

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

In Re: **Dwight Bullard**

Case No.: **FEC 11-103**

TO: The Honorable Dwight M. Bullard  
14842 Robinson Street  
Miami, FL 33176-3176

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.

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STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

STATE OF FLORIDA  
ELECTIONS COMMISSION

In Re: Dwight Bullard

Case No.: FEC 11-103

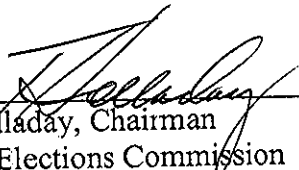
ORDER CONTINUING CASE

**THIS MATTER** was heard by the Florida Elections Commission at its regularly scheduled meeting on November 13, 2013, in Tallahassee, Florida.

The Commission was not able to complete this case at its meeting as scheduled. Therefore

**THIS MATTER** is continued until the next available meeting of the Florida Elections Commission.

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

  
\_\_\_\_\_  
Tim Holladay, Chairman  
Florida Elections Commission

Copies furnished to:  
David S Grossman, Assistant General Counsel  
Dwight Bullard, Respondent  
Division of Elections, Complainant/Filing Officer

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

In Re: Dwight M. Bullard

Case No.: FEC 11-103 &  
11-104

TO: Dwight M. Bullard  
14842 Robinson Street  
Miami, FL 33176-3176

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 11:00 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.**

*Amy McKeever Toman*  
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.

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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.

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,  
Petitioner,

v.

Dwight M. Bullard,  
Respondent.

Agency Case No.: FEC 11-103

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STATE OF FLORIDA  
ELECTIONS COMMISSION

ORDER OF PROBABLE CAUSE

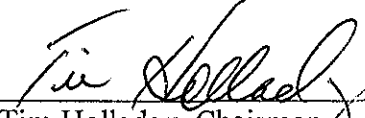
THIS CAUSE came on to be heard before the Florida Elections Commission at its meeting held on February 21, 2012, in Tallahassee, Florida

The Commission has reviewed the complaint, Report of Investigation, Staff Recommendation, all documents submitted by the Respondent, any relevant documents, and considered all oral statements made at the probable cause hearing. Based on the facts set forth in the Staff Recommendation, which is incorporated herein and attached to this order, the Commission finds that there is probable cause that Respondent committed one count of violating Chapter 106, Florida Statutes:

Count 1:

On or about October 29, 2010, Respondent violated Section 106.07(1), Florida Statutes, when he failed to file timely with the filing officer his 2010 G4 report, listing all contributions received and all expenditures made

DONE AND ORDERED by the Florida Elections Commission this 21 day of  
February 2012.

  
\_\_\_\_\_  
Tim Holladay, Chairman  
Florida Elections Commission

### 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 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 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 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 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 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 Agency Clerk, Donna Ann Malphurs. The address of the Agency 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.

Copies furnished to:

Eric M. Lipman, General Counsel  
Dwight M. Bullard, Respondent  
Division of Elections, Complainant/Filing Officer

Attachment: Staff Recommendation

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**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Dwight Bullard**

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**FEC Case No.: 11-103**

**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 106.07(1), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on November 28, 2011, the following facts and law support this staff recommendation:

1. On May 5, 2011, the Florida Elections Commission received a referral from the Department of State, Division of Elections ("Division") alleging that Dwight M. Bullard ("Respondent") violated Chapter 106, Florida Statutes.
2. By letter dated May 10, 2011, the Executive Director sent Respondent a letter notifying him that Commission staff would investigate the following:

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**Section 106.07(1), Florida Statutes:** Dwight M. Bullard, candidate for Florida State Representative, District 118 failed to file the 2010 G4 report. The G4 report was due October 29, 2010, as alleged in the information.

3. Respondent was a candidate for State Representative, District 118 in the 2010 elections. Respondent filed his State of Florida Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (DS-DE 9) appointing himself as his own treasurer on February 6, 2009 (ROI Exhibit 1)<sup>1</sup>

4. On February 9, 2009, Kristi Bronson, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that Respondent had been placed on the 2010 active candidate list. The letter advised Respondent that all candidate filing reports with the Division are required to use the electronic filing system (EFS), and provided Respondent with a user identification number and initial password to grant access to the EFS (ROI Exhibit 2)

5. Ms. Bronson's February 9, 2009 letter further advised Respondent that all of the Division's publications and reporting forms were on its website and directed Respondent to print out the 2010 Calendar of Reporting dates as well as some other documents. *Id.*

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<sup>1</sup> The Report of Investigation is referred to herein as "ROI."

## 2010 G4 Campaign Report<sup>2</sup>

6. Respondent failed to file timely his 2010 G4 campaign report on or before October 29, 2010

7. By letters dated November 1, 2010, and November 18, 2010, the Division sent Respondent letters notifying him that the Division had not received his 2010 G4 report. The letters were sent to the address Respondent provided to the Division on his DS-DE 9 form. (ROI Exhibits 1 & 3)

8. On April 5, 2011, the Division sent a third and final letter to Respondent notifying him that it had not received his 2010 G4 report. The letter was sent via certified mail and delivered on April 8, 2011 (ROI Exhibit 4).

9. On April 8, 2011, Respondent went to the offices of the Division and spoke with Theresa Holdeen about the April 5, 2011 certified letter. Respondent stated that his father signed for the letter and he wanted to know about the letters. Ms. Holdeen gave Respondent a copy of all the letters previously sent to him.

10. As of November 28, 2011, Respondent had not filed his 2010 G4 report.

11. "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 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 1<sup>st</sup> DCA 1995).

12. The facts set forth above show that Respondent was a candidate for the Florida House of Representatives, District 118, in the 2010 election. Respondent failed to file his 2010 G4 report by October 29, 2010. Despite receiving three letters from the Division, and one in-person conversation with a Division employee, as of November 28, 2011, Respondent had failed to file his 2010 G4 report.

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 October 29, 2010, Respondent violated Section 106 07(1), Florida Statutes, when he failed to file timely with the

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<sup>2</sup> The G4 is the report that is due just prior to the General Election.

filing officer his 2010 G4 report, listing all contributions received and all expenditures made.

