, 2012, Respondent filed his State of Florida Appointment of Campaign Treasurer and Designation of Campaign Depository of Candidates form ("DS-DE 9") appointing himself as treasurer of his campaign. (ROI Exhibit 1)¹

5 On June 13, 2012, the Division sent Respondent a letter acknowledging that his name had been placed on the 2012 active candidate list. The letter also advised Respondent that all candidates filing reports with the Division are required to use the electronic filing system

¹ The Report of Investigation is referenced to herein as "ROI "

(EFS), and provided Respondent with an initial PIN and password allowing him to access the EFS. (ROI Exhibit 2)

6. The June 13, 2012 acknowledgment letter also informed Respondent that all of the Division's publications and reporting forms are available on the Division website, including Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and the Division's Calendar of Reporting Dates. *Id*

7 Respondent failed to file his 2012 G4 report on the reporting due date. (ROI Exhibit 8)

8 By letters dated November 5 and December 3, 2012 the Division sent Respondent notifications informing him that his 2012 G4 report had not yet been received ² (ROI Exhibit 3)

9 On November 13 and December 20, 2012, the Division sent Respondent emails informing him that his 2012 G4 report remained outstanding. The emails included copies of the previous notices mailed to Respondent as attachments (ROI Exhibits 4 & 5)

10. On January 10, 2013, the Division sent Respondent a "Final Notice" informing him that his 2012 G4 report had still not been received. The Final Notice letter was confirmed delivered on January 12, 2013. (ROI Exhibit 6)

11 As of September 23, 2013, Respondent has not filed his 2012 G4 report (See Attachment A)

12. "Probable Cause" is defined as reasonable ground of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So 2d 404, 409 (Fla. 1991) Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable person to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, So 2d 305, 309 (Fla. 1st DCA 1995).

13 The facts above show that Respondent was a candidate for State Representative, District 102, in the 2012 election Respondent failed to timely file his 2012 G4 report that was due on November 2, 2012. Despite the Division sending Respondent written notices dated November 5, November 13, December 3 and December 20, 2012, and a Final Notice dated January 10, 2013, as of September 23, 2013, Respondent's 2012 G4 Report has not yet been received.

² All written notices from the Division to the Respondent were sent to the addresses provided by Respondent on his DS-DE 9 form (ROI Exhibits 1, 3, 4, 5 & 6)

Based upon these facts and circumstances, I recommend that the Commission find probable cause to charge Respondent with violating the following:

Count 1:

On or about November 2, 2012, Respondent violated Section 106.07(1), Florida Statutes, when he failed to timely file his 2012 G4 report reflecting all contributions received and expenditures made by or on behalf of Respondent during the G4 reporting period.

Respectfully submitted on September $\frac{24}{,2013}$,

2

David S. Grossman Assistant General Counsel

I reviewed this Staff Recommendation this $\underline{\mathcal{U}}$)2013. day of

Amy McKeever Toman Executive Director my Florida com

search | directory | contact us | 411 | subscribe | tour | help

Florida Department of State - Division of Elections

Florida Election System Reports

Cai	ndidate/Committee Loo	kup	Candid	ate N	ame: Aleja	andro Ma	anuel Wa	aiters			
Name: Account: <u>58568</u>											
Election:			Date Due	Туре	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
		<u>المحا</u>	2/4/2013	TR		FEC	0	\$000	I	\$0.00	\$0 00
Acct:	58568		11/2/2012	G4		FEC	0	\$000	I	\$0.00	\$0 00
			10/19/2012	G3		FEC	0	\$000		\$0.00	\$0,00
Туре:	Candidate	2.54	10/5/2012	G2		FEC	0	\$000		\$0.00	\$0.00
			9/21/2012	G1	9/28/2012	CLO	7	\$0,00		\$0.00	\$000
	Search		8/10/2012	F3	8/11/2012	CLO	1	\$000		\$0.00	\$0.00
			7/27/2012	F2	7/27/2012						
			7/13/2012	F1	7/13/2012						

Attachment A

FLORIDA ELECTIONS COMMISSION REPORT OF INVESTIGATION Case No.: FEC 13-048

Respondent: Alejandro M. Walters

Counsel for Respondent: N/A

Complainant: Division of Elections

Counsel for Complainant: N/A

On January 28, 2013, the Florida Elections Commission received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes The Commission staff investigated whether Respondent violated the following statute:

Section 106.07(1), Florida Statutes, failure of the treasurer of a candidate to file timely regular reports of all contributions received, and all expenditures made, by or on behalf of the candidate.

I. Preliminary Information:

1. Respondent was a candidate for State Representative, District 102 in the 2012 election Respondent was defeated in the election by Sharon Pritchett.

2 Complainant is the Division of Elections.

3 Respondent's filing officer is Kristi Reid-Bronson, Chief, Bureau of Election Records.

II. Alleged Violation of Section 106.07(1), Florida Statutes:

4 I investigated whether Respondent violated this section of the election laws by failing to timely file his report due November 2, 2012 (2012 G4 Report), after receiving notice that the report was due.

