

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Corey Givens Jr.

Case No.: FEC 17-236

TO: Corey Givens Jr.
777 38th Avenue South
St. Petersburg, FL 33701

Lucinda L. Johnston
348 11th Avenue NE
St. Petersburg, FL 33701

NOTICE OF HEARING (INFORMAL HEARING)

A hearing will be held in this case before the Florida Elections Commission on, **May 15, 2018 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **412 Knott Building, Pat Thomas Committee Room, 404 South Monroe Street, Tallahassee, Florida 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 Ann 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
April 30, 2018

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.

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STATE OF FLORIDA
ELECTIONS COMMISSION

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,
Petitioner,**

Case No.: FEC 17-236

v.

**Corey Givens Jr.
Respondent.**

ORDER OF PROBABLE CAUSE

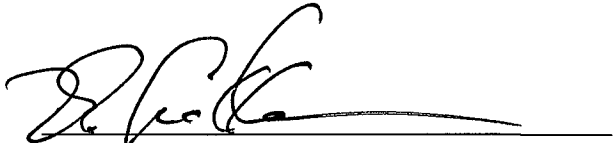
THIS MATTER was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on March 13, 2018, in Tallahassee, Florida.

On February 5, 2018, Staff recommended to the Commission that there was probable cause to believe that the Florida Election Code was violated. The facts articulated in Staff's Recommendation are adopted by reference and incorporated herein. 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 violation(s):

Count 1:

On or about January 23, 2017, Respondent violated Section 106.021(1)(b), Florida Statutes, when Respondent deposited a \$500 campaign contribution into an account other than his campaign depository.

DONE AND ORDERED by the Florida Elections Commission on March 13, 2018.



M. Scott Thomas, Chairman
Florida Elections Commission

Copies furnished to:
Eric M. Lipman, General Counsel
Corey Givens Jr., Respondent
Lucinda L. Johnston, 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 consent order where you and Commission staff agree to resolve the violation(s) and agree to the amount of the fine. The consent order is then presented to the Commission for its approval. To discuss a consent order, contact the FEC attorney identified in the Order of Probable Cause.

Second, you may request an informal hearing held before the Commission, if you do not dispute any material fact in the Staff Recommendation. You have 30 days from the date the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. At the hearing, you will have the right to make written or oral arguments to the Commission concerning the legal issues related to the violation(s) 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 formal hearing 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 the Order of Probable Cause is filed with the Commission to request such a hearing. The date this order was filed appears in the upper right-hand corner of the first page of the order. 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 this Order of Probable Cause is filed with the Commission, the case will be sent to the Commission for a formal or informal hearing, depending on whether the facts are in dispute. The date this order was filed appears in the upper right-hand corner of the first page of the order.

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: Corey Givens Jr.

Case No.: FEC 17-236

TO: Corey Givens Jr.
777 38th Avenue South
St. Petersburg, FL 33701

Lucinda L. Johnston
348 11th Avenue NE
St. Petersburg, FL 33701

NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)

A hearing will be held in this case before the Florida Elections Commission on, **March 13, 2018 at 10:00 am, or as soon thereafter as the parties can be heard**, at the following location: **Augustus B. Turnbull Conference Center, 555 West Pensacola Street, Room 103, Tallahassee, Florida 32301.**

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.

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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.

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If you require an accommodation due to a disability, contact Donna Ann 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 26, 2018

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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.

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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.

**THIS FILE CONTAINS INFORMATION
THAT IS CONFIDENTIAL
AND EXEMPT FROM DISCLOSURE
PURSUANT TO
CHAPTER 119, FLORIDA STATUTES**

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Corey Givens Jr.

Case No.: FEC 17-236

STAFF RECOMMENDATION FOLLOWING INVESTIGATION

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.021(1)(b), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on January 12, 2018, the following facts and law support this staff recommendation:

1. On June 6, 2017, the Florida Elections Commission ("Commission") received a complaint from Lucinda L. Johnston ("Complainant"), alleging that Corey Givens Jr. ("Respondent") violated Chapter 106, Florida Statutes.

2. Respondent was a candidate for the Saint Petersburg City Council, District 6, in the August 29, 2017 election. Respondent's Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form ("DS-DE 9") was filed with the Saint Petersburg City Clerk on January 9, 2017. Respondent designated Regions Bank as his campaign depository. (ROI Exhibit 1 and Attachment A)¹

3. By letter dated July 25, 2017, the Executive Director notified Respondent that Commission staff would investigate the following alleged violation:

Section 106.021(1)(b), Florida Statutes: Respondent, a 2017 candidate for the Saint Petersburg City Council, District 6, deposited a campaign contribution into an account other than the campaign depository.

4. Complainant alleged Respondent improperly deposited her \$500 contribution check into Respondent's personal bank account instead of depositing the contribution check into Respondent's campaign bank account.

5. On January 19, 2017, Complainant gave Respondent a \$500 campaign contribution check. On January 23, 2017, Respondent deposited the \$500 contribution check into his personal bank account instead of his campaign account. (ROI Exhibit 2 and ROI Exhibit 3, page 1)

¹ The Report of Investigation is referred to herein as "ROI."

6. In his June 27, 2017 response to the complaint, Respondent claimed that on January 23, 2017, he was making a deposit to his personal bank account at a Wells Fargo Bank ATM, and unintentionally deposited Complainant's campaign contribution check into his personal bank account. Respondent stated he called Complainant while he was at the bank where the ATM was located and told Complainant about the mistake. Respondent added that Complainant assured him the matter would be resolved after Respondent returned the \$500 contribution. (ROI Exhibit 3, page 1)

7. Respondent stated that two days later, he went to Complainant's office and returned the \$500 contribution to Complainant in cash. Respondent also stated, "[T]he mistake that I made was I did not personally provide Ms. Johnston with a receipt..." *Id.*

8. On June 8, 2017, Respondent sent Complainant an email admitting he knew what he did was wrong and that he took full responsibility for what happened. Respondent referred to the incident as an inadvertent mistake. (ROI Exhibit 4)

9. On January 9, 2017, Respondent was provided with a copy of Chapter 106, Florida Statutes, the *2017 Candidate and Campaign Treasurer Handbook* published by the Florida Division of Elections, and an Application and Acknowledgement of Electronic Filing Information. (ROI Exhibit 9, page 1)

10. Based on the above information, it appears Respondent may have deposited a campaign contribution into an account other than his campaign depository.

11. On September 15, 2017, Investigator Spore attempted to call Respondent. Investigator Spore reached a generic voicemail box and left a message requesting Respondent to return the call, which Respondent failed to do. (Attachment B, Phone Log Entry 2)

12. On January 4, 2018, Investigator Spore attempted to call Respondent. Investigator Spore reached a generic voicemail box and left a message requesting Respondent to return the call, which Respondent failed to do. (Attachment B, Phone Log Entry 3)

13. "Probable Cause" is defined as reasonable grounds 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 man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).

14. The facts set forth above show that Respondent was a candidate for the Saint Petersburg City Council, District 6, in the August 29, 2017 election. Respondent's DS-DE 9 was filed with the Saint Petersburg City Clerk on January 9, 2017. On January 19, 2017, Complainant gave Respondent a \$500 contribution check which Respondent deposited into his personal checking account. Respondent stated that two days later, he went to Complainant's office and returned the \$500 contribution to Complainant in cash.

15. The above facts also show that on June 8, 2017, Respondent sent Complainant an email in which Respondent stated that he knew what he did was wrong. Respondent also stated that he took full responsibility for the "inadvertent mistake."