Respectfully submitted on January 4, 2012,



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Eric M. Lipman  
General Counsel

I reviewed this Staff Recommendation this 4<sup>th</sup> day of January 2012



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Rosanna Catalano  
Executive Director

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Case No.: FEC 11-103**

**Respondent: Dwight M. Bullard**

**Complainant: Division of Elections**

Pursuant to Section 106.25, Florida Statutes, on May 5, 2011, the Florida Elections Commission received information from the Division of Elections that Respondent violated Chapter 106, Florida Statutes. The Division's referral was mandated pursuant to Section 106.07(8)(d), Florida Statutes. Commission staff, therefore, 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 118 in the 2010 elections; he was elected in the general election held on November 2, 2010. Respondent was the incumbent candidate, having also won the 2008 general election. Respondent is currently a candidate for this office in the 2012 election.

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 election laws by not filing his 2010 G4 report after receiving notice that the report was due.

5. On February 6, 2009, Respondent filed his Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) form with the Division, appointing himself treasurer of his campaign. To view a copy of the DS-DE 9 form, please refer to Exhibit 1.

6. On February 9, 2009, Ms. Bronson sent Respondent a letter acknowledging his name had been placed on the 2010 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.

7. The 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 view a copy of the acknowledgement letter, please refer to Exhibit 2.

8. The Division sent Respondent a letter dated November 1, 2010 informing him that his 2010 G4 report had not been received; a second failure-to-file letter dated November 18, 2010 was mailed to Respondent. Both letters were mailed to the address listed on Respondent's DS-DE 9 form (Exhibit 1). To view copies of the letters, please refer to Exhibit 3

9. On April 5, 2011, Ms. Bronson sent Respondent a letter marked "Final Notice" via certified mail informing him that his 2010 G4 report had not been filed. Copies of the previous failure-to-file letters (Exhibit 3) were included with the Final Notice. The Final Notice was delivered on April 8, 2011. To view a copy of the Final Notice and delivery confirmation, please refer to Exhibit 4.

10. History Notes provided by the Division reflect that on April 8, 2011, Respondent visited the Division's office, at which time he was again given copies of the failure-to-file notices that had been previously mailed to him. The notes further reflect that Theresa Holdeen of the Division advised Respondent to read the letters and call her if he had any additional questions. To view a copy of the History Notes, please refer to Exhibit 5.

11. I interviewed Respondent by telephone on July 19, 2011. Respondent stated he had great difficulty trying to balance being his own treasurer and being an active candidate. Respondent further stated he no longer had his PIN and password to access the Electronic Filing System (EFS). Respondent was advised to contact the Division for assistance in retrieving his PIN and password information so he could file his report.

12. No history of Respondent having previously violated this section of law was found.

### **III. FEC History:**

13. Respondent has had two prior cases before the Commission. In FEC 11-157 and 11-158, Respondent appealed assessed fines for the untimely filings of his 2010 G1 and 2011 termination reports. At the August, 2011 Commission meeting, the Commission found no unusual circumstances and Respondent was ordered to pay the assessed fines of \$2,555.72 and \$150.00, respectively. The Final Orders were entered on August 24, 2011. As of the date of this report, Respondent has paid the \$150 fine and \$275 towards the \$2,555.72 fine, leaving a balance of \$2,280.72 that remains unpaid.

### **Conclusion:**

14. I conducted a final interview with Respondent on October 6, 2011, and gave him an opportunity to respond to the information gathered during the course of the investigation concerning the allegations made in the referral. Respondent stated he was only aware of the two cases in which the assessed fines were upheld, and he was "confused" as to how the Commission

had additional cases pending against him.<sup>1</sup> Respondent added he thought all he would have to do is pay the fines in the orders, and that he felt “blindsided” by these additional cases

15. I reminded Respondent that he went to the Division office on April 8, 2011, and was given copies of all failure-to-file letters (Exhibits 3 and 4); that Ms. Holdeen advised him to read the letters; and that Ms. Holdeen advised Respondent to contact her if he had any questions (History Notes, Exhibit 5).

16. I stated to Respondent that a letter dated May 10, 2011, from the Commission informing him of the investigation was sent via certified mail to the address Respondent provided on his DS-DE 9 form (Exhibit 1), and was signed for by “Edward Bullard” on May 12, 2011.<sup>2</sup> To view a copy of the letter from the Commission and the green card, please refer to Exhibit 6.

17. I reminded Respondent of our telephone conversation on July 19, 2011, wherein I asked him the reasons he had not filed his G4 report and his statements that he no longer had his PIN and password, and he was overwhelmed with being an active candidate and his own treasurer.

18. I advised Respondent that on August 29, 2011, I mailed an affidavit for him to complete and return which in part asks Respondent if there was a reason he had not filed his 2010 G4 report after being advised to contact the Division to retrieve his PIN and password. I asked Respondent if he received the affidavit; Respondent replied he couldn’t say for sure whether he received it.<sup>3</sup>

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19. At the request of Respondent, Commission staff met with him on October 7, 2011, and reviewed all pending matters Respondent has before the Commission. Respondent was offered an opportunity to settle his pending cases via Consent Order with the condition that he file his 2010 G4 report, and that he pay the fines assessed for the untimely filings of his 2010 G1 and termination reports. Respondent agreed to file the report; however, as of the date of this report the 2010 G4 report remains un-filed. To view a copy of Respondent’s filing history, please refer to Exhibit 7.

20. I have called Respondent and left voicemails on several occasions since the October 7, 2011 meeting, and asked Respondent to inform me of the status of his report and whether he intends to file it. As of the date of this report, Respondent has not returned any of the calls. To view a copy of the phone log, please refer to Exhibit 8

21. On November 17, 2011, I sent Respondent an e-mail as a follow-up to the October 7, 2011 meeting, reminding Respondent that he agreed to file his report. As of the date of this report, Respondent has not replied to the e-mail. To view a copy of the e-mail, please

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<sup>1</sup> The Commission also received a referral from the Division alleging that Respondent failed to file addenda to his 2010 F1 and termination reports. The referral was assigned case number FEC 11-104.

<sup>2</sup> According to Respondent’s biographical information on the House of Representatives website, Edward Bullard is Respondent’s father.

<sup>3</sup> As of the date of this report, the affidavit has not been returned by the postal service, and Respondent has not returned the affidavit.

refer to Exhibit 9.