5 On June 8, 2012, Respondent filed his original Appointment of Campaign Treasurer and Designation of Campaign Depository form (DS-DE 9) with the Division of Elections Respondent appointed himself as his own campaign treasurer. To review a copy of Respondent's original DS-DE 9 form, refer to exhibit 1

6. On June 13, 2012, Complainant sent Respondent a letter acknowledging his name had been placed on the 2012 active candidate list. The letter advised Respondent that all candidates filing reports with the Division are required to use the electronic filing system (EFS), and provided Respondent with his user identification number and initial password allowing him access to the EFS. To review a copy of the June 13, 2012 acknowledgement letter, refer to exhibit 2 7. The June 13, 2012 acknowledgement letter also advised Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the Candidate and Campaign Treasurer Handbook, and the Calendar of Reporting Dates. To review a copy of the June 13, 2012 acknowledgement letter, refer to exhibit 2

8. Complainant sent Respondent a letter dated November 5, 2012, informing him that a 2012 G4 Report had not been received; a second failure-to-file letter dated December 3, 2012 was mailed to Respondent Both letters were sent to the address Respondent provided on his DS-DE 9 form (Exhibit 1). To review a copy of these failure-to-file letters, refer to exhibit 3

9 According to History Notes provided by Complainant, on November 13, 2012, Complainant sent Respondent an email regarding his failure to file the 2012 G4 Report¹. A copy of the November 5, 2012 failure-to-file letter was attached The email was sent to the address Respondent provided on his DS-DE 9 form (Exhibit 1) The email stated, "Even if you had no financial activity, you must go into the electronic filing system, and file waivers Please file these reports <u>immediately</u>, as you are in violation of Florida Statutes 106..." It appears from the Division's notes that Respondent did not reply to this email. To review a copy of this November 13, 2012 email without attachments, refer to exhibit 4.

10 History Notes also reflect, on December 20, 2012, Complainant sent Respondent another email regarding his failure to file a 2012 G4 Report. Copies of the previous failure-tofile letters (Exhibit 3) were included as an attachment to the email. This email was also sent to the address Respondent provided on his DS-DE 9 form (Exhibit 1). It appears from the Division's notes that Respondent did not reply to this email. To review a copy of this December 20, 2012 email, refer to exhibit 5.

11 On January 10, 2013, Complainant sent Respondent a "Final Notice" via certified mail informing him that a 2012 G4 Report had not been received This letter was sent to the address Respondent provided on his DS-DE9 form. Complainant provided a delivery confirmation receipt. To review a copy of "Final Notice" with delivery confirmation, refer to exhibit 6.

12 Records from the Division of Elections reflect Respondent filed four reports during his 2012 election campaign Each of these reports was filed as waiver-of-reports To review a copy of Respondent's campaign finance activity, refer to exhibit 7.

13 As of the date of this report, Respondent has not filed a 2012 G4 Report. To review Respondent's filing history, refer to exhibit 8.

14 Respondent has been involved in one prior FEC investigation.

III. FEC History:

15 Respondent is involved in one prior FEC investigation In FEC 13-015,

¹ Ihis email also included previously sent notices to Respondent regarding his failure to file his 2012 G2, G3, and G4 Reports

Respondent is currently being investigated for allegedly violating 106 07(1), Florida Statutes, for failing to file a 2012 G2 and 2012 G3 Report

Conclusion:

16. Respondent was offered an opportunity to make comments regarding the findings of this investigation. Respondent did not respond to any of my attempted contacts.

17 In the June 13, 2012 acknowledgement letter, Complainant advised Respondent that all of the Division's publications and reporting forms are available on the Division of Elections' web site The letter also states, "It is your responsibility to read, understand, and follow the requirements of Florida's election laws Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, 2012 Candidate and Campaign Treasurer Handbook, 2012 Calendar of Reporting Dates, and Rule 1S-2 017, Florida Administrative Code To review a copy of the June 13, 2012 acknowledgement letter, refer to exhibit 2.

18. On June 8, 2012, Respondent filed his Statement of Candidate for the office of State Representative, District 102 acknowledging that he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes. To review a copy of Respondent's Statement of Candidate, refer to exhibit 9.

Respectfully submitted on September 3, 2013

Cedric Oliver Investigation Specialist

Current address of Respondent

Alejandro Manuel Walters 10500 SW 17th Court Miramar, F1 33025

Current address of Complainant

Division of Elections 500 South Bronough Street, Room #316 Tallahassee, Fl 32399

Name and Address of Filing Officer:

Ms Kristi Reid-Bronson Chief of Bureau of Election Records 500 South Bronough Street, Room #316 Tallahassee, Fl 32399

Copy furnished to: Mr. David Flagg, Investigations Manager

FLORIDA ELECTIONS COMMISSION REPORT OF INVESTIGATION Alejandro M. Walters -- FEC 13-048

Ç.

	LIST OF EXHIBITS
Exhibits #s	Description of Exhibits
Exhibit 1	Respondent's DS-DE 9 form
Exhibit 2	June 13, 2012 acknowledgement letter
Exhibit 3	November 5, and December 3, 2012 failure-to-file letters
Exhibit 4	November 13, 2012 email from Complainant
Exhibit 5	December 20, 2012 email from Complainant
Exhibit 6	January 10, 2013 "Final Notice" and delivery confirmation
Exhibit 7	Respondent's campaign finance activity
Exhibit 8	Respondent's filing history
Exhibit 9	Statement of Candidate

[
	RECEIVE
APPOINTMENT OF CAMPAIGN TREASURE AND DESIGNATION OF CAMPAIGN	·
DEPOSITORY FOR CANDIDATES (Section 106.021(1), F S)	2012 JUN -8 AM 9:25
(PLEASE PRINT OR TYPE)	DIVISION OF ELECTIONS
NOTE: This form must be on file with the qualifyin officer before opening the campaign account.	
1 CHECK APPROPRIATE BOX(ES):	
Initial Filing of Form Re-filing to Change:	Treasurer/Deputy Depository Office Party
2 Name of Candidate (in this order: First, Middle, Last)	3 Address (include post office box or street, city, state, zip code)
4. Telephone 5. E-mail address	10500 300 17th Court Miramor FC 33025
() awalters 920 Qgma,	Miramor +C 33025
6 Office sought (include district, circuit, group number)	7. If a candidate for a <u>nonpartisan</u> office, check if
SII De a l'he Suiter	applicable: My intent is to run as a Write-In candidate
Hate Kepresentative District 11 8 If a candidate for a partisan office, check block and	22
Write-In No Party Affiliation	Party candidate
9. I have appointed the following person to act as my	
10 Name of Treasurer or Deputy Treasurer	
Alexandro Mapuel Walters	
11 Mailing Address	12 Telephone
13. City 14. County 15	State 16. Zip Code 17. E-mail address
	L. 33025 awalters 920@gmail. Com
18 I have designated the following bank as my	Primary Depository Secondary Depository
19 Name of Bank Chase Bank	20. Address 11100 Perabroke Rd
21 City 22 County	23 State 24 Zip Code
Miramar Brown	d FL. 33025
	THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND ORY AND THAT THE FACTS STATED IN IT ARE TRUE
25. Date	26 Signature of Candidate
June 7,2012	X Shinds M. Watter
AL	ent (fill in the blanks and check the appropriate block)
1, <u>Alexandres Manuel Walters</u> (Please Print or Type Name	, do hereby accept the appointment
designated above as: 😥 Campaign Treasu	
6/7/2012 X	M. I man the
Date	Signature of Campaign Treasurer or Deputy Treasurer
DS-DE 9 (Rev. 10/10)	Rule 1S-2.0001, F.A.C.
EXHIBIT	



