

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Kyle Chaderwick Gibson**

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**Case No.: FEC 16-544**

**TO:** Kyle Chaderwick Gibson  
1418 NW 57th Court  
Ft. Lauderdale, FL 33334

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, **August 16, 2017 at 8:30 am, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, 404 South Monroe Street, Room 110-S, 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  
August 1, 2017

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.

FILED

17 MAY 31 AM 11:25

STATE OF FLORIDA  
ELECTIONS COMMISSION

STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION

Florida Elections Commission,  
Petitioner,

Case No.: FEC 16-544

v.

Kyle Chaderwick Gibson,  
Respondent.

\_\_\_\_\_ /

**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on May 17, 2017, in Tallahassee, Florida.

On March 30, 2017, 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 September 22, 2016, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to the campaign's 2016 M6 Report correcting the errors identified by the Division within seven days of receiving notice from the filing officer that the Report was incomplete.

**DONE AND ORDERED** by the Florida Elections Commission on May 17, 2017.



M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:  
Cole H. Kekelis, Assistant General Counsel  
Kyle Chaderwick Gibson, Respondent  
Division of Elections, Complainant

### NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by 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: **Kyle Chaderwick Gibson**

Case No.: **FEC 16-544**

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**TO:** Kyle Chaderwick Gibson  
1418 NW 57th Court  
Ft. Lauderdale, FL 33334

Division of Elections  
500 S Bronough Street, Room 316  
Tallahassee, FL 32399

**NOTICE OF HEARING (PROBABLE CAUSE DETERMINATION)**

A hearing will be held in this case before the Florida Elections Commission on, **May 17, 2017 at 10:30 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 214, 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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**See further instructions on the reverse side.**

*Amy McKeever Toman*  
Executive Director  
Florida Elections Commission  
May 1, 2017

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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

In Re: Kyle C. Gibson

Case No.: FEC 16-544

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**STAFF RECOMMENDATION FOLLOWING INVESTIGATION**

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned 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(2)(b)1., Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on March 14, 2017, the following facts and law support this staff recommendation:

1. On October 5, 2016, the Florida Elections Commission (“Commission”) received a referral from the Division of Elections (“Division”) alleging Kyle C. Gibson (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent is a 2018 candidate for Florida Governor, acting as his own treasurer. An Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (“DS-DE 9”) appointing Respondent as his own treasurer was filed with the Division on September 25, 2014. (ROI Exhibit 1)<sup>1</sup>

3. By letter dated January 27, 2017, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

**Section 106.07(2)(b)1., Florida Statutes:** Respondent, a 2018 candidate for Florida Governor, acting as his own treasurer, failed to timely make necessary amendments to the campaign’s 2016 M6 campaign treasurer report, as alleged in the complaint.

4. By letter dated September 26, 2014, Kristi Reid Bronson, Division of Elections, Chief, Bureau of Election Records, notified Respondent that his DS-DE 9 was filed with the Division on September 25, 2014. The letter also contained a security envelope containing Respondent’s confidential PIN number to access the Division’s electronic filing system. (ROI Exhibit 2)

5. Ms. Bronson’s September 26, 2014, letter also informed Respondent that all of the Division’s publications and reporting forms were available on the Division’s website, including Chapters 104 and 106, Florida Statutes, the *Candidate and Campaign Treasurer Handbook*, and

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<sup>1</sup> The Report of Investigation shall be referred to herein as “ROI.”



the *Calendar of Reporting Dates*. The letter notified Respondent that it was his responsibility to read, understand, and follow the requirements of Florida's election laws. (*Id.*)

6. The campaign's 2016 M6 Report covering the dates of June 1, 2016, to June 30, 2016, was due on July 11, 2016. Respondent filed the 2016 M6 Report on July 10, 2016. However, the Report was incomplete. (ROI Exhibit 3 and Attachment A)

7. On August 15, 2016, and August 29, 2016, the Division sent Respondent a letter notifying him that the campaign's 2016 M6 Report was incomplete and that Respondent had seven days to correct the errors or provide the missing information noted in the attached Error Report. The letter dated August 15, 2016, also stated that if the information was reported accurately, Respondent should provide a written explanation to the Division addressing the issues noted in the Error Report attached to the notification letter. (ROI Exhibit 3 and Exhibit 4)

8. On September 12, 2016, the Division sent Respondent a letter marked Final Notice notifying Respondent that the campaign's 2016 M6 Report remained incomplete and that Respondent had seven days to correct the errors or provide the missing information noted in the attached Error Report. The letter also stated that if the information was reported accurately, Respondent should provide a written explanation to the Division addressing the issues noted in the Error Report attached to the notification letter. The September 12, 2016, letter was confirmed delivered on September 15, 2016. (ROI Exhibit 5)

9. The Division confirmed via email dated March 13, 2017, that on October 10, 2016, the campaign's 2016 M6 Report was amended and is complete. The amendment was thus filed 25 days after Respondent received notification from the filing officer that the Report was incomplete and required amendment. (ROI Exhibit 7)

10. Respondent was given multiple opportunities to respond to Commission staff's investigation, but failed to do so.

11. Section 106.07(2)(b)1., Florida Statutes, requires that, within seven days of receipt of notification from the filing officer that a report is incomplete and requires amendment, a treasurer must file an addendum to the report providing all information necessary to complete the report.