22. Because Respondent did not return an affidavit, I am unable to ascertain whether he read the *Candidate and Campaign Treasurer Handbook*. Respondent signed his Statement of Candidate form on January 23, 2009. To view a copy of Respondent's Statement of Candidate, please refer to Exhibit 10.

Respectfully submitted on November 28, 2011,



Tracie Aulet  
Investigation Specialist

**Current address of Respondent**

The Honorable Dwight M. Bullard  
14842 Robinson Street  
Miami, FL 33176

**Current address of Complainant**

Division of Elections  
500 South Bronough Street  
Tallahassee, FL 32399

**Name and Address of Filing Officer:**

Ms. Kristi Reid-Bronson, Chief  
Bureau of Election Records  
500 South Bronough Street  
Tallahassee, FL 32399

Copy furnished to:

Mr. David Flagg, Investigations Manager

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Dwight M. Bullard -- FEC 11-103**

<b>LIST OF EXHIBITS</b>	
<b>Exhibits #s</b>	<b>Description of Exhibits</b>
Exhibit 1	DS-DE 9 form filed 2/6/09
Exhibit 2	Acknowledgement letter dated 2/9/09
Exhibit 3	Failure-to-file letters dated 11/1/10 & 11/18/10
Exhibit 4	Final Notice dated 4/5/11
Exhibit 5	History Notes
Exhibit 6	Commission letter dated 5/10/11 and green card
Exhibit 7	Filing History
Exhibit 8	Phone Log
Exhibit 9	E-mail dated 11/17/11
Exhibit 10	Statement of Candidate



**STATE OF FLORIDA  
APPOINTMENT OF CAMPAIGN TREASURER  
AND DESIGNATION OF CAMPAIGN  
DEPOSITORY FOR CANDIDATES**  
(Section 106.021(1), F.S.)

(PLEASE TYPE)

OFFICE USE ONLY

**FILED**  
2009 FEB -6 PM 1:43  
DEPARTMENT OF STATE  
DIVISION OF ELECTIONS

CHECK APPROPRIATE BOX:

Original Appointment       Deputy Treasurer       Reappointment of Treasurer

Name of Candidate <b>Dwight Bullard</b>	1 Address (include post office box or street city, state, zip code) <b>14842 Robinson St. Miami, FL 33176</b>
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Telephone (optional) ( )	2. Party (Partisan candidates only) <b>Democrat</b>	3 Office (add district, circuit, group number) <b>State Representative Dist. 118</b>
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I have appointed the following person to act as my  Campaign Treasurer       Deputy Treasurer

4 Name of Treasurer or Deputy Treasurer  
**Dwight Bullard**

5 Mailing Address (If post office box or drawer add street address) <b>14842 Robinson St.</b>	6. Telephone
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7 City <b>Miami</b>	8. County <b>Miami-Dade</b>	9. State <b>FL</b>	10 Zip Code <b>33176</b>
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I have designated the following named bank as my  Primary Depository       Secondary Depository

11 Name of Bank <b>Suntrust</b>	12 Street Address <b>8820 SW 136th St.</b>
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13 City <b>Miami</b>	14 County <b>Miami-Dade</b>	15 State <b>FL</b>	16 Zip Code <b>33176</b>
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17. Signature of Candidate <b>X</b> 	Date <b>1/23/09</b>
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**Campaign Treasurer's Acceptance of Appointment**

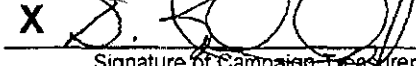
I, **Dwight Bullard** do hereby accept the appointment as  
(Please Print or Type)

Campaign Treasurer       Deputy Treasurer      for the campaign of **Dwight Bullard**

who is seeking nomination or election as a **Democratic** candidate to the office of  
(Party)

**State Representative Dist. 118**

**UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S  
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE**

**1/23/09** Date      **X**  Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT OF STATE

**Kurt S. Browning**

Secretary of State

DIVISION OF ELECTIONS

February 9, 2009

The Honorable Dwight Bullard  
14842 Robinson Street  
Miami, Florida 33176

Dear Representative Bullard:

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 February 6, 2009. Your name has been placed on the 2010 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **April 10, 2009**. The report will cover the period of January 1 - March 31, 2009. 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:** 50321

EXHIBIT 2 pg 1 of 3

Division of Elections

R. A. Gray Building, Room 316 • 500 South Bronough Street • Tallahassee, Florida 32399-0250

Telephone: (850) 245-6240 • Facsimile: (850) 245-6260

[elections.myflorida.com](http://elections.myflorida.com)

The Honorable Dwight Bullard  
February 9, 2009  
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 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.

The Honorable Dwight Bullard  
February 9, 2009  
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) 245-6240.

**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, Candidate and Campaign Treasurer Handbook (June 2008 edition), 2009 Calendar of Reporting Dates, and Rule 1S-2.017, Florida Administrative Code.***

Please let me know if you need additional information.

Sincerely,



---

Kristi Reid Bronson, Chief  
Bureau of Election Records

KRB/lkb

Enclosures



FLORIDA DEPARTMENT OF STATE

**Dawn K. Roberts**  
Interim Secretary of State

DIVISION OF ELECTIONS

November 1, 2010

The Honorable Dwight Bullard  
Candidate for State Representative, District 118  
14842 Robinson Street  
Miami, FL 33176-3176

Dear Representative Bullard:

Your campaign treasurer's report, which was due October 29, 2010, 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 Erika Bowen at (850) 245-6240.

Sincerely,

Kristi Reid Bronson, Chief  
Bureau of Election Records

EXHIBIT 3 pg. 1 of 2



FLORIDA DEPARTMENT OF STATE

**Dawn K. Roberts**

Interim Secretary of State

DIVISION OF ELECTIONS

**Second Notice**

November 18, 2010

The Honorable Dwight Bullard  
Candidate for State Representative, District 118  
14842 Robinson Street  
Miami, FL 33176-3176

Dear Representative Bullard:

Your campaign treasurer's report, due October 29, 2010, 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 1, 2010. 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 Erika Bowen at (850) 245-6240

Sincerely,

Kristi Reid Bronson, Chief  
Bureau of Election Records

EXHIBIT 3 pg. 2 of 2



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KURT S. BROWING**  
Secretary of State

**FINAL NOTICE - Certified Mail:** 91 7108 2133 3936 9513 4338

April 5, 2011

The Honorable Dwight M. Bullard  
Candidate for State Representative, District 118 (50321)  
14842 Robinson Street  
Miami, Florida 33176

Dear Representative Bullard:

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>
2010	G4	10/29/2010

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 Holden at (850) 245-6250.