16. The above facts additionally show that Investigator Spore attempted to contact Respondent by telephone two times. Both times, Investigator Spore left a message requesting Respondent to return the call, which he failed to do. The Saint Petersburg City Clerk provided Respondent with a copy of Chapter 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook* published by the Division of Elections and an Application and Acknowledgement of Electronic Filing Information.

Based upon the foregoing facts and circumstances, I recommend the Commission find probable cause to charge Respondent with:

Count 1:

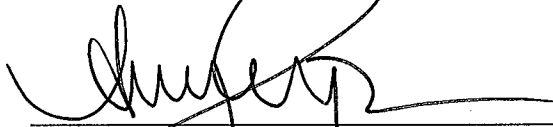
On or about January 23, 2017, Respondent violated Section 106.021(1)(b), Florida Statutes, when Respondent deposited a \$500 campaign contribution into an account other than his campaign depository.

Respectfully submitted on February 5, 2018.



Eric M. Lipman
General Counsel

I reviewed this Staff Recommendation this 5th day of February 2018.



Amy McKeever Toman
Executive Director

Elections

[What's on this page?](#)

City of St. Petersburg 2017 Elections Offices of **Council Districts 2, 4, 6, 8 and Mayor**

ELECTION DATES:	Primary Election	August 29, 2017
	General Election	November 7, 2017
QUALIFYING PERIOD:	Starts June 8, 2017, at 8 a.m. and ends on June 23, 2017, at 5 p.m.	
QUALIFICATIONS:	Must be a registered voter.	
	Candidates for Council Member must have been a resident of the declared district for at least the past 12 months, as of the date of the primary election.	
	Candidates cannot have become and cannot be a candidate, a nominee, or representative of any political party or any committee or convention representing or acting for any political party.	
TERM OF OFFICE:	4 Years, beginning January 2, 2018	

- **CAMPAIGN FINANCE REPORTING FILINGS**
- **CITY OF ST. PETERSBURG SPECIAL ELECTION REFERENDUM - MAY 2, 2017**
 - **TENTATIVE BALLOT MAILING SCHEDULE**
 - **COUNTY REFERENDUM AND MUNICIPAL GENERAL ELECTIONS - SAMPLE BALLOT**
- **PINELLAS COUNTY CANVASSING BOARD MEETING**
- **2017 ELECTION SCHEDULE OF REPORTING DATES**
- **PRIMARY ELECTION QUALIFIED CANDIDATES - AUGUST 29, 2017**
 - **DISTRICT 6 RECOUNT NOTICE - SEPTEMBER 1, 2017**
- **GENERAL ELECTION QUALIFIED CANDIDATES - NOVEMBER 7, 2017**
 - **EARLY VOTING**

ATTACHMENT A

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 17-236**

Respondent: Corey Givens Jr.

Complainant: Lucinda L. Johnston

1. **Date and time:** 08/30/17- 9:50 AM

Name: Complainant

Phone #: 813-505-3061

Summary: I called and spoke with Complainant. She stated she did not have any updated information, other than she has asked Respondent multiple times, in writing, that she would like to be repaid the \$500.00 from the donation she had given, that had been deposited in his personal bank account. She stated he has yet to repay her. She stated she has copies of the emails and registered letter that she sent him, and told me she would like to possibly send that information in to our office. She asked if she could email me a copy of these letters, and I stated she could email them to me. She was in a restaurant eating breakfast, and asked me to hold while she went to the counter to ask for a pen. She wrote down my email address, and stated she would try to send me a copy of the letters later today.

Memo to File? No

Entered by: S. Spore

2. **Date and time:** 09/15/17- 10:02 AM

Name: Respondent

Phone #: 727-433-5477

Summary: I called and reached a generic voicemail box. I left a message, asking Respondent to return my call, and left my telephone number and extension.

Memo to File? No

Entered by: S. Spore

3. **Date and time:** 01/04/18- 9:48 AM

Name: Respondent

Phone #: 727-433-5477

Summary: I called and immediately reached a voicemail box. I left a message, asking Respondent to return my call.

Memo to File? No

Entered by: S. Spore

4. **Date and time:** February 2, 2018

Name: Chan Srinivasa

Phone #: 727-893-7448

Summary: Mr. Srinivasa told me that Respondent has not filed an amended 2017 M1 Report

Memo to File? No

Entered by: EML

ATTACHMENT B

FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Case No.: FEC 17-236

Respondent: Corey Givens, Jr.

Complainant: Lucinda L. Johnston

On June 6, 2017, the Florida Elections Commission ("Commission") received a sworn complaint alleging that Respondent violated Chapter 106, Florida Statutes. Commission staff investigated whether Respondent violated the following statute:

Section 106.021(1)(b), Florida Statutes, depositing a campaign contribution into an account other than the campaign depository.

I. Preliminary Information:

1. Respondent was a candidate for the Saint Petersburg City Council, District 6. He won 9.94% of the vote, and came in fifth in a race of eight candidates. He was not a first-time candidate, as he ran for Pinellas County School Board, District 7 in 2012.

2. On January 9, 2017, Respondent filed the "Appointment of Campaign Treasurer and Designation of Campaign Depository" (DS-DE 9) with his filing officer. Respondent appointed Tom Alte as his campaign treasurer. To review a copy of Respondent's DS-DE 9 form, refer to Exhibit 1.

3. Complainant is a resident of the City of Saint Petersburg, Florida. She is the Executive Director and Registered Agent of Chart 411, a not-for-profit organization.

II. Alleged Violation of Section 106.021(1)(b), Florida Statutes:

4. I investigated whether Respondent violated this section of the election laws by depositing a campaign contribution into an account other than the campaign depository.

5. Complainant alleges she wrote a \$500.00 contribution check to Respondent on January 19, 2017, and personally handed the check to Respondent at a meeting they were both in attendance for. When reviewing her contributions to various candidates on May 24, 2017, Complainant noted that the check written on January 19, 2017 was not listed by Respondent as a contribution. She looked up a copy of the January 19, 2017 check, and noted it had been deposited into a different account than a contribution her husband had previously given to Respondent. To review a copy of the January 19, 2017 contribution check, refer to Exhibit 2.

6. Respondent provided a written response to the complaint on June 27, 2017. In the response, he stated, "On January 23, 2017, I was making a separate deposit into my personal

account at a Wells Fargo ATM. Not paying attention, I unintentionally deposited the wrong check into the ATM machine.” To review the June 27, 2017 written response, refer to Exhibit 3.

7. Respondent also stated, “While at the bank, I called my campaign manager and Ms. Johnston, to inform them both of my mistake. Ms. Johnston and my campaign manager assured me that the issue would be resolved once I returned the funds back to Ms. Johnston, who was originally okay with the agreement we had. Two days later, I met Me. [sic] Johnston at her office and returned the \$500 to her in cash. She insisted that she would re-contribute the funds, but I never received the money back. The mistake that I made was I did not personally provide Ms. Johnston with a receipt, I instructed my previous campaign manager to send it to her via certified mail. Only to later discover it was never done.”; Exhibit 3.

8. On September 1, 2017, Complainant submitted an e-mail exchange between herself and Respondent. In an e-mail dated June 8, 2017, Respondent stated to Complainant, “My heart is broken. My family is suffering and so am torn from my actions. I know what I did was not right and I sincerely apologize. I would never do anything to intentionally hurt the ones I love. You are like family to me and I would never want to loose [sic] our friendship over my inadvertent mistake. I take full responsibility and I would like to move forward with settling this dispute. Please let me know how this situation can be resolved.” To review the June 8, 2017 e-mail exchange, refer to Exhibit 4.