FLORIDA DEPARTMENT OF STATE

RICK SCOTT Governor **KEN DETZNER** Secretary of State

June 13, 2012

Mr. Alejandro Manuel Walters 10500 Southwest 17th Court Miramar, Florida 33025

Dear Mr. Walters:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of State Representative, which was placed on file in our office on June 8, 2012 Your name has been placed on the 2012 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **July 13, 2012**. The report will cover the period of April 1, 2012 - July 6, 2012. All candidates who file reports with the Division of Elections are required to file by means of the Division's electronic filing system (EFS).

Credentials and Sign-ons

Below is the web address to access the EFS and your user identification number The enclosed sealed envelope contains your initial password. Once you have logged in using the initial password, you will be immediately prompted to change it to a confidential sign-on. You, your campaign treasurer, and deputy treasurers are responsible for protecting these passwords from disclosure and are responsible for all filings using these credentials, unless the Division is notified that your credentials have been compromised

EFS Web site Address: https://efs dos state.fl.us Identification Number: 58568



Division of Elections R.A. Gray Bldg., Rm. 316 • 500 S Bronough St. • Tallahassee, Florida 32399-0250 Telephone: (850) 245-6240 • Facsimile: (850) 245-6259 elections.myflorida.com Commemorating 500 years of Florida history www.fla500.com



FXHIBIT

Mr. Alejandro Manuel Walters June 13, 2012 Page Two

Pin Numbers

Pin numbers are confidential secure credentials that allow you to submit reports and update personal information. The enclosed sealed envelope contains your confidential pin numbers

Each candidate is required to provide the Division of Elections with confidential personal information that may be used to allow access in the event that password is forgotten or lost. When you enter the campaign account screen, there will be a drop down box where you pick a question (such as *What is your mother's maiden name?*) and supply an answer. All passwords and answers to questions are stored as encrypted data and cannot be viewed by Division staff and given out over the phone. Please notify the Division if your credentials have been compromised.

Timely Filing

All reports filed must be completed and filed through the EFS not later than midnight of the due date Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

Any candidate failing to file a report on the designated due date shall be subject to a fine of \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report However, for reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Electronic Receipts

The person submitting the report on the EFS will be issued an electronic receipt indicating and verifying the report was filed Each campaign treasurer's report filed by means of the EFS is considered to be under oath by the candidate and campaign treasurer and such persons are subject to the provisions of Section 106.07(5), Florida Statutes

EXHIBIT 2(20f3

Mr. Alejandro Manuel Wahers June 13, 2012 Page Three

Instructions and Assistance

An online instruction guide is available to you on the EFS to assist with navigation, data entry, and submission of reports. The Division of Elections will also provide assistance to all users by contacting the EFS Help Desk at (850) 245-6280

All of the Division's publications and reporting forms are available on the Division of Elections' web site at http://elections.myflorida.com. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, 2012 Candidate and Campaign Treasurer Handbook, 2012 Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.

Please let me know if you need additional information.

Sincerely,

Enin Ne Smith

Kristi Reid Bronson, Chief Bureau of Election Records

KRB/mcc

Enclosures

EXHIBIT_2(30f3



FLORIDA DEPARTMENT OF STATE Ken Detzner Secretary of State DIVISION OF ELECTIONS

November 5, 2012

Alejandro Walters Candidate for State Representative. District 102 10500 SW 17th Court Miramar. FL 33025-3025

Dear Mr. Walters:

Your campaign treasurer's report, which was due November 2, 2012, has not been received

Section 106 07(8)(b), Florida Statutes, requires that the filing officer immediately notify you of the failure to file this report and that a fine will be assessed of \$50 per day for the first 3 days late and, thereafter \$500 per day, although a fine cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Once your report is filed, this office will notify you of the specific amount of your fine Fines must be paid to the filing officer within 20 days of receipt of the payment due notice.

Please be advised, however, that failure to file a campaign treasurer's report may constitute a violation of Chapter 106, Florida Statutes, independent of the automatic fine violation referenced above. Therefore, if you fail to file a report, the division will turn the matter over to the Florida Elections Commission.

Section 106 265(1), Florida Statutes, authorizes the Florida Elections Commission to impose a civil penalty up to \$1,000 per count for each willful violation of Chapter 106

If you have any questions, please do not hesitate to contact Theresa Holdeen at (850)245-6250.

Sincerely.

Jun Hund B

Kristi Reid Bronson, Chief Bureau of Election Records

EXHIBIT 3(10fa)



FLORIDA DEPARTMENT OF STATE Ken Detzner Secretary of State DIVISION OF ELECTIONS

SECOND NOTICE

Second Notice

December 3, 2012

Alejandro Walters Candidate for State Representative, District 102 10500 SW 17th Court Miramar, FL 33025-3025

Dear Mr Walters:

Your campaign treasurer's report, due November 2, 2012, has not been received.