Sincerely,

Kristi Reid Bronson, Chief  
Bureau of Election Records

KRB/tah

Enclosure(s)

**EXHIBIT** 4 pg. 1 of 2



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[FAQs](#)

## Track & Confirm

### Search Results

Label/Receipt Number: 9171 0821 3339 3695 1343 38  
Service(s): Certified Mail™  
Status: Delivered

### Track & Confirm

Enter Label/Receipt Number

Your item was delivered at 9:38 am on April 08, 2011 in MIAMI, FL 33176

[Go >](#)

### Detailed Results:

- Delivered, April 08, 2011, 9:38 am, MIAMI, FL 33176
- Processed through Sort Facility, April 07, 2011, 10:06 pm, MIAMI, FL 33152

### Notification Options

#### Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)

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No FEAR Act EEO Data

FOIA



EXHIBIT 4 pg. 2 of 2



**HISTORY NOTES**  
Dwight M Bullard - 50321

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
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23478	4/8/2011 12:33:00 PM	4/18/2011 1:10:57 PM	taholdeen
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Rec'd visit from Rep Bullard:

Received a visit from Rep Bullard today (around 12:30pm) Apparently his father signed for a certified letter from us, and Rep Bullard wanted to know what it was all about. I gave him copies of everything I mailed in that certified envelope: Final Notices mailed 4/5/11 certified mail #9171082133393695134338 for: incomplete audits for 2010 F1 report and 2011 TR report; 2010 G1 Fine for \$2 555 72 and failure to file 2010 G4 report

2nd notice was also sent certified (since it went with the above mentioned letters) for the Fine for Termination Report of \$150. he received a copy of this letter as well

He asked me about whether there was any kind of 'forgiveness' with response to the \$2555 72 fine, and I told him he could appeal the file with FEC. I also told him he has 20 days from the date of that letter, so if he was going to appeal the fine, he needed to do so soon. I also asked him to please send us a copy of the appeal if in fact he was going to appeal it, so we'd stop sending him letters regarding that particular appeal. I showed him on the copy of the letter where to send his appeal to as well

I told him to take a look at the letters, and if he had additional questions to call me, but all of this needed to be handled asap

23344	4/5/2011 11:22:00 AM		taholdeen
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Final Notices mailed:

Final Notices mailed 4/5/11 certified mail #9171082133393695134338 for: incomplete audits for 2010 F1 report, and 2011 TR report; 2010 G1 Fine for \$2,555 72, and failure to file 2010 G4 report

2nd notice was also sent certified (since it went with the above mentioned letters) for the Fine for Termination Report of \$150. All will be mailed today.

21373	1/20/2011 12:35:00 PM		ebowen
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RE: 2010 F1 Incomplete Audit & 2010 G1 Fine

12:36 - (305) 234-2208 I spoke with Mario, Rep Bullards Assistant. I was given a personal fax number and the office fax, the office fax is (350) 234-2210 and Rep Bullards personal fax number is (305) 232-1103. I faxed copies of the documents to both numbers and asked Mario to confirm receipt of the fax sent to Rep Bullards office.

**EXHIBIT** 5 pg. 1 of 3

**HISTORY NOTES**  
Dwight M. Bullard - 50321

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
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20640	12/2/2010 1:49:00 PM		ebowen
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RE: 2010 G4 FF & G1 Fine

email sent to Rep Bullard, state email and personal email address-  
dwight bullard@myfloridahouse.gov & d208b@yahoo.com

Representative Bullard-

The Division has attempted to contact you via mail and telephone and have received no response. The 2010 G1 campaign treasurer's report was not timely filed. Accordingly, you have been fined in the amount of \$2,555.72. Also, the 2010 G4, due on October 29, 2010 has not been received. I have attached the fine letters and failure to file letters that were mailed to you previously, regarding each report. To avoid further action, contact me upon receipt of this e-mail to discuss payment of the assessed fines and the unfiled report.

Thanks.

Erika Bowen

Division of Elections

(850) 245-6250

13718	6/23/2009 11:03:00 AM		ebowen
-------	-----------------------	--	--------

RE: 2009 Q1 Fine

Spoke with: Mario assistant @ 11:04 (305) 234-2208

I told Mario that I had spoken to Rep Bullard last week and had not received the \$50 fine payment. Mario said that he would send Rep Bullard a message to return my call.

13518	6/15/2009 10:42:00 AM		ebowen
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RE: 2009 Q1 Fine

Spoke with: Mario assistant @ 10:46 (305) 234-2208

I told Mario that Rep Bullard had an outstanding fine of \$50 that needed to be paid or appealed. Mario said that he would contact Rep Bullard and give him the message.

13447	6/9/2009 10:26:00 AM		ebowen
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RE: 2009 Q1 Fine

Spoke with: Crystal (intern) @ 10:26 (305) 234-2208

I left a message for Rep. Bullard to return my call regarding the outstanding fine.

**HISTORY NOTES**  
Dwight M. Bullard - 50321

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
13101	5/20/2009 10:30:00 AM		ebowen
RE: 2009 Q1 Fine			
LM on Rep. Bullards, voicemail @ 10:24 (305)815-5845 I also sent an e-mail to his personal address regarding the outstanding fine (d280b@yahoo com)			
13100	5/20/2009 10:30:00 AM		ebowen
8967	2/9/2009 11:57:00 AM		lbelvin
RE: DS-DE 9 and DS-DE 84(faxed copies)			
1-27-2009 Jack called and left a message explained that we needed origianl forms in our office			
2-5-2009 305-815-5845 3:59pm			
I spoke with Rep. Bullard to make sure that he had receiveed out message from Jack about needing origianl form in our office He said that he did and he was in Tallahassee so he will come into the office and file his appointment paperwork			
Receiveed forms 2-6-2009(DS-DE 9 and 84)			

EXHIBIT 5 pg. 3 of 3



**FLORIDA ELECTIONS COMMISSION**

107 W. Gaines Street, Suite 224  
Collins Building  
Tallahassee, Florida 32399-1050  
(850) 922-4539

May 10, 2011

**CERTIFIED MAIL 7006 0100 0000 7916 5411**

The Honorable Dwight M. Bullard  
14842 Robinson Street  
Miami, FL 33176

**RE: Case No.: FEC 11-103**

Dear Representative Bullard:

~~The Florida Elections Commission has received information from your filing officer that you failed to file a campaign report. I have enclosed a copy of the information with this letter. The staff will investigate the following statutory provision:~~

**Section 106.07(1), Florida Statutes:** Dwight M Bullard, candidate for Florida State Representative, District 118 failed to file the 2010 G4 report. The G4 report was due October 29, 2010, as alleged in the information.