9. On June 15, 2017, Complainant replied to Respondent’s e-mail, stating, “Since I haven’t heard from you I am moving forward with my demand that you return the money that you misdirected into your personal account as well as the other funds that Howard and I donated”; Exhibit 4.

10. On September 1, 2017, Complainant also submitted a letter dated June 15, 2017 that she wrote to Respondent, stating, “Please consider this letter my demand that you immediately return the \$500 that I donated to your campaign by check on January 19, 2017. I am further demanding a refund of the other money that was donated by me or my husband Howard Johnston. Those donations total \$630.37. I am sure you understand that, under the circumstances, your use of that money to further your campaign goals just isn’t appropriate. I am expecting that this money will be returned to us by June 26, 2017.” To review the June 15, 2017 letter, refer to Exhibit 5.

11. Also on September 1, 2017, Complainant submitted a letter dated June 29, 2017 that Respondent wrote to Complainant, stating, “Per your request, enclosed you will find a copy of your returned contribution check in the amount of **\$630.37**. This amount accounts for both monetary and in-kind contributions received from you both.” To review the June 29, 2017 letter, refer to Exhibit 6.

12. The 2017 M1 campaign treasurer’s report covered the period of January 1, 2017 through January 31, 2017, and was due on February 10, 2017. A review of Respondent’s 2017 M1 campaign treasurer’s report indicates multiple contributions by Complainant and Complainant’s husband, however, the \$500.00 contribution Complainant made by check on 01/19/2017 was not listed. To review the 2017 M1 campaign treasurer report, refer to Exhibit 7.

TABLE 1: 2017 M1 CONTRIBUTIONS

Date	Reporting Period	Type	Name	Amount
01/09/17	2017 M1	Check	Howard Johnston	\$100.00
01/09/17	2017 M1	Check	Lucinda Johnston	\$100.00
01/09/17	2017 M1	Check	Lucinda Johnston	\$100.00
01/09/17	2017 M1	In-Kind	Lucinda Johnston	\$102.88
01/10/17	2017 M1	In-Kind	Lucinda Johnston	\$77.49
01/30/17	2017 M1	Cash	Howard Johnston	\$50.00
01/30/17	2017 M1	Check	Howard Johnston	\$100.00
Total				\$630.37

13. A review of Respondent's 2017 P2 campaign treasurer's report indicates a refund to Complainant's husband of \$630.37 was reported. To review the 2017 P2 campaign treasurer's report, refer to Exhibit 8.

14. A summarized time line of events is listed below, in Table 3.

TABLE 3: TIME LINE OF EVENTS

Date	Event
01/19/17	Complainant gave \$500 check to Respondent's campaign.
01/23/17	Respondent deposited \$500 check into personal bank account.
01/26/17	Respondent claims he refunded Complainant \$500 in cash.
06/06/17	FEC received sworn complaint.
06/08/17	Respondent e-mailed apology to Complainant.
06/15/17	Complainant e-mailed Respondent with attached demand letter, asking for refund of \$500, as well as refund of \$630.37 for all other contributions given to Respondent's campaign.
06/27/17	Respondent e-mailed FEC a written statement, indicating he was willing to offer a documented refund in-full.
06/30/17	Respondent refunded Complainant \$630.37 by check through certified mail.

IV. FEC History:

15. There are no prior cases for Respondent.

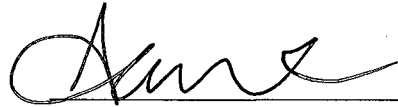
Conclusion:

16. Respondent was offered several opportunities to make comments regarding the findings of this investigation. Respondent has not returned telephone calls. A questionnaire-affidavit was mailed to Respondent, with no response. I am unable to ascertain whether he has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*.

17. On January 9, 2018, the City Clerk of St. Petersburg returned a completed questionnaire-affidavit. He stated that Respondent was notified to view Chapter 106, Florida Statutes, and the *Candidate and Campaign Treasurer Handbook* on the City of St. Petersburg website (www.stpete.org/elections). To review a copy of the January 9, 2018 questionnaire-affidavit, refer to Exhibit 9.

18. On January 9, 2017, Respondent filed his Statement of Candidate for St. Petersburg City Council, District 6 acknowledging that he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes. To view a copy of the Statement of Candidate, refer to Exhibit 10.

Respectfully submitted on January 12, 2018.



Samantha Spore
Investigation Specialist

Current address of Respondent

Mr. Corey Givens, Jr.
777 38th Avenue, South
St. Petersburg, Florida 33701-3837

Current address of Complainant

Ms. Lucinda L. Johnston
348 11th Avenue, N.E.
St. Petersburg, Florida 33701-1926

Name and Address of Filing Officer:

Mr. Chan Srinivasa
St. Petersburg City Clerk
P.O. Box 2842
St. Petersburg, FL 33731

Copy furnished to: Mr. David Flagg, Investigations Manager

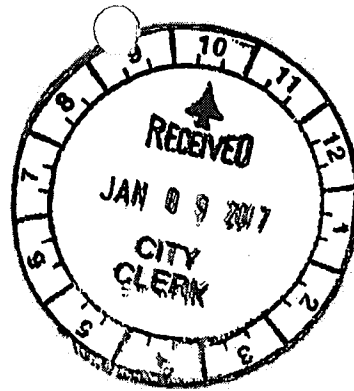
FLORIDA ELECTIONS COMMISSION
REPORT OF INVESTIGATION
Corey Givens, Jr. -- FEC 17-236

LIST OF EXHIBITS	
Exhibits #s	Description of Exhibits
Exhibit 1	January 9, 2017 DS-DE 9 Form
Exhibit 2	January 19, 2017 Contribution Check
Exhibit 3	June 27, 2017 Written Response
Exhibit 4	June 8, 2017 E-mail Exchange
Exhibit 5	June 15, 2017 Letter from Complainant
Exhibit 6	June 29, 2017 Letter from Respondent
Exhibit 7	2017 M1 Campaign Treasurer's Report
Exhibit 8	2017 P2 Campaign Treasurer's Report
Exhibit 9	January 9, 2018 Questionnaire-Affidavit
Exhibit 10	Statement of Candidate

**APPOINTMENT OF CAMPAIGN TREASURER
AND DESIGNATION OF CAMPAIGN
DEPOSITORY FOR CANDIDATES**

(Section 106.021(1), F.S.)

(PLEASE PRINT OR TYPE)



NOTE: This form must be on file with the qualifying officer before opening the campaign account.

OFFICE USE ONLY

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)

Corey Devine Givens

3. Address (include post office box or street, city, state, zip code)

777 38th Ave S
St Petersburg, FL 33705

4. Telephone

(727) 433-5477

5. E-mail address

corey.givensjr@yahoo.com

6. Office sought (include district, circuit, group number)

St Petersburg City Council, District 6

7. If a candidate for a nonpartisan office, check if applicable:

My intent is to run as a Write-In candidate.

8. If a candidate for a partisan office, check block and fill in name of party as applicable: My intent is to run as a

Write-In No Party Affiliation _____ Party candidate.