Section 106 07(8)(b). Florida Statutes, requires that the filing officer immediately notify you of the failure to file a report.

The first notice of the failure to file the above mentioned report was mailed, via regular mail, to the address on file with our office on November 5, 2012 As of this date, we do not show a record of receiving this report

If the report is not filed via the Division's electronic filing system within 14 days of receipt of this notice, this matter will be referred to the Florida Elections Commission for further action. Section 106 265(1), Florida Statutes, authorizes the Florida Elections Commission, upon finding a willful violation of Chapter 106. Florida Statutes, to impose a civil penalty up to \$1,000 per count

If you have any questions, please do not hesitate to contact Theresa Holdeen at (850)245-6250.

Sincerely,

Kristi Reid Bronson, Chief Bureau of Election Records

EXHIBIT_3(20f2)

Holdeen, Theresa A.

From:	Holdeen, Theresa A
Sent:	Tuesday, November 13, 2012 12:40 PM
То:	'awalters920@gmail.com'
Subject:	#58568 Alejandro Walters (2012 G2, G3, & G4) Campaign Finance Reports - NOT FILED
Attachments:	#58568 Alejandro Walters (2012 G2 FF) 1st notice pdf; #58568 Alejandro Walters (2012 G2 FF) 2nd notice pdf; #58568 Alejandro Walters (2012 G3 FF) 1st notice pdf; #58568 Alejandro Walters (2012 G4 FF) 1st notice pdf
Importance:	High

Mr Walters,

Attached are copies of notices previously mailed to you with regards to campaign finance reports, which to date, still have **NOT** been filed.

Even if you had no financial activity, you must go into the electronic filing system, and file waivers. Please file these reports <u>immediately</u>, as you are in violation of Florida Statutes 106, and are subject to referral to the Florida Elections Commission. The Florida Elections Commission can impose civil penalties of up to \$1000 per violation.

If you need assistance filing these reports, please contact our Help Desk at (850) 245-6280.

Thank you in advance for your immediate attention to this matter.

Regards, Theresa Bureau of Election Records

		000006	
EXHIBIT_	4		
		1	

Holdeen, Theresa A.

From: Sent: To: Subject: Attachments:	Holdeen, Theresa A Thursday, December 20, 2012 5:38 PM awalters920@gmail.com #58568 Alejandro Manuel Walters (2012 G4 Campaign Finance Report) - NOT FILED #58568 Alejandro Walters (2012 G4 - FF) - 1st Notice.pdf; #58568 Alejandro Walters (2012 G4 - FF) - 2nd Notice.pdf
Importance:	High

Mr. Walters,

Attached are copies of previously mailed notices with regards to the 2012 G4 campaign finance report which to date still has not been filed. The report was due November 2, 2012. Even if you had no financial activity, you still must go into the electronic filing system and file a waiver.

You are in violation of Florida Statutes 106, and if this matter is referred to the Florida Election Commission, subject to possible civil penalties of up to \$1000 per violation.

If you need assistance with filing this report, please contact the Division Help Desk line at (850) 245-6280.

Thank you in advance for your *immediate* attention to this matter

Regards, Theresa Bureau of Election Records

EXHIBIT

000108

HISTORY NOTES

Alejandro Manuel Walters - 58568

Unique ID	Date Recorded	Last Edited Date	Orginally Recorded By
31872	12/20/2012 5:37:00 PM		taholdeen
2012 G4 FF:			

Sent the following email to candidate/treasurer:

Mr Walters

Attached are copies of previously mailed notices with regards to the 2012 G4 campaign finance report which to date still has not been filed The report was due November 2, 2012 Even if you had no financial activity you still must go into the electronic filing system and file a waiver

You are in violation of Florida Statutes 106, and if this matter is referred to the Florida Election Commission, subject to possible civil penalties of up to \$1000 per violation

If you need assistance with filing this report. please contact the Division Help Desk line at (850) 245-6280

Thank you in advance for your immediate attention to this matter

31344

2012 G2 (G3. G4) FF:

Sent the following email to candidate:

Mr Walters,

Attached are copies of notices previously mailed to you with regards to campaign finance reports, which to date, still have NOT been filed

Even if you had no financial activity, you must go into the electronic filing system, and file waivers Please file these reports immediately, as you are in violation of Florida Statutes 106, and are subject to referral to the Florida Elections Commission The Florida Elections Commission can impose civil penalties of up to \$1000 per violation

If you need assistance filing these reports please contact our Help Desk at (850) 245-6280

11/13/2012 12:32:00 PM

Thank you in advance for your immediate attention to this matter

EXHIBIT 5(20F2)

006484

Page 1 of 1

1/22/2013

taholdeen

USPS com® - Track & Confirm-

Page 1 of 1

English Customer Service

USPS Mobile

Register / Sign In

Search USPS com or Track Packages

BUSPSCOM

Quick Tools Ship a Package Send Mail Manage Your Mail Shop Business Solutions

Track & Confirm

	TEMAIL UPDATES					
•	YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
	03120860000134069399		Delivered	January 12 2013 3:50 pm	HOLLYWOOD FL 33025	Delivery Confirmation
			Out for Delivery	January 12, 2013, 9;23 am	HOLLYWOOD FL 33027	~
-		· · ·	Sorting Complete	January 12 2013 9:13 am	HOLLYWOOD FL 33027	
			Arrival at Post Office	January 12 2013 7:06 am	HOLLYWOOD FL 33027	
		• .	Depart USPS Sort Facility	January 12 2013	OPALOCKA FL 33054	
- 			Processed through USPS Sort Facility	January 11 2013 2:09 pm	OPALOCKA FL 33054	· · · ·
		•	Depart USPS Sort Facility	January 11 2013	JACKSONVILLE FL 32099	
• •			Processed through USPS Sort Facility	January 11 2013 1:10 am	JACKSONVILLE FL 32099	

Check on Another Item What's your label (or receipt) number?