You may respond to the alleged violation by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegation. If you choose to file a response, the response should be filed within 20 days of the date of receipt of this letter. If you file a response, it will be included in the information that is provided to the Commission.

When staff completes their review of the allegations, I will mail you a copy of the review. If you choose to file a response to the review, you must file your response with the Commission within 14 days of the date I mail the report to you. If you timely file a response to the review, the Commission will consider your response when determining probable cause.

After reviewing the allegations, staff will make a written recommendation to the Commission on whether there is probable cause that you violated Chapter 104 or 106, Florida Statutes. If staff recommends probable cause, I will mail you a copy of the recommendation. If you choose to file a response to the staff recommendation, you must file your response with the Commission within 14 days of the date I mail the

**EXHIBIT** 6 pg. 1 of 3

recommendation to you If you timely file a response to the staff recommendation, the Commission will consider your response when determining probable cause.

The Commission will then hold a hearing to determine whether there is probable cause that you violated Chapter 104 or 106, Florida Statutes. I will mail you 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. If you attend the hearing, you will be permitted 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.

The Commission staff will mail the investigator's report, the staff recommendation, and the notice of the probable cause hearing to the same address as this letter. Therefore, if your address changes, you must notify the Commission of your new address. Otherwise, you may not receive the correspondence from the Commission staff. Failure to receive the documents will not delay the probable cause hearing.

Section 106.25, Florida Statutes, provides that complaints, Commission investigations, and investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are **confidential**. The section also provides that the information remains confidential until the Commission finds no probable cause or probable cause. A breach of confidentiality is a criminal violation of the law.

---

The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, the attorney you choose must file a notice of appearance with the Commission's Clerk before any member of the Commission's staff can discuss this case with him.

If you have any questions or need additional information, please contact **Tracie Aulet**, at extension 114.

Sincerely,



Rosanna Catalano  
Executive Director

cc: Dept of State, Division of Elections, Filing Officer

Enclosure: Filing officer information

EXHIBIT 6 pg. 2 of 3

7006 0100 0000 7916 5411

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To: The Honorable Dwight M. Bullard  
 Street, Apt. No., or PO Box No. 14842 Robinson Street  
 City, State, ZIP+4 Miami, FL 33176

PS Form 3800, June 2002 See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
The Honorable Dwight M Bullard  
14842 Robinson Street  
Miami, FL 33176

2. Article Number  
 (Transfer from service label) 7006 0100 0000 7916 5411

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature [Signature]  Agent  Addressee

B. Received by (Printed Name) Edward Bullard C. Date of Delivery 15/12/11

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

EXHIBIT 6 pg. 3 of 3



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Dwight M. Bullard

Name:

Account: 50321

Election:

Acct: 50321

Type: Candidate

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
1/31/2011	TR	2/3/2011	CLO	3	\$150.00		\$150.00	\$150.00
10/29/2010	G4		FEC	0	\$0.00		\$0.00	\$0.00
10/15/2010	G3	10/15/2010						
10/1/2010	G2	10/4/2010	CLO	3	\$0.00		\$0.00	\$0.00
9/17/2010	G1	9/28/2010	DUE	11	\$2,555.72		\$2,555.72	\$0.00
8/20/2010	F3	8/20/2010						
8/6/2010	F2	8/6/2010						
7/23/2010	F1	7/23/2010						
4/12/2010	Q1	4/10/2010						
1/11/2010	Q4	1/11/2010						
10/13/2009	Q3	10/13/2009						
7/10/2009	Q2	7/8/2009						
4/10/2009	Q1	4/11/2009	CLO	1	\$50.00		\$50.00	\$50.00

EXHIBIT 7





filing his G4 report and the addendums to his F1 and termination reports; that he told me he no longer had his sign-on credentials; and that I advised him to contact the Division for assistance in getting his credentials so he could file the missing information. I also stated that the letter informing him of the investigation had been mailed in May via certified mail, and had been signed for by "Edward Bullard" Finally, I reminded R that he had been to the Division office in April wherein he received copies of **all** outstanding issues with the Division and he was advised to contact Theresa Holdeen if he had any questions. R asked if he could meet with Commission staff tomorrow to try and figure out some sort of timeline as to how he got confused with the two additional cases I offered to draft a timeline of events, including all paperwork we have, with reference to all four cases and e-mail it to him R stated that would be fine and gave his e-mail address d280b@yahoo.com. I stated I would talk with my supervisor and the general counsel to see if they were available for a meeting tomorrow and I would call him back.

**Memo to File?** No

**Entered by:** ta

5. **Date and time:** October 6, 2011; 2:06 p.m.

**Name:** Respondent

**Phone #:** 305-815-5845 (cell)

**Summary:** I informed R that he could meet with Commission staff tomorrow R suggested 9:00.

**Memo to File?** No

**Entered by:** ta

---

6 **Date and time:** October 6, 2011; 2:14 p m

**Name:** Respondent

**Phone #:** 305-815-5845 (cell)

**Summary:** I informed R that the general counsel would not be available at 9:00 and asked if he was available at 10:00; he stated yes.

**Memo to File?** No

**Entered by:** ta

7 **Date and time:** October 7, 2011; 10:07 a.m.

**Name:** Respondent

**Phone #:** called me

**Summary:** R asked if we could meet at 11:00; I stated yes.

**Memo to File?** No

**Entered by:** ta

8. **Date and time:** November 2, 2011; 10:25 a.m.