9. I have appointed the following person to act as my Campaign Treasurer Deputy Treasurer

10. Name of Treasurer or Deputy Treasurer

Tom Alte

11. Mailing Address

PO Box 16061

12. Telephone

(217) 257-6998

13. City

St Petersburg

14. County

Pinellas

15. State

Florida

16. Zip Code

33733

17. E-mail address

tom@blueticketconsulting.com

18. I have designated the following bank as my Primary Depository Secondary Depository

19. Name of Bank

Regions Bank

20. Address

3463 22nd Ave N

21. City

St Petersburg

22. County

Pinellas

23. State

Florida

24. Zip Code

33713

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING FORM FOR APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY AND THAT THE FACTS STATED IN IT ARE TRUE.

25. Date

12/20/16

26. Signature of Candidate

X

27. Treasurer's Acceptance of Appointment (fill in the blanks and check the appropriate block)

I, Tom Alte, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

12/20/16

Date

X

Signature of Campaign Treasurer or Deputy Treasurer



Front:

J HOWARD JOHNSTON
LUCINDA JOHNSTON
PH. 813-606-3061
348 11TH AVENUE, NE
ST PETERSBURG, FL 33701

10135
634315/2037

1-19-2017

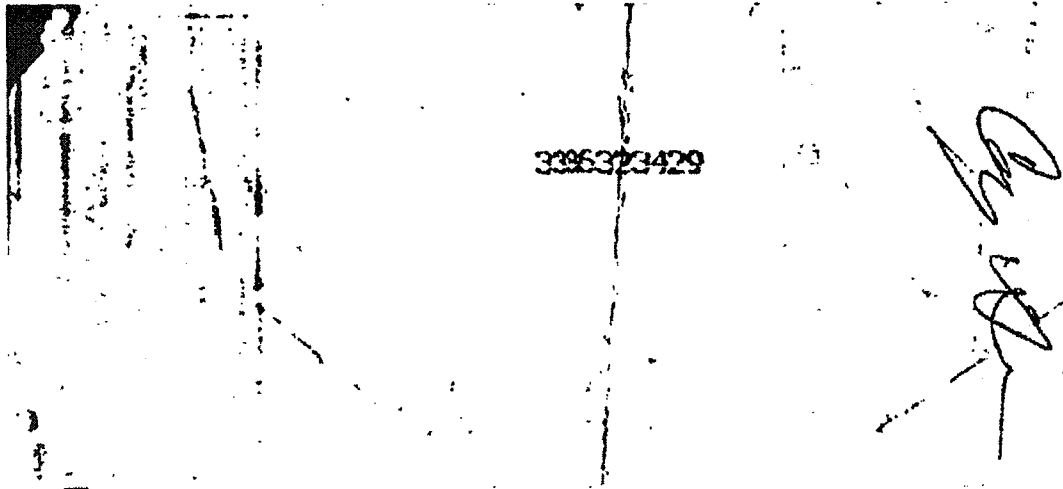
Pay to the order of Campaign Cozy Haven \$ 500.00
Five Hundred & 00/100



For Campaign Contributor Lucinda Johnston

⑆ 263883159⑆0070000027985⑆10135

Back:



Return

EXHIBIT 2

ATTENTION: ERIN RILEY

Corey Givens Jr.

to:

fec@myfloridalegal.com

06/27/2017 09:58 PM

Hide Details

From: "Corey Givens Jr." <corey.givensjr@yahoo.com>

To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>

Please respond to "corey.givensjr@yahoo.com" <corey.givensjr@yahoo.com>

On the evening of January 19, 2017, Lucinda Johnston gave me a \$500 check as a contribution towards my campaign. The check was given to me at an event and was to be deposited into my campaign account at Regions bank.

On January 23, 2017 I was making a separate deposit into my personal account at a Wells Fargo ATM. Not paying attention, I unintentionally deposited the wrong check into the ATM machine. This particular machine was not adjacent to the building it was detached in the drive-through. I immediately went into the branch to notify the manager of my mistake and was advised that the bank could not return the check from the ATM machine, because it was not operated by them. I was given a phone number to call and was instructed that it would take 24-36 hours to have the check removed. The branch manager also advised me that by then the check would have cleared in my account. The bank documented the account (see attachment).

While at the bank I called my campaign manager and Ms. Johnston, to inform them both of my mistake. Ms. Johnston and my campaign manager assured me that the issue would be resolved once I returned the funds back to Ms. Johnston, who was originally okay with the agreement we had.

Two days later, I met Ms. Johnston at her office and I returned the \$500 to her in cash. She insisted that she would re-contribute the funds, but I never received the money back. The mistake that I made was I did not personally provide Ms. Johnston with a receipt, I instructed my previous campaign manager to send it to her via certified mail. Only to later discover it was never done.

After Ms. Johnston received her refund months had passed and the issue was never brought up again.

On May 24th, Ms. Johnston called me yelling and said that if I did not support the candidate she was backing for Mayor, she would expose me to the press and file a complaint over the incident that took place back in January.

At that point I realized that I was being politically exploited. I had already given her a refund, but she knew there was no paper trail to prove it and she willingly used that against me.

I told Ms. Johnston I would be willing to provide an additional \$500 refund, this time accompanied by a receipt so it could be properly documented. She said she would think about it for a few days. The next thing I knew a complaint had been filed against me.

I was later sent a list of demands by Ms. Johnston, one of those demands included me withdrawing from my race and publicly apologizing to her.

EXHIBIT

3 page 1 of 2
6/28/2017

Ms. Johnston was once a friend and supporter. Now she is publicly supporting my opponent, who is a tenant in Ms. Johnston's son's building and is also being managed by my former campaign team.

I am still more than willing to offer another documented refund in-full.

Corey Givens Jr.
Case # FEC 17-236

EXHIBIT 3 page 2 of 2
6/28/2017



Fwd: My apologies

Lucinda Johnston

to:

Samantha.spore

09/01/2017 09:45 AM

Hide Details

From: Lucinda Johnston <ljohnston4656@gmail.com>

To: Samantha.spore@myfloridalegal.com

2 Attachments



Demand Letter Corey Givens.pdf Corey resonse.pdf

This is the email chain with the letter I sent to Mr. Givens. I'm attaching his response. He sent me a refund of the donations we made that were deposited in his campaign account but did not return the \$500 that was deposited into his personal account. Please let me know if I can provide any further information.

----- Forwarded message -----

From: **Lucinda Johnston** <ljohnston4656@gmail.com>

Date: Thu, Jun 15, 2017 at 11:41 AM

Subject: Re: My apologies

To: "corey.givensjr@yahoo.com" <corey.givensjr@yahoo.com>

Corey,

Since I haven't heard from you I am moving forward with my demand that you return the money that you misdirected into your personal account as well as the other funds that Howard and I donated. Please see the attached letter that I am also sending to you by US Mail. For your convenience I've attached a copy of the January campaign report.

Lucinda

On Thu, Jun 8, 2017 at 11:13 AM, Corey Givens Jr. <corey.givensjr@yahoo.com> wrote:

Dear Lucinda,

My heart is broken. My family is suffering and so am torn from my actions. I know what I did was not right and I sincerely apologize. I would never do anything to intentionally hurt the ones I love. You are like family to me and I would never want to lose our friendship over my inadvertent mistake.

I take full responsibility and I would like to move forward with settling this dispute. Please let me know how this situation can be resolved.

Thank you for your understanding,

Corey Givens Jr.