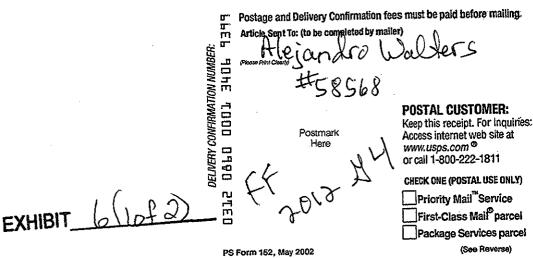
Copyright@ 2013 USPS All Rights Reserved

5100

LEGAL Privacy Policy > Terms of Use > FOIA > No FEAR Act EEO Data > ON USPS COM Government Services -Buy Stamps & Shop -Print a Labol with Postage -Customer Service -Site Index ON ABOUT USPS COM About USPS Home > Newsroom > Mail Service Updates > Forms & Publications > Careers >

OTHER USPS SITES Business Customer Gateway > Postal Inspectors > Inspector General > Postal Explorer >

U.S. Postal Service[™] Delivery Confirmation[™] Receipt



035633

ction

1/22/2013

https://tools.usps.com/go/TrackConfirmAction.action



FLORIDA DEPARTMENT Of STATE

RICK SCOTT Governor KEN DETZNER Secretary of State

FINAL NOTICE - Delivery Confirmation: 0312 0860 0001 3406 9399

January 10, 2013

Mr. Alejandro Manuel Walters (58568) 10500 SW 17th Court Miramar, Florida 33025

Dear Mr. Walters:

According to a review of the Division's records, the following report has not been filed:

<u>Year</u>	<u>Report</u>	<u>Due Date</u>
2012	G4	11/02/12

The candidate has previously been notified of the report that is outstanding Enclosed are copies of letters sent by the Division. If the report is not filed <u>within 7 days of receipt of this letter</u>, the Division will forward this matter to the Florida Elections Commission for further action. Section 106 265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

If you have any questions please call Theresa Holdeen at (850) 245-6240.

Sincerely.

Kristi Reid Bronson, Chief Bureau of Election Records

KRB/tah

Enclosure(s)



R A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 Telephone: (850) 245-6240 • Facsimile: (850) 245-6259 www.dos.state.fl.us Commemorating 500 years of Florida history www.fla500.com



Florida Department of State **Division of Elections**

2012 General Election Alejandro Manuel Walters (WRI) State Representative

Campaign Finance Activity

Note: The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. <u>About the Campaign Finance Data Base</u>.

	Contributions									
/	Filing Period	Monetary	Loans	InKind	Expend	Other	Transfers			
W	06/08/2012 - 07/06/2012	0 00	0.00	0.00	0.00	0.00	0.00			
W	07/07/2012 - 07/20/2012	000	0.00	0.00	0.00	0.00	0.00			
W	07/21/2012 - 08/09/2012	0.00	0 00	0 00	0.00	0 00	0 00			
W	08/10/2012 - 09/14/2012	0 00	0 00	0 00	0.00	0 00	0 00			
۲	All Dates (Totals)	0 00	0.00	0.00	0 00	0.00	0 00			

Note: ^(E) indicates that report was filed electronically X indicates that detail has not been released W indicates that a waiver was filed and L. Indicates that a loan report was filed

Select Detail Type Contributions Select Sort Order Date(Ascending) Select Output Type Display On Screen

Submit Query Now

Query the Campaign Finance Data Base

[Department of State] [Division of Elections] [Candidates and Races] [Campaign Finance Information]

EXHIBIT



search | directory | contact us | 411 | subscribe | tour | help

Florida Department of State - Division of Elections

Florida Election System Reports

Ć

Candidate/Committee Lookup	Candida	te Na	ame: Alejar	dro Ma	anuel Wa	Iters			
Name walters	Account: <u>58568</u>								
Election	Date Due	Туре	Date Filed	Status	Days Late	Fine Appeale	d Amount A Fined	mount. Paid	
	2/4/2013	TR		FEC	0	\$0.00	\$0.00	\$0 00	
Acci 58568	11/2/2012	G4		FEC	0	\$0.00	\$0 00	\$0 00	
	10/19/2012	G3		FEC	0	\$0 00	\$0 00	\$0 00	
Type Candidate	10/5/2012	G2		FEC	0	\$0 00	\$0 00	\$0 00	
Coerch Reset	9/21/2012	G1	9/28/2012	CLO	7	\$0.00	\$0 00	\$0 00	
Search Reset	8/10/2012	F3	8/11/2012	CLO	1	\$0 00	\$0 00	\$0.00	
	7/27/2012	F2	7/27/2012						
	7/13/2012	F1	7/13/2012						

EXHIBIT_8

OFFICE USE ONLY STATEMENT OF 2012 JUN -8 AM 9: 25 **CANDIDATE** UNVISION OF ELECTIONS (Section 106.023, F.S.) (Please print or type) Hlejandro Manuel Walters ١, candidate for the office of State Representative strict 102; have been provided access to read and understand the requirements of Chapter 106, Florida Statutes. 6/7/12 Manuel Matters Signature of Candidate Date Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes). DS-DE 84 (05/11)

EXHIBIT 4

COMPLETE THIS SECTION ON DELIVERY SENDER: COMPLETE THIS SECTION Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Signatur A Agent Agent Y Addressee Print your name and address on the reverse so that we can return the card to you. Received/by (Printed Name) Date of Deliv В. Attach this card to the back of the mailpiece, わ 51 or on the front if space permits. D. Is delivery address different from item 1. Article Addressed to: If YES, enter delivery address below: D No amar ୦୦5 3. Service Type Certified Mall Express Mail Registered Return Receipt for Merchandise Insured Mail 🗖 C.O.D. Restricted Delivery? (Extra Fee) 4 🗖 Yes 2. Article Number 7084 2518 0081-4739 6111 (Transfer from service label) PS Form 3811, February 2004 **Domestic Return Receipt** 102595-02-M-1540 : U.S. Postal Service™ CERTIFIED MAIL RECEIPT 61,1,7 (Domestic Mail Only; No Insurance Coverage Provided) For 4739 (internet Postage 1000 13-048 Certified Fee Return Receipt Fee (Endorsement Required) Postmark 2510 Here Restricted Delivery Fee (Endorsement Required) Total Postage & Fees 9/13 \$ 7004 Sont To N b Street, Apt. No. or PO Box No. City, State, ZIP+4 PS Form 3800, June 2002 See Reverse for Instruction



FLORIDA ELECTIONS COMMISSION 107 W. Gaines Street, Suite 224 Collins Building Tallahassee, Florida 32399-1050 Telephone: (850) 922-4539 Fax: (850) 921-0783

April 29, 2013

CERTIFIED MAIL 70042510000147396111

Alejandro M. Walters 10500 SW 17th Court Miramar, FL 33025-3025

RE: Case No.: FEC 13-048; Respondent: Alejandro M. Walters

Dear Mr. Walters:

On January 28, 2013, the Florida Elections Commission received a referral from the Division of Elections alleging that you violated Florida's election laws. I have reviewed the referral and find that it contains one or more legally sufficient allegations. The Commission staff will investigate the following alleged violation:

Section 106.07(1), Florida Statutes: Alejandro Manuel Walters, candidate for State Representative, District 102, and designated as the treasurer for his own campaign, failed to file the 2012 G4 report, due on or before November 2, 2012.

You may respond to the allegation above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegation. If you choose to file a response to the alleged violation, you should do so within 20 days of the date you receive this letter Your response will be included as an attachment to the investigator's report.

When we conclude the investigation, you will receive a copy of the Report of Investigation. You may file a response to the report within 14 days from the date the report is mailed to you Based on the results of the investigation, legal staff will make a written recommendation to the Commission on whether there is probable cause to believe you have violated Chapter 104 or 106, Florida Statutes. You will receive a copy of the Staff Recommendation and may file a response within 14 days from the date the recommendation is mailed to you Your timely filed response(s) will be considered by the Commission when determining probable cause

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement

The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the same address as this letter. Therefore, if your address changes, you must notify the investigator assigned to this case of your new address. Otherwise, you may not receive the correspondence from the staff <u>Failure to receive the documents will not delay the probable cause hearing</u>

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are <u>confidential</u> until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you, the Respondent, unless you waive confidentiality in writing The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

If you have any questions or need additional information, please contact Cedric Oliver, the investigator assigned to this case

Sincerely,

Amy McKeever Tomah Executive Director

cc: Division of Elections, Complainant/Filing Officer AMT/dam DIVISION OF ELECTIONS

NAME Account Number

Alejandro Manuel Walters

58568

ASP#12013-218

Candidate: Alejandro Manuel Walters Treasurer: Alejandro Manuel Walters

The Division of Elections is referring this issue to the Florida Elections Commission pursuant to Section 106.25, Florida Statutes. Section 106.07(8)(d) F.S. requires the filing officer to notify the FEC of a candidate's or political committee's alleged failure to file reports as set forth in the notification.

The following reports are outstanding after notification:

2012 G4

2013 JAN 3 \geq Ş ഗ

Sent By: Kristi Reid Bronson LEB Date: January 24, 2013

AFFIDAVIT

STATE OF FLORIDA County of Leon

Theresa Holdeen, being duly sworn, says:

- 1. This affidavit is made upon my personal knowledge.
- 2. I am of legal age and competent to testify to the matters stated herein.
- 3. Alejandro Manuel Walters (58568) was a candidate for the office of State Representative, District 102, for the 2012 election cycle. The 2012 G4 campaign finance report, that was due on due on November 2, 2012 has not been filed
- 4. On June 8, 2012, Mr. Walters filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division, and appointed himself as treasurer.
- 5 On November 5, 2012, the Division mailed Mr. Walters notification that the 2012 G4 campaign finance report had not been filed.
- 6. On November 13, 2012, this division employee sent an email to Mr Walters that included notification that the 2012 G4 report had not been filed. (See attached copy of email).
- 7. On December 3, 2012, the Division mailed Mr. Walters a second notice regarding the 2012 G4 report
- 8 On December 20, 2012, this division employee sent an email to Mr Walters regarding this report (See attached copy of email)
- 9. On January 10, 2013, the Division mailed Mr. Walters a final notice with delivery confirmation regarding the failure to file the 2012 G4 report. (See attached confirmation of delivery.)
- 10. As of January 24, 2013, the 2012 G4 campaign finance report has not been filed.

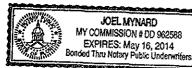
I hereby swear or affirm that the foregoing information is true and correct to the best of my knowledge.

Signature of Affiant

Sworn to (or affirmed) and subscribed before me this 24^{th} day of January, 2013.

Signature of Notary Public - State of Florida Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known



INV035 (5/00)

000002

USPS com® - Track & Confirm

English

Customer Service USPS Mobile Register / Sign In

Search USPS com or Track Packages

BUSPSCOM

1					
Quick Tools	Ship a Package	Send Mail	Manage Your Mail	Shop	Business Solutions

Track & Confirm

GET EMAIL	UF DATES PONTOFTAILS					
YOURL	ABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
03120	860000134069399		Delivered	January 12 2013 3:50 pm	HOLLYWOOD FL 33025	Delivery Confirmation
			Out for Delivery	January 12 2013 9:23 am	HOLLYWOOD FL 33027	
			Sorting Complete	January 12 2013 9:13 am	HOLLYWOOD FL 33027	
			Arrival at Post Office	January 12 2013 7 06 am	HOLLYWOOD FL 33027	
			Depart USPS Sort Facility	January 12 2013	OPALOCKA FL 33054	
			Processed through USPS Sort Facility	January 11 2013 2:09 pm	OPA LOCKA FL 33054	
		· · · ·	Depart USPS Sort Facility	January 11 2013	JACKSONVILLE FL 32099	
• •			Processed through USPS Sort Facility	January 11 2013 1:10 am	JACKSONVILLE FL 32099	

Check on Another Item

What's your label (or receipt) number?