**Name:** Respondent

**Phone #:** 305-234-2208 (district office)

**Summary:** I was informed that R is in Tallahassee for session I called 305-815-5845 (cell). There was no answer; I left a voicemail asking that R return my call. I was calling to follow up to our meeting; I asked R to inform me of the status of his reports and the missing information that he agreed to file during the meeting

**Memo to File?** No

**Entered by:** ta

**EXHIBIT** 8 pg. 2 of 4

- 9 **Date and time:** November 4, 2011; 11:34 a.m.  
**Name:** Respondent  
**Phone #:** 305-815-5845 (cell)  
**Summary:** There was no answer; I left a voicemail asking that R return my call. I was calling to follow up to our meeting; I asked R to inform me of the status of his reports and the missing information that he agreed to file during the meeting.  
**Memo to File?** No  
**Entered by:** ta
10. **Date and time:** November 16, 2011; 10:54 a.m.  
**Name:** Respondent  
**Phone #:** 305-815-5845 (cell)  
**Summary:** There was no answer; I left a voicemail asking that R return my call. I was calling to follow up to our meeting; I asked R to inform me of the status of his reports and the missing information that he agreed to file during the meeting.  
**Memo to File?** No  
**Entered by:** ta
11. **Date and time:** November 16, 2011; 11:11 a.m.  
**Name:** Respondent  
**Phone #:** 488-5430 (Capitol office)  
**Summary:** There was no answer (call went straight to voicemail); I left a voicemail asking that R return my call. I was calling to follow up to our meeting  
**Memo to File?** No  
**Entered by:** ta
- 
12. **Date and time:** November 17, 2011; 12:03 p.m.  
**Name:** Respondent  
**Phone #:** 922-0745 (R gave me this number during our 10/6 phone conversation)  
**Summary:** There was no answer and no voicemail option; I could not leave a message.  
**Memo to File?** No  
**Entered by:** ta
- 13 **Date and time:** November 17, 2011; 3:06 p.m.  
**Name:** Theresa Holdeen  
**Phone #:** 245-6250  
**Summary:** Ms. Holdeen was not available; I left a message asking her to return my call. I was calling in response to an e-mail she sent advising me that R came in the office and made another payment toward his assessed fine.  
**Memo to File?** No  
**Entered by:** ta
14. **Date and time:** November 17, 2011; 3:19 p.m.  
**Name:** Theresa Holdeen  
**Phone #:** returned my call  
**Summary:** I asked Ms. Holdeen if R made any reference to his outstanding reports or asked for assistance in getting his PIN/password; she stated no. Ms. Holdeen stated R said he would be back in a couple of weeks with another payment and he asked to see another

EXHIBIT 8 pg. 3 of 4

employee (Ms. Belvin) who was not available, and that was all. I asked the amount of R  
payment; Ms. Holdeen stated the payment was for \$225.

**Memo to File?** No

**Entered by:** ta

EXHIBIT 8 pg. 4 of 4



October 7, 2011 Meeting  
Tracie Aulet to: d280b

11/17/2011 12:34 PM

Dear Representative Bullard,

This is a follow up to the October 7, 2011 meeting which took place at the Commission's office between you, me, Mr. Lipman, and Mr. Flagg.

If you recall, we discussed the pending matters you currently have before the Commission, including case number FEC 11-103 for the failure to file your 2010 G4 report, and FEC 11-104 for the failure to amend your 2010 F1 and termination reports. It was my understanding that you were going to resolve these matters that same day, or shortly thereafter, by going to the Division's office and asking for assistance. However, as of today your 2010 G4 report remains unfiled, and your F1 and termination reports have not been amended.

If I can be of further assistance in helping you to resolve these matters, please let me know. Also, you may contact Theresa Holdeen of the Division at 850-245-6250 for assistance in filing your reports.

Thank you for your time and attention to these matters.

Sincerely,

Tracie L. Aulet  
Investigation Specialist II  
Florida Elections Commission  
The Collins Building, Suite 224  
107 West Gaines Street  
Tallahassee, FL 32399

Please note that Florida has a broad public records law, and that all correspondence to me via e-mail may be subject to disclosure.

EXHIBIT 9

**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

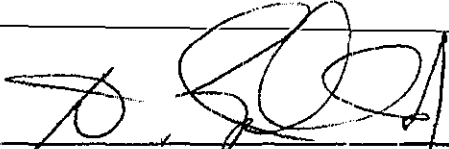
(Please Type)

OFFICE USE ONLY

**FILED**  
2009 FEB -6 PM 1:41  
DEPARTMENT OF STATE  
DIVISION OF ELECTIONS

I, Dwight Bullard  
candidate for the office of Florida House of Representatives Dist. 118 ;  
have received, read and understand the requirements of Chapter 106,  
Florida Statutes.

X



Signature of Candidate

1/23/09

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**

107 W. Gaines Street, Suite 224  
Collins Building  
Tallahassee, Florida 32399-1050  
(850) 922-4539

May 10, 2011

**CERTIFIED MAIL 7006 0100 0000 7916 5411**

The Honorable Dwight M. Bullard  
14842 Robinson Street  
Miami, FL 33176

**RE: Case No.: FEC 11-103**

Dear Representative Bullard:

The Florida Elections Commission has received information from your filing officer that you failed to file a campaign report. I have enclosed a copy of the information with this letter. The staff will investigate the following statutory provision:

**Section 106.07(1), Florida Statutes:** Dwight M Bullard, candidate for Florida State Representative, District 118 failed to file the 2010 G4 report. The G4 report was due October 29, 2010, as alleged in the information.

You may respond to the alleged violation by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegation. If you choose to file a response, the response should be filed within 20 days of the date of receipt of this letter. If you file a response, it will be included in the information that is provided to the Commission.

When staff completes their review of the allegations, I will mail you a copy of the review. If you choose to file a response to the review, you must file your response with the Commission within 14 days of the date I mail the report to you. If you timely file a response to the review, the Commission will consider your response when determining probable cause.

After reviewing the allegations, staff will make a written recommendation to the Commission on whether there is probable cause that you violated Chapter 104 or 106, Florida Statutes. If staff recommends probable cause, I will mail you a copy of the recommendation. If you choose to file a response to the staff recommendation, you must file your response with the Commission within 14 days of the date I mail the

recommendation to you. If you timely file a response to the staff recommendation, the Commission will consider your response when determining probable cause.

The Commission will then hold a hearing to determine whether there is probable cause that you violated Chapter 104 or 106, Florida Statutes. I will mail you 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. If you attend the hearing, you will be permitted 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.