EXHIBIT 4

Lucinda L. Johnston

348 11th Ave NE
St Petersburg, FL 33701
June 15, 2017

Corey Givens Jr.
777 38th Ave. S.
St Petersburg, FL 33705

Dear Mr. Givens:

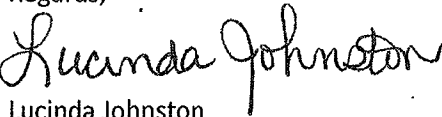
Please consider this letter my demand that you immediately return the \$500 that I donated to your campaign by check on January 19, 2017.

I am further demanding a refund of the other money that was donated by me or my husband Howard Johnston. Those donations total \$630.37. I am sure you understand that, under the circumstances, your use of that money to further your campaign goals just isn't appropriate.

I am expecting that this money will be returned to us by June 26, 2017.

We appreciate your serious and immediate attention to this matter.

Regards,

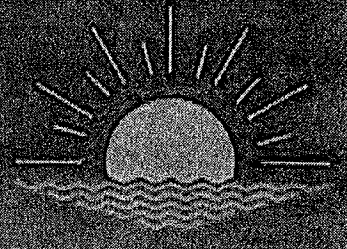

Lucinda Johnston

EXHIBIT

5

COREY GIVENS JR.

for St. Petersburg City Council, District 6



6/29/17

Dear Mr. & Mrs. Johnston,

Per your request, enclosed you will find a copy of your returned contribution check in the amount of **\$630.37**.

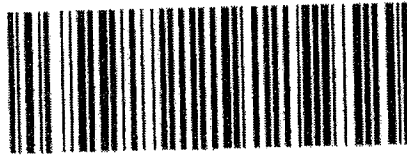
This amount accounts for both monetary and in-kind contributions received from you both.

Thank you,

Corey Givens Jr.

*re Campaign
35th Ave S
St Petersburg, FL*

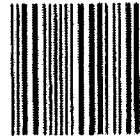
CERTIFIED MAIL



7016 2710 0000 5701 5051



1000



33701

U.S. POSTAGE
PAID
SAINT PETERSBURG, FL
33702
JUN 30, 17
AMOUNT

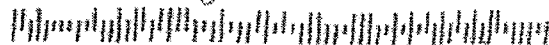
\$6.59

R2304M111572-16

*07/08
LN*

*Lucinda + Howard Johnston
348 11th Ave NE
St. Petersburg, FL 33701*

3370181925 0041

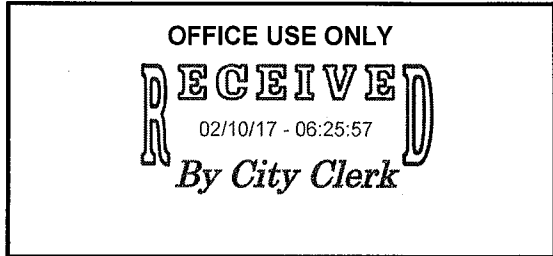


EXHIBIT

6

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Corey D. Givens Jr.
 Name
 (2) 777 38th Ave. S.
 Address (number and street)
St. Petersburg, FL 33705
 City, State, Zip Code



Check here if address has changed

(3) ID Number: _____

(4) Check appropriate box(es):

- Candidate Office Sought: City Council District 6
- Political Committee (PC)
- Electioneering Communications Org. (ECO)
- Party Executive Committee (PTY)
- Independent Expenditure (IE) (also covers an individual making electioneering communications)
- Check here if PC or ECO has disbanded
- Check here if PTY has disbanded
- Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 01 / 01 / 17 To 01 / 31 / 17 Report Type: M-1

Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks \$, 3 , 105 . 00

Loans \$, , 0 . 00

Total Monetary \$, 3 , 105 . 00

In-Kind \$, , 180 . 37

(7) Expenditures This Report

Monetary Expenditures \$, , 69 . 97

Transfers to Office Account \$, , 0 . 00

Total Monetary \$, , 69 . 97

(8) Other Distributions

\$, , 0 . 00

(9) TOTAL Monetary Contributions To Date

\$, 3 , 285 . 37

(10) TOTAL Monetary Expenditures To Date

\$, , 69 . 97

(11) Certification

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete:

(Type name)

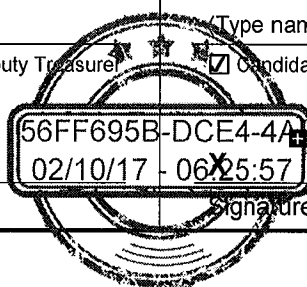
(Type name)

- Individual (only for IE or electioneering comm.) Treasurer Deputy Treasurer Candidate Chairperson (only for PC and PTY)

X

Signature

Signature



CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Corey D. Givens Jr. (2) I.D. Number _____

(3) Cover Period 01 / 01 / 17 through 01 / 31 / 17 (4) Page 1 of 8

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number							
01 / 09 / 17 1	Tom Alte 4430 14th Ave N St. Petersburg, FL 33713			CHE			\$5.00
01 / 09 / 17 2	Yvonne Smith 2320 E Harbor Dr St. Petersburg, FL 33705			CHE			\$25.00
01 / 09 / 17 3	Will Rodgers 8544 Filbert Ln Charlotte, NC 28215			CHE			\$25.00
01 / 09 / 17 4	Tom Alte 4430 14th Ave N St. Petersburg, FL 33713			CHE			\$50.00
01 / 09 / 17 5	Wanda Schwerer 517 Belle Isle Ave Belleair Beach, FL 33786			CHE			\$100.00
01 / 09 / 17 6	Christopher Dixon 1017 9th Ave N St. Petersburg, FL 33701			CHE			\$100.00
01 / 09 / 17 7	Howard Johnston 348 11th Ave NE St. Petersburg, FL 33701			CHE			\$100.00

DS-DE 13 (Rev. 11/13)

SEE REVERSE FOR INSTRUCTIONS AND CODE VALUES

EXHIBIT 7 page 2 of 4

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Corey D. Givens Jr. (2) I.D. Number _____
 (3) Cover Period 01 / 01 / 17 through 01 / 31 / 17 (4) Page 2 of 8

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number		Type	Occupation	Type	Description		Amount
→ 01 / 09 / 17 8	Lucinda Johnston 348 11th Ave NE St. Petersburg, FL 33701			CHE			\$100.00
→ 01 / 09 / 17 9	Lucinda Johnston 348 11th Ave NE St. Petersburg, FL 33701			CHE			\$100.00
→ 01 / 09 / 17 10	Lucinda Johnston 348 11th Ave NE St. Petersburg, FL 33701		Retired	INK	Car Magnets		\$102.88
→ 01 / 10 / 17 11	Lucinda Johnston 348 11th Ave NE St. Petersburg, FL 33701			INK	Campaign Ba		\$77.49
01 / 17 / 17 12	Anthony Jones 1815 Union St Clearwater, FL 33763			CHE			\$100.00
01 / 17 / 17 13	Lorielle Hollaway 300 8th St N St. Petersburg, FL 33701			CHE			\$100.00
01 / 17 / 17 14	Wyvonna McGee 6284 12th St S St. Petersburg, FL 33705		Retired	CHE			\$150.00