12. Based upon the information above, it appears that Respondent failed to file the campaign's amended 2016 M6 Report correcting all the errors identified by the Division within seven days of receiving notice from the filing officer that the Report was incomplete.

13. "Probable Cause" is defined as a 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. 1<sup>st</sup> DCA 1995).

14. The above facts show that Respondent is a 2018 candidate for Florida Governor and is acting as his own treasurer. The campaign's 2016 M6 Report was filed incomplete. The Division sent letters on August 15, 2016, August 29, 2016, and September 12, 2016, notifying Respondent that the campaign's 2016 M6 Report was incomplete and that Respondent had seven days from receipt of the letters to correct the errors noted in the attached Error Reports and file an amended report. The facts also show that while the 2016 M6 Report was amended on October 10, 2016, and is complete, the amendment was not filed until 25 days after Respondent received notification from the filing officer that the Report was incomplete and required amendment.

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

**Count 1:**

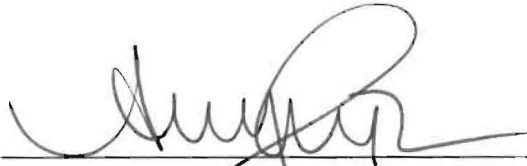
On or about September 22, 2016, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to the campaign's 2016 M6 Report correcting the errors identified by the Division within seven days of receiving notice from the filing officer that the Report was incomplete.

Respectfully submitted on March 30, 2017,



\_\_\_\_\_  
Cole H. Kekelis  
Assistant General Counsel

I reviewed this Staff Recommendation this 30th day of March 2017.



\_\_\_\_\_  
Amy McKeever Toman  
Executive Director



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Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Name:

Election:

Acct:

Type:

Candidate Name: Kyle Chaderwick Gibson

Account: 64360

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
3/10/2017	M2	3/11/2017						
2/10/2017	M1	2/9/2017						
1/10/2017	M12	1/10/2017						
12/12/2016	M11	12/10/2016						
11/10/2016	M10	11/11/2016	CLO	1	\$0.00		\$0.00	\$0.00
10/11/2016	M9	10/10/2016						
9/12/2016	M8	9/10/2016						
8/10/2016	M7	8/10/2016						
7/11/2016	M6	7/10/2016						
6/10/2016	M5	6/10/2016						
5/10/2016	M4	5/10/2016						
4/11/2016	M3	4/11/2016						
3/24/2016	M7	8/11/2015	DFS	1	\$37.50		\$37.50	\$0.00
3/10/2016	M2	3/4/2016						
2/10/2016	M1	2/11/2016	DFS	1	\$50.00		\$50.00	\$0.00
1/11/2016	M12	1/12/2016	DFS	1	\$50.00		\$50.00	\$0.00
12/10/2015	M11	12/10/2015						
11/10/2015	M10	11/10/2015						
10/13/2015	M9	10/10/2015						
9/10/2015	M8	9/10/2015						
7/10/2015	M6	7/10/2015						
6/10/2015	M5	6/7/2015						
5/11/2015	M4	5/11/2015						
4/10/2015	M3	4/15/2015	FOI	5	\$0.00		\$0.00	\$0.00
3/10/2015	M2	3/10/2015						
2/10/2015	M1	2/9/2015						
1/12/2015	M12	1/21/2015	FOI	9	\$0.00		\$0.00	\$0.00
12/10/2014	M11	12/4/2014						
11/10/2014	M10	10/31/2014						
10/10/2014	M9	10/16/2014	FOI	6	\$0.00		\$0.00	\$0.00

ATTACHMENT A

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Case No.: FEC 16-544**

**Respondent:** Kyle Chaderwick Gibson

**Complainant:** Division of Elections

Pursuant to Section 106.25, Florida Statutes, on October 5, 2016, 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(2)(b)1, Florida Statutes, failure of the treasurer of a candidate to file an addendum to an incomplete report after receiving notification from the filing officer.

**I. Preliminary Information:**

1. Respondent, Kyle Chaderwick Gibson, is a candidate for Governor in the 2018 election.
2. Complainant is the Division of Elections (Division).
3. Respondent's filing officer is Kristi Reid-Bronson, Chief, Bureau of Election Records.

**II. Alleged Violation of Section 106.07(2)(b)1, Florida Statutes:**

4. I investigated whether Respondent violated this section of the election laws by failing to file an addendum to his 2016 M6 report after receiving notice from the filing officer.

5. On September 25, 2014, Respondent filed his Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (DS-DE 9) with the Division. Respondent appointed himself as campaign treasurer. To review the DS-DE 9 form, refer to Exhibit 1.

6. On September 26, 2014, Ms. Bronson sent Respondent a letter acknowledging that his name had been placed on the 2018 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 him 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. The letter further advised Respondent that it was his responsibility to read, understand, and follow the requirements of Florida's election laws. To review a copy of the acknowledgement letter