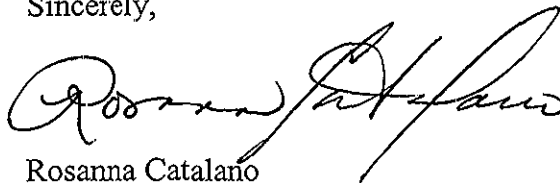
The Commission staff will mail the investigator's report, the staff recommendation, and the notice of the probable cause hearing to the same address as this letter. Therefore, if your address changes, you must notify the Commission of your new address. Otherwise, you may not receive the correspondence from the Commission staff. Failure to receive the documents will not delay the probable cause hearing.

Section 106.25, Florida Statutes, provides that complaints, Commission investigations, and investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are **confidential**. The section also provides that the information remains confidential until the Commission finds no probable cause or probable cause. A breach of confidentiality is a criminal violation of the law.

The confidentiality provision does not preclude you from seeking legal counsel. However, ~~if you retain counsel, the attorney you choose must file a notice of appearance with the Commission's Clerk before any member of the Commission's staff can discuss this case with him.~~

If you have any questions or need additional information, please contact **Tracie Aulet**, at extension 114.

Sincerely,



Rosanna Catalano  
Executive Director

cc: Dept of State, Division of Elections, Filing Officer

Enclosure: Filing officer information

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

7006 0100 0000 7916 5411

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark  
Here

Sent To The Honorable Dwight M. Bullard  
 Street, Apt. No.,  
 or PO Box No. 14842 Robinson Street  
 City, State, ZIP+4 Miami, FL 33176

PS Form 3800, June 2002

See Reverse for instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

The Honorable Dwight M. Bullard  
14842 Robinson Street  
Miami, FL 33176

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature [Signature]  Agent  Addressee

B. Received by (Printed Name) Edward Bullard C. Date of Delivery 15/12/11

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
 (Transfer from service label)

7006 0100 0000 7916 5411



**DIVISION OF ELECTIONS  
FEC REFERRAL FORM**

**NAME** **Account Number**

Dwight M. Bullard

50321

Candidate: Dwight M. Bullard

Treasurer: Dwight M. Bullard

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:

**2010 G4**

RECEIVED  
MAY 4 11:21 AM '11  
DIVISION OF ELECTIONS

**Sent By:** Kristi Reid Bronson

**Date:** May 4, 2011

KRB

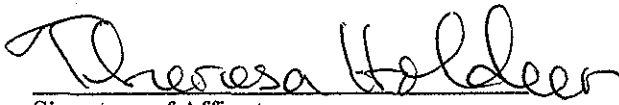
# AFFIDAVIT

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. **Dwight M. Bullard (50321)** was a candidate for the office of State Representative, District 118, during the 2010 election cycle. The G4 Report that was due on October 29, 2010 has not been filed.
4. On February 6, 2009, Representative Bullard filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division. Representative Bullard appointed himself treasurer
5. On November 1, 2010, the Division mailed Representative Bullard notification that the G4 report that was due on October 29, 2010 had not been filed.
6. On November 18, 2010, the Division mailed a second notice to Representative Bullard regarding this outstanding report
7. On April 5, 2011, the Division mailed a final notice (certified mail) to Representative Bullard, regarding the G4 report. This certified mail was delivered April 8, 2011.
8. On April 8, 2011, Representative Bullard came here to the Division of Elections. He said his father had signed for something from us, and wanted to know what it was about. I gave Representative Bullard copies of everything I had mailed to him certified mail, which included the letters that were mailed to him regarding the outstanding G4 report
9. As of May 4, 2011 the G4 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 4<sup>th</sup> day  
of May, 2011.

  
Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary  
Public

Personally Known



**HISTORY NOTES**  
Dwight M Bullard - 50321

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
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23478	4/8/2011 12:33:00 PM	4/18/2011 1:10:57 PM	taholdeen
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Rec'd visit from Rep Bullard:

Received a visit from Rep Bullard today (around 12:30pm) Apparently his father signed for a certified letter from us and Rep Bullard wanted to know what it was all about. I gave him copies of everything I mailed in that certified envelope: Final Notices mailed 4/5/11 certified mail #9171082133393695134338 for: incomplete audits for 2010 F1 report and 2011 TR report; 2010 G1 Fine for \$2 555 72 and failure to file 2010 G4 report

2nd notice was also sent certified (since it went with the above mentioned letters) for the Fine for Termination Report of \$150. he received a copy of this letter as well

He asked me about whether there was any kind of 'forgiveness' with response to the \$2555 72 fine. and I told him he could appeal the file with FEC. I also told him he has 20 days from the date of that letter, so if he was going to appeal the fine, he needed to do so soon. I also asked him to please send us a copy of the appeal if in fact he was going to appeal it, so we'd stop sending him letters regarding that particular appeal. I showed him on the copy of the letter where to send his appeal to as well

I told him to take a look at the letters, and if he had additional questions, to call me but all of this needed to be handled asap

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23344	4/5/2011 11:22:00 AM		taholdeen
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Final Notices mailed:

Final Notices mailed 4/5/11 certified mail #9171082133393695134338 for: incomplete audits for 2010 F1 report and 2011 TR report; 2010 G1 Fine for \$2 555 72 and failure to file 2010 G4 report

2nd notice was also sent certified (since it went with the above mentioned letters) for the Fine for Termination Report of \$150  
~~All will be mailed today.~~

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21373	1/20/2011 12:35:00 PM		ebowen
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RE: 2010 F1 Incomplete Audit & 2010 G1 Fine

12:36 - (305) 234-2208 I spoke with Mario, Rep Bullards Assistant. I was given a personal fax number and the office fax. the office fax is (350) 234-2210 and Rep Bullards personal fax number is (305) 232-1103. I faxed copies of the documents to both numbers and asked Mario to confirm receipt of the fax sent to Rep Bullards office

**HISTORY NOTES**  
Dwight M Bullard - 50321

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
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20640	12/2/2010 1:49:00 PM		ebowen
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RE: 2010 G4 FF & G1 Fine

email sent to Rep Bullard. state email and personal email address-  
dwight bullard@myfloridahouse.gov & d208b@yahoo.com

Representative Bullard-

The Division has attempted to contact you via mail and telephone and have received no response. The 2010 G1 campaign treasurer's report was not timely filed. Accordingly, you have been fined in the amount of \$2,555.72. Also, the 2010 G4 due on October 29, 2010 has not been received. I have attached the fine letters and failure to file letters that were mailed to you previously, regarding each report. To avoid further action, contact me upon receipt of this e-mail to discuss payment of the assessed fines and the unfiled report.