FING

ON USPS COM

Government Services

Buy Stamps & Shop :

Customer Service

Site Index

Print a Label with Postage

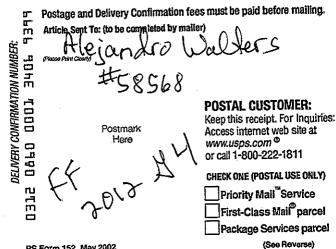
LEGAL Privacy Folicy : Terms of Use FOIA. No FEAR Act EEO Data

Copyright® 2013 USPS. All Rights Reserved

ON ABOUT USPS COM About USPS Homes Newsroom Mail Service Updates > Forms & Publications . Careors

OTHER USPS SITES Business Customer Gateway Postal Inspectors Inspector General Postal Explorer >

U.S. Postal Service[™]Delivery Confirmation[™]Receipt



PS Form 152, May 2002

https://tools usps com/go/TrackConfirmAction action

000003

1/22/2013

HISTORY NOTES

Alejandro Manuel Walters - 58568

Unique ID	Date Recorded	Last Edited Date	Orginally Recorded By
31872	12/20/2012 5:37:00 PM		taholdeen
2012 G4 FF:			
Sent the following email to	o candidate/treasurer:		
Mr Walters			
Attached are copies of pre not been filed The report electronic filing system an	eviously mailed notices with regards to was due November 2, 2012 Even if id file a waiver	o the 2012 G4 campaign finance re you had no financial activity you s	port which to date still has till must go into the
You are in violation of Flo possible civil penalties of	rida Statutes 106, and if this matter is up to \$1000 per violation	referred to the Florida Election Co.	mmission subject to
If you need assistance wit	h filing this report please contact the	Division Help Desk line at (850) 24	5-6280

Thank you in advance for your immediate attention to this matter

(......

2012 G2 (G3, G4) FF:

31344

Sent the following email to candidate:

Mr Walters

Attached are copies of notices previously mailed to you with regards to campaign finance reports which to date still have NOT been filed

Even if you had no financial activity you must go into the electronic filing system, and file waivers Please file these reports immediately, as you are in violation of Florida Statutes 106, and are subject to referral to the Florida Elections Commission The Florida Elections Commission can impose civil penalties of up to \$1000 per violation

If you need assistance filing these reports please contact our Help Desk at (850) 245-6280

11/13/2012 12:32:00 PM

Thank you in advance for your immediate attention to this matter

taholdeen

Holdeen, Theresa A.

From: Sent: To: Subject: Attachments:	Holdeen, Theresa A Tuesday, November 13, 2012 12:40 PM 'awalters920@gmail com' #58568 Alejandro Walters (2012 G2, G3, & G4) Campaign Finance Reports - NOT FILED #58568 Alejandro Walters (2012 G2 FF) 1st notice pdf; #58568 Alejandro Walters (2012 G2 FF) 2nd notice pdf; #58568 Alejandro Walters (2012 G3 FF) 1st notice pdf; #58568 Alejandro Walters (2012 G4 FF) 1st notice pdf
Importance:	High

Mr. Walters,

Attached are copies of notices previously mailed to you with regards to campaign finance reports, which to date, still have NOT been filed.

Even if you had no financial activity, you must go into the electronic filing system, and file waivers. Please file these reports <u>immediately</u>, as you are in violation of Florida Statutes 106, and are subject to referral to the Florida Elections Commission The Florida Elections Commission can impose civil penalties of up to \$1000 per violation.

If you need assistance filing these reports, please contact our Help Desk at (850) 245-6280.

Thank you in advance for your immediate attention to this matter.

Regards, Theresa Bureau of Election Records

033636



FLORIDA DEPARTMENT OF STATE Ken Detzner Secretary of State DIVISION OF ELECTIONS

November 5, 2012

Alejandro Walters Candidate for State Representative. District 102 10500 SW 17th Court Miramar. FL 33025-3025

ŧ.....

Dear Mr. Walters:

Your campaign treasurer's report, which was due November 2, 2012, has not been received.

Section 106 07(8)(b), Florida Statutes, requires that the filing officer immediately notify you of the failure to file this report and that a fine will be assessed of \$50 per day for the first 3 days late and, thereafter \$500 per day, although a fine cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. However, for the reports immediately preceding each primary and general election, the fine shall be \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Once your report is filed, this office will notify you of the specific amount of your fine. Fines must be paid to the filing officer within 20 days of receipt of the payment due notice

Please be advised, however, that failure to file a campaign treasurer's report may constitute a violation of Chapter 106, Florida Statutes, independent of the automatic fine violation referenced above. Therefore, if you fail to file a report, the division will turn the matter over to the Florida Elections Commission.

Section 106 265(1), Florida Statutes, authorizes the Florida Elections Commission to impose a civil penalty up to \$1,000 per count for each willful violation of Chapter 106

If you have any questions, please do not hesitate to contact Theresa Holdeen at (850)245-6250.

Sincerely. In TRiend P

Kristi Reid Bronson, Chief Bureau of Election Records

- 000*0*005



6.

Holdeen, Theresa A.