CAMPAIGN TREASURER'S REPORT - ITEMIZED CONTRIBUTIONS

(1) Name Corey D. Givens Jr. (2) I.D. Number _____

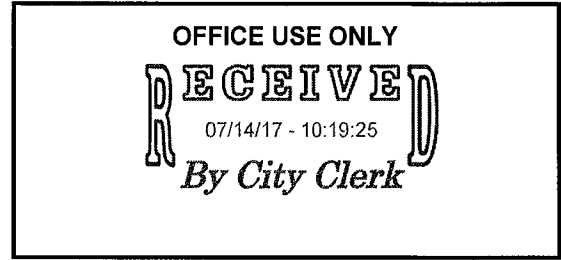
(3) Cover Period 01 / 01 / 17 through 01 / 31 / 17 (4) Page 6 of 8

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
(6) Sequence Number							
→ 01 / 30 / 17 36	Howard Johnston 348 11th Ave NE St. Petersburg, FL 33701			CAS			\$50.00
01 / 30 / 17 37	Linnea Sennott 107 Fareham Pl N St. Petersburg, FL 33701			CHE			\$50.00
01 / 30 / 17 38	Mary Lou Ambrose 2167 Lanai Ave Belleair Bluffs, FL 33770			CHE			\$50.00
01 / 30 / 17 39	Wanda Schwerer 517 Belle Isle Ave Belleair Beach, FL 33786			CHE			\$50.00
01 / 30 / 17 40	Rene Flowers 240 39th St S St. Petersburg, FL 33711			CHE			\$50.00
01 / 30 / 17 41	Deborah Figgs-Sanders 2309 13th St S St. Petersburg, FL 33705			CHE			\$100.00
→ 01 / 30 / 17 42	Howard Johnston 348 11th Ave NE St. Petersburg, FL 33701			CHE			\$100.00

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Corey D. Givens Jr.
 Name

(2) 777 38th Ave. S.
 Address (number and street)
St. Petersburg, FL 33705
 City, State, Zip Code



Check here if address has changed

(3) ID Number: _____

(4) Check appropriate box(es):

- Candidate Office Sought: City Council District 6
- Political Committee (PC)
- Electioneering Communications Org. (ECO) Check here if PC or ECO has disbanded
- Party Executive Committee (PTY) Check here if PTY has disbanded
- Independent Expenditure (IE) (also covers an individual making electioneering communications) Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 06 / 24 / 17 To 07 / 07 / 17 Report Type: P-2

Original Amendment Special Election Report

(6) Contributions This Report

Cash & Checks	\$	____	____	305	. 00
Loans	\$	____	____	0	. 00
Total Monetary	\$	____	____	305	. 00
In-Kind	\$	____	____	39	. 92

(7) Expenditures This Report

Monetary Expenditures	\$	____	____	715	. 37
Transfers to Office Account	\$	____	____	0	. 00
Total Monetary	\$	____	____	715	. 37

(8) Other Distributions

\$ _____, _____, 0 . 00

(9) TOTAL Monetary Contributions To Date

\$ _____, 10, 857 . 47

(10) TOTAL Monetary Expenditures To Date

\$ _____, 9, 788 . 57

(11) Certification

It is a first degree misdemeanor for any person to falsify a public record (ss. 839.13, F.S.)

I certify that I have examined this report and it is true, correct, and complete:

(Type name)

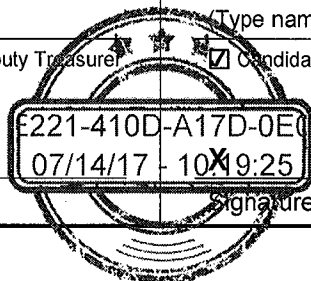
(Type name)

- Individual (only for IE or electioneering comm.) Treasurer Deputy Treasurer Candidate Chairperson (only for PC and PTY)

X

Signature

Signature



CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

(1) Name Corey D. Givens Jr.

(2) I.D. Number _____

(3) Cover Period 06 / 24 / 17 through 07 / 07 / 17

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
(6) Sequence Number					
006 / 300 / 177	Regions Bank	Bank Fee			
1	3463 22nd Ave N St. Petersburg, FL 33705		CAN		\$5.00
007 / 003 / 177	Facebook	Advertisement			
2	601 Willow Road Menlo Park, CA 94025		CAN		\$75.00
006 / 229 / 177	Howard Johnston	Refund			
3	348 11th Ave. NE St. Petersburg, FL 33701		CAN		\$630.37
007 / 006 / 177	Google	Email			
4	1600 Amphitheatre Parkway Mountain View, CA 94043		CAN		\$5.00

AFFIDAVIT OF FILING OFFICER
Case Number: FEC 17-236

STATE OF FLORIDA
County of Pinellas

Chandrahasa Srinivasa, 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. I am currently employed by The City of St.Petersbur, FL as City Clerk.
3. Please provide copies of the listed items from the following candidate's campaign file: Corey Givens.

Check	ITEM
XX	The Statement of Candidate form for 2017.
XX	Appointments of Treasurers and Designation of Campaign Depository form for 2017.
XX	Campaign treasurer's reports, waivers, and amendments for the 2017 campaign.
XX	Addendum requests and proof of compliance for the 2017 campaign.
XX	Any and all checks issued by the candidate's campaign to your office (qualifying fee, etc.)

4. Please check each item provided to the candidate or his staff, and list the date that the item was provided.

Check	ITEM	DATE
XX	Chapter 106, <i>Florida Statutes</i>	1/9/17
XX	<i>Candidate and Campaign Treasurer Handbook</i> <u>Please indicate Year.</u> 2017	1/9/17
XX	Other: ¹ Application and Acknowledgement of electronic	1/9/17

Filing Information

5. Relative to Chapter 106, *Florida Statutes* and the *Candidate and Campaign Treasurer Handbook*, how are these publications provided to the candidate and/or his staff?

¹ Any local publications relative to the Election laws that may have been provided in lieu of the Candidate and Campaign Treasurer Handbook published by the Division of Elections. If your office published the item(s), please send a copy of the item(s) with the affidavit.

- Publications are given directly to the candidate and/or his staff.
- Publications are available in the office, candidate and/or his staff are advised to pick-up the publications for themselves.
- Candidate and/or his staff are advised to download copies of the publications from our website or the Division of Elections' website.
- Other, please explain. City of St.Petersburg website www.stpete.org/elections

6. Did your office offer any candidate workshops or training seminars prior to the 2017 election? Yes or No. If yes, please list all workshops/training seminars that were attended by the candidate and/or his staff, along with the date of attendance. If a staff member attended for the candidate, list his/her name and position. If available, please attach a copy of any attendance sheets from the workshops/training seminars and if available, please provide a copy of the syllabus and outline for the workshops/seminars.

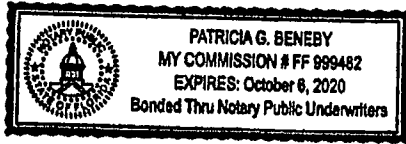
7. Does your office have any record of Corey Givens having sought elective office within your jurisdiction prior to the 2017 election? Yes or No. If yes, please list the previous office(s) he ran for, the date(s) of the election(s), and the result(s) of the election(s).

8. Does your office have any record of Corey Givens having been named as a chairperson or campaign treasurer of a political committee or electioneering communication organization within your jurisdiction? Yes or No. If yes, please list the name(s) of the committees.

9. Did you or any member from your staff have any conversations with Corey Givens concerning a provision of Chapter 106, Florida Statutes, at any time during his 2017 campaign? Yes or No. If yes, please indicate whether the conversation was in person, in writing, or by telephone and the subject matter of the conversation. If applicable, please provide copies documenting the discussion.

All conversation was made via email. Please see the attached documents.

I SWEAR OR AFFIRM THAT THE INFORMATION CONTAINED IN THIS DOCUMENT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



[Handwritten Signature]

Signature of Affiant
Sworn to (or affirmed) and subscribed before me this 9th day of January, 2018, <year>

Patricia G. Beneby
Signature of Notary Public - State of Florida

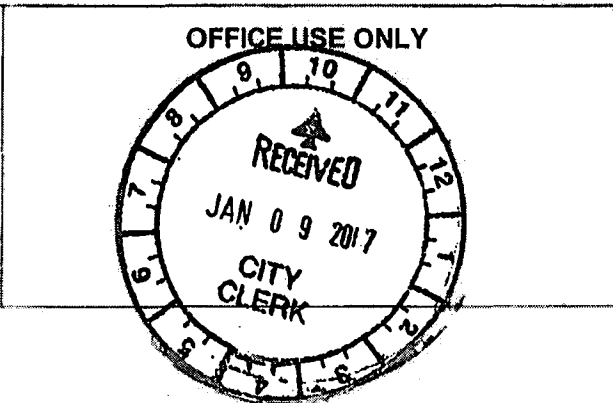
Print, Type, or Stamp Commissioned Name of Notary Public

Personally Known or Produced Identification
Type of Identification Produced: _____

Case investigator: S. Spore

**STATEMENT OF
CANDIDATE**

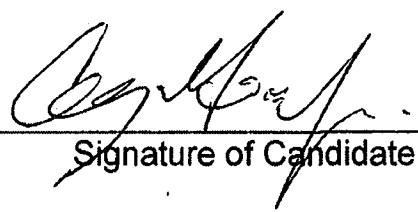
(Section 106.023, F.S.)
(Please print or type)



I, Corey Givens

candidate for the office of St Petersburg City Council, District 6 ;

have been provided access to read and understand the requirements of
Chapter 106, Florida Statutes.

X 
Signature of Candidate

12/20/16
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).

**FLORIDA ELECTIONS COMMISSION
PHONE LOG
Case No.: FEC 17-236**

Respondent: Corey Givens Jr.

Complainant: Lucinda L. Johnston

1. **Date and time:** 08/30/17- 9:50 AM

Name: Complainant

Phone #: 813-505-3061

Summary: I called and spoke with Complainant. She stated she did not have any updated information, other than she has asked Respondent multiple times, in writing, that she would like to be repaid the \$500.00 from the donation she had given, that had been deposited in his personal bank account. She stated he has yet to repay her. She stated she has copies of the emails and registered letter that she sent him, and told me she would like to possibly send that information in to our office. She asked if she could email me a copy of these letters, and I stated she could email them to me. She was in a restaurant eating breakfast, and asked me to hold while she went to the counter to ask for a pen. She wrote down my email address, and stated she would try to send me a copy of the letters later today.

Memo to File? No

Entered by: S. Spore

2. **Date and time:** 09/15/17- 10:02 AM

Name: Respondent

Phone #: 727-433-5477

Summary: I called and reached a generic voicemail box. I left a message, asking Respondent to return my call, and left my telephone number and extension.

Memo to File? No

Entered by: S. Spore

3. **Date and time:** 01/04/18- 9:48 AM

Name: Respondent

Phone #: 727-433-5477

Summary: I called and immediately reached a voicemail box. I left a message, asking Respondent to return my call.

Memo to File? No

Entered by: S. Spore

4. **Date and time:**

Name:

Phone #:

Summary:

Memo to File? No

Entered by:

5. **Date and time:**

Name:

Phone #:
Summary:
Memo to File? No
Entered by:

6. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

7. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

8. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

9. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:

10. **Date and time:**
Name:
Phone #:
Summary:
Memo to File? No
Entered by:



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050

Telephone: (850) 922-4539

Fax: (850) 921-0783

www.fec.state.fl.us; fec@myfloridalegal.com

July 25, 2017

Corey Givens, Jr.
777 38th Avenue S.
St. Petersburg, FL 33701

RE: Case No.: FEC 17-236; Respondent: Corey Givens

Dear Mr. Givens:

On June 6, 2017, the Florida Elections Commission received a complaint alleging that you violated Florida's election laws. I have reviewed the complaint and find that it contains one or more **legally sufficient allegations**. The Commission staff will investigate the following alleged violation:

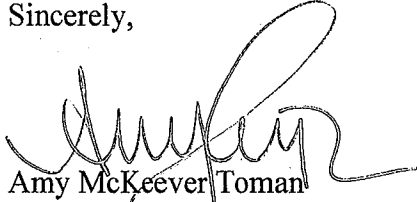
Section 106.021(1)(b), Florida Statutes: Respondent, a 2017 candidate for the Saint Petersburg City Council, District 6, deposited a campaign contribution into an account other than the campaign depository.

When we conclude the investigation, a copy of the Report of Investigation (ROI) will be mailed to you at the above address. Based on the results of the investigation, a staff attorney will make a written recommendation (Staff Recommendation or SR) to the Commission as to whether there is probable cause to charge respondent with violating Chapters 104 or 106, Florida Statutes. You will have an opportunity to respond to both the ROI and the SR. The Commission will then hold one or more hearings to determine whether the alleged violations occurred and, if so, the amount of the fine to be imposed. You and the complainant will receive notice at least 14 days before any hearing at which your case is to be considered.

Please note that all documents related to this matter will be mailed to the above address unless you **notify us of a new address**. Also, please remember that complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are **confidential** until the Commission finds probable cause or no probable cause.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website (www.fec.state.fl.us). If you have additional questions, please contact **Samantha Spore**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/enr



ATTENTION: ERIN RILEY

Corey Givens Jr.

to:

fec@myfloridalegal.com

06/27/2017 09:58 PM

Hide Details

From: "Corey Givens Jr." <corey.givensjr@yahoo.com>

To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>

Please respond to "corey.givensjr@yahoo.com" <corey.givensjr@yahoo.com>

On the evening of January 19, 2017, Lucinda Johnston gave me a \$500 check as a contribution towards my campaign. The check was given to me at an event and was to be deposited into my campaign account at Regions bank.

On January 23, 2017 I was making a separate deposit into my personal account at a Wells Fargo ATM. Not paying attention, I unintentionally deposited the wrong check into the ATM machine. This particular machine was not adjacent to the building it was detached in the drive-through. I immediately went into the branch to notify the manager of my mistake and was advised that the bank could not return the check from the ATM machine, because it was not operated by them. I was given a phone number to call and was instructed that it would take 24-36 hours to have the check removed. The branch manager also advised me that by then the check would have cleared in my account. The bank documented the account (see attachment).

While at the bank I called my campaign manager and Ms. Johnston, to inform them both of my mistake. Ms. Johnston and my campaign manager assured me that the issue would be resolved once I returned the funds back to Ms. Johnston, who was originally okay with the agreement we had.

Two days later, I met Me. Johnston at her office and I returned the \$500 to her in cash. She insisted that she would re-contribute the funds, but I never received the money back. The mistake that I made was I did not personally provide Ms. Johnston with a receipt, I instructed my previous campaign manager to send it to her via certified mail. Only to later discover it was never done.

After Ms. Johnston received her refund months had passed and the issue was never brought up again.

On May 24th, Ms. Johnston called me yelling and said that if I did not support the candidate she was backing for Mayor, she would expose me to the press and file a complaint over the incident that took place back in January.

At that point I realized that I was being politically exploited. I had already given her a refund, but she knew there was no paper trail to prove it and she willingly used that against me.