Thanks,

Erika Bowen

Division of Elections

(850) 245-6250

13718	6/23/2009 11:03:00 AM		ebowen
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RE: 2009 Q1 Fine

Spoke with: Mario assistant @ 11:04 (305) 234-2208

I told Mario that I had spoken to Rep Bullard last week and had not received the \$50 fine payment. Mario said that he would send Rep Bullard a message to return my call.

13518	6/15/2009 10:42:00 AM		ebowen
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RE: 2009 Q1 Fine

Spoke with: Mario assistant @ 10:46 (305) 234-2208

I told Mario that Rep Bullard had an outstanding fine of \$50 that needed to be paid or appealed. Mario said that he would contact Rep Bullard and give him the message.

13447	6/9/2009 10:26:00 AM		ebowen
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RE: 2009 Q1 Fine

Spoke with: Crystal (intern) @ 10:26 (305) 234-2208

I left a message for Rep Bullard to return my call regarding the outstanding fine.

**HISTORY NOTES**  
Dwight M Bullard - 50321

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
13101	5/20/2009 10:30:00 AM		ebowen
RE: 2009 Q1 Fine			
LM on Rep. Bullards, voicemail @ 10:24 (305)815-5845 I also sent an e-mail to his personal address regarding the outstanding fine (d280b@yahoo.com)			
13100	5/20/2009 10:30:00 AM		ebowen
8967	2/9/2009 11:57:00 AM		lbelvin
RE: DS-DE 9 and DS-DE 84(faxed copies)			
1-27-2009 Jack called and left a message explained that we needed origiani forms in our office			
2-5-2009 305-815-5845 3:59pm			
I spoke with Rep. Bullard to make sure that he had received out message from .Jack about needing origiani form in our office He said that he did and he was in Tallahassee so he will come into the office and file his appointment paperwork			
Receieved forms 2-6-2009(DS-DE 9 and 84)			

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

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

(PLEASE TYPE)

OFFICE USE ONLY

**FILED**  
2009 FEB -6 PM 1:43  
DEPARTMENT OF STATE  
DIVISION OF ELECTIONS

CHECK APPROPRIATE BOX:

Original Appointment       Deputy Treasurer       Reappointment of Treasurer

Name of Candidate: **Dwight Bullard**      1 Address (include post office box or street, city, state, zip code): **14842 Robinson St Miami, FL 33176**

Telephone (optional): (      )      2 Party (Partisan candidates only): **Democrat**      3 Office (add district, circuit, group number): **State Representative Dist. 118**

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

4 Name of Treasurer or Deputy Treasurer: **Dwight Bullard**

5 Mailing Address (If post office box or drawer add street address): **14842 Robinson St.**      6 Telephone: \_\_\_\_\_

7 City: **Miami**      8 County: **Miami-Dade**      9 State: **FL**      10 Zip Code: **33176**

I have designated the following named bank as my  Primary Depository       Secondary Depository

11 Name of Bank: **Suntrust**      12 Street Address: **8820 SW 136th St.**

13 City: **Miami**      14 County: **Miami-Dade**      15 State: **FL**      16 Zip Code: **33176**

17 Signature of Candidate:       Date: **1/23/09**

**Campaign Treasurer's Acceptance of Appointment**


I, **Dwight Bullard** do hereby accept the appointment as  
(Please Print or Type)

Campaign Treasurer       Deputy Treasurer      for the campaign of **Dwight Bullard**

who is seeking nomination or election as a **Democratic** candidate to the office of  
(Party)

**State Representative Dist. 118**

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING CAMPAIGN TREASURER'S  
ACCEPTANCE OF APPOINTMENT AND THAT THE FACTS STATED ARE TRUE.

**1/23/09**      Date            Signature of Campaign Treasurer or Deputy Treasurer



FLORIDA DEPARTMENT OF STATE  
Dawn K. Roberts  
Interim Secretary of State  
DIVISION OF ELECTIONS

November 1, 2010

The Honorable Dwight Bullard  
Candidate for State Representative, District 118  
14842 Robinson Street  
Miami, FL 33176-3176

Dear Representative Bullard:

Your campaign treasurer's report, which was due October 29, 2010, 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 Erika Bowen at (850) 245-6240.

Sincerely,

Kristi Reid Bronson, Chief  
Bureau of Election Records



FLORIDA DEPARTMENT OF STATE

Dawn K. Roberts  
Interim Secretary of State

DIVISION OF ELECTIONS

Second Notice

November 18, 2010

The Honorable Dwight Bullard  
Candidate for State Representative, District 118  
14842 Robinson Street  
Miami, FL 33176-3176

Dear Representative Bullard:

Your campaign treasurer's report, due October 29, 2010, 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 1, 2010. 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 Erika Bowen at (850) 245-6240

Sincerely,

Kristi Reid Bronson, Chief  
Bureau of Election Records





**FLORIDA DEPARTMENT of STATE**

**RICK SCOTT**  
Governor

**KURT S. BROWING**  
Secretary of State

**FINAL NOTICE - Certified Mail:** 91 7108 2133 3936 9513 4338

April 5, 2011

The Honorable Dwight M Bullard  
Candidate for State Representative, District 118 (50321)  
14842 Robinson Street  
Miami, Florida 33176

Dear Representative Bullard:

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>
2010	G4	10/29/2010

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 Holden at (850) 245-6250.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristi Reid Bronson".

Kristi Reid Bronson, Chief  
Bureau of Election Records

KRB/tah

Enclosure(s)



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## Track & Confirm

### Search Results

Label/Receipt Number: **9171 0821 3339 3695 1343 38**

Service(s): **Certified Mail™**

Status: **Delivered**

Your item was delivered at 9:38 am on April 08, 2011 in MIAMI, FL 33176

[Track & Confirm](#)

Enter Label/Receipt Number

[Go >](#)

Detailed Results:

- Delivered, April 08, 2011, 9:38 am, MIAMI, FL 33176
- Processed through Sort Facility, April 07, 2011, 10:06 pm, MIAMI, FL 33152

### Notification Options

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No FEAR Act EEO Data

FOIA