From: Sent: To: Subject: Attachments:	Holdeen, Theresa A. Thursday, December 20, 2012 5:38 PM awalters920@gmail.com #58568 Alejandro Manuel Walters (2012 G4 Campaign Finance Report) - NOT FILED #58568 Alejandro Walters (2012 G4 - FF) - 1st Notice pdf; #58568 Alejandro Walters (2012 G4 - FF) - 2nd Notice pdf
Importance:	High

Mr. Walters,

Attached are copies of previously mailed notices with regards to the 2012 G4 campaign finance report which to date still has not been filed The report was due November 2, 2012 Even if you had no financial activity, you still must go into the electronic filing system and file a waiver.

You are in violation of Florida Statutes 106, and if this matter is referred to the Florida Election Commission, subject to possible civil penalties of up to \$1000 per violation.

If you need assistance with filing this report, please contact the Division Help Desk line at (850) 245-6280

Thank you in advance for your *immediate* attention to this matter.

Regards, Theresa Bureau of Election Records



FLORIDA DEPARTMENT OF STATE Ken Detzner Secretary of State DIVISION OF ELECTIONS

SECOND NOTICE

Second Notice

December 3, 2012

Alejandro Walters Candidate for State Representative, District 102 10500 SW 17th Court Miramar, FL 33025-3025

Dear Mr. Walters:

Your campaign treasurer's report, due November 2, 2012, has not been received

Section 106 07(8)(b). Florida Statutes, requires that the filing officer immediately notify you of the failure to file a report

The first notice of the failure to file the above mentioned report was mailed, via regular mail, to the address on file with our office on November 5, 2012. As of this date, we do not show a record of receiving this report

If the report is not filed via the Division's electronic filing system within 14 days of receipt of this notice, this matter will be referred to the Florida Elections Commission for further action Section 106 265(1), Florida Statutes, authorizes the Florida Elections Commission, upon finding a willful violation of Chapter 106. Florida Statutes, to impose a civil penalty up to \$1,000 per count

If you have any questions, please do not hesitate to contact Theresa Holdeen at (850)245-6250

Sincerely,

int Their P

Kristi Reid Bronson, Chief Bureau of Flection Records

036637



FLORIDA DEPARTMENT Of STATE

Governor

KEN DETZNER Secretary of State

FINAL NOTICE - Delivery Confirmation: 0312 0860 0001 3406 9399

January 10, 2013

Mr Alejandro Manuel Walters (58568) 10500 SW 17th Court Miramar, Florida 33025

Dear Mr Walters:

According to a review of the Division's records, the following report has not been filed:

Year	Report	<u>Due Date</u>
2012	G4	11/02/12

The candidate has previously been notified of the report that is outstanding Enclosed are copies of letters sent by the Division If the report is not filed within 7 days of receipt of this letter, the Division will forward this matter to the Florida Elections Commission for further action. Section 106 265(1), Florida Statutes, authorizes the Florida Elections Commission to impose civil penalties of up to \$1,000 per violation.

If you have any questions please call Theresa Holdeen at (850) 245-6240

Sincerely.

TZ .--

Kristi Reid Bronson, Chief Bureau of Election Records

KRB/tah

Enclosure(s)



 R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250 Telephone: (850) 245-6240 • Facsimile: (850) 245-6259 www.dos.state.fl.us Commemorating 500 years of Florida history www.fla500.com

6966099



OFFICE USE ONLY STATEMENT OF 2012 JUN -8 AM 9:25 CANDIDATE UNISION OF ELECTIONS (Section 106.023, F.S.) (Please print or type) 1, <u>Alejandro Manuel Walters</u> strict 102; candidate for the office of State Representative have been provided access to read and understand the requirements of Chapter 106, Florida Statutes. 6/7/12 Manuel Walters Signature of Candidate Date Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss 106.19(1)(c), 106 265(1), Florida Statutes). DS-DE 84 (05/11) 000010

	$C_{\mu\nu}$	
APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES (Section 106 021(1) F S)	2012 JUN -8 AM 9:25	
(PLEASE PRINT OR TYPE)	DIVISION OF ELECTIONS	
NOTE: This form must be on file with the qualifying officer before opening the campaign account.	OFFICE USE ONLY	
1 CHECK APPROPRIATE BOX(ES):	easurer/Deputy 🔲 Depository 🔲 Office 🔲 Party	
2 Name of Candidate (in this order: First, Middle, Last)	3 Address (include post office box or street, city, state, zip code)	
Alejandro Manuel Walters	Miramor FC 33025	
4. Tetephone 5. E-mail address () 0440/fers920@gmail.00	Mirapror Fi 33025	
6. Office sought (include district circuit, group number).	7 If a candidate for a <u>nonpartisan</u> office, check if applicable:	
State Representative Distruct 102	My intent is to run as a Write-In candidate	
8 If a candidate for a partisan office, check block and fill i	in name of party as applicable: My intent is to run as a	
Write-In No Party Affiliation	Party candidate	
	Campaign Treasurer Deputy Treasurer	
10. Name of Treasurer or Deputy Treasurer Alexandro Mapuel Walters		
11 Mailing Address 105000, SLU 17th Court	12 Telephone	
13. City 14. County 15 Stat		
Miramur Browlind FL.	Primary Depository	
	20 Address	
21 City Chase Bank 22 County	11100 Penbroke Rd 23 State 24 Zip Code	
Miramar Broward	23 State 24 Zip Code L. 33025	
UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE	FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND AND THAT THE FACTS STATED IN IT ARE TRUE	
25 Date	26 Signature of Candidate	
June 7,2012	X Alindo M. Watter	
	(fill in the blanks and check the appropriate block)	
I, <u>Herendro Manuel Walters</u> , do hereby accept the appointment (Please Print or Type Name)		
designated above as: X Campaign Treasurer	Deputy Treasurer	
6/7/2012 XA	judo M. Watters	
	Signature of Campaign Treasurer or Deputy Treasurer	
DS-DE 9 (Rev. 10/10)	Rule 1S-2.0001, F.A.C.	

000011

İ