I told Ms. Johnston I would be willing to provide an additional \$500 refund, this time accompanied by a receipt so it could be properly documented. She said she would think about it for a few days. The next thing I knew a complaint had been filed against me.

I was later sent a list of demands by Ms. Johnston, one of those demands included me withdrawing from my race and publicly apologizing to her.

Ms. Johnston was once a friend and supporter. Now she is publicly supporting my opponent, who is a tenant in Ms. Johnston's son's building and is also being managed by my former campaign team.

I am still more than willing to offer another documented refund in-full.

Corey Givens Jr.
Case # FEC 17-236



ATTENTION: ERIN RILEY

Corey Givens Jr.

to:

fec@myfloridalegal.com

06/27/2017 09:56 PM

Hide Details

From: "Corey Givens Jr." <corey.givensjr@yahoo.com>

To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>

Please respond to "corey.givensjr@yahoo.com" <corey.givensjr@yahoo.com>

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Corey Givens Jr.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050
Telephone Number: (850) 922-4539
www.fec.state.fl.us

RECEIVED

2017 JUN -6 P 12:03

CONFIDENTIAL COMPLAINT FORM

STATE OF FLORIDA
ELECTIONS COMMISSION

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

1. PERSON BRINGING COMPLAINT:

Name: Lucinda L. Johnston Work Phone: (813) 5053061
Address: 348 11th Ave NE Home Phone: ()
City: St Petersburg County: Pinellas State: Florida Zip Code: 33701

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. (If you intend to name more than one individual or entity, please file multiple complaints.)

Name of individual or entity: Corey Givens Jr.
Address: 777 38th Ave S. Phone: (727) 433-5477
City: St Petersburg County: Pinellas State: Florida Zip Code: 33701

If individual is a candidate, list the office or position sought: City Council, St Petersburg, District 6

Have you filed this complaint with the State Attorney's Office? (check one) Yes No

3. ALLEGED VIOLATION(S):

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate the following provisions: **Chapter 104, Chapter 106, and Section 105.071, Florida Statutes.** Also, please include:

- The facts and actions that you believe support the violations you allege,
- The names and telephone numbers of persons you believe may be witnesses to the facts,
- A copy or picture of the political advertisements you mention in your statement,
- A copy of the documents you mention in your statement, and
- Other evidence that supports your allegations.

On January 19, 2017, I wrote a check to the Campaign for Corey Givens Jr. in the amount of \$500.00.

I handed the check directly to the candidate, Corey Givens, at a meeting we were attending.

The time was around 7:30 P.M., and the words "Campaign Contribution" were clearly indicated in the memo area
of the check.

On Wednesday May 24, 2017, I was reviewing my contributions to various candidates
and noticed that the \$500.00 check was not listed among my contributions to Mr. Givens.

I found a copy of the check and discovered that it had been personally endorsed by

the candidate and had been deposited into an account that was different from the account into which another check my husband had written to the same candidate had been deposited.

After further research I discovered that the account into which the check had been deposited was the candidate's personal checking account.

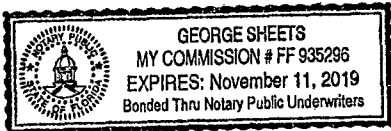
Additional materials attached (check one)? Yes No

4. OATH

STATE OF FLORIDA
COUNTY OF PINELLAS

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

Lucinda L Johnson
Original Signature of Person Bringing Complaint



Sworn to and subscribed before me this 1 day of June, 20 17

George Sheets
Signature of Officer Authorized to Administer Oaths or Notary public.

RECEIVED
2017 JUN -6 P 12:03
STATE OF FLORIDA
ELECTIONS COMMISSION

GEORGE SHEETS
(Print, Type, or Stamp Commissioned Name of Notary Public)
Personally known _____ Or Produced Identification K
Type of Identification Produced FL DL

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.



Front:

J HOWARD JOHNSTON
LUCINDA JOHNSTON
 PH. 813-606-3081
 348 11TH AVENUE, NE
 ST PETERSBURG, FL 33701

10135
634015/2011

5-19-2017
DATE

PAY TO THE ORDER OF Campaign Copy Hwens \$ 500⁰⁰/₁₀₀

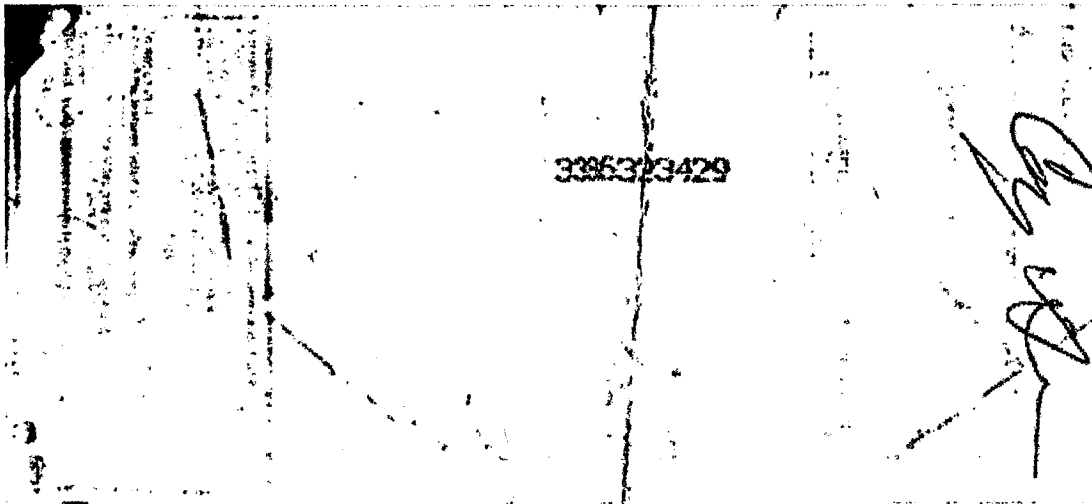
Five Hundred & 00/100 DOLLARS

USF 13022 USF Main Drive
Tampa, Florida 33612

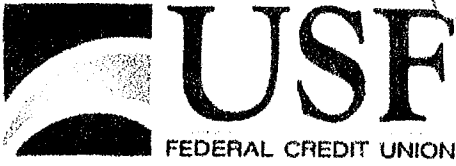
FOR Campaign Contributor Lucinda Johnston

⑆ 263183159⑆0070000027985⑆10135

Back:



Return



Front:

J HOWARD JOHNSTON
LUCINDA JOHNSTON
PH. 813-506-3001
348 11TH AVENUE, NE
ST PETERSBURG, FL 33701

10240
6943152631

1-30-2017
DATE

PAY TO THE ORDER OF Campaign for Corey Givens \$ 100 00/100

One hundred and 00/100 — DOLLARS



[Handwritten Signature]

⑆ 263183159⑆0070000027985⑆10240

Back:

20170201017991509074 09 1351

Regions Bank >062000019<

20170201017991509074 09 1351
Regions Bank >062000019<

Return

Lucinda Johnston
348 11th Ave NE
St Petersburg, FL 33701

TAMPA FL 335
SAINT PETERSBURG FL
01 JUN 2017 PM 6 L



RECEIVED

2017 JUN -6 P 12:02

STATE OF FLORIDA
ELECTIONS COMMISSION

Florida Election Commission
107 West Gaines Street, Suite 224
Tallahassee, Florida 32399-1050

32399-654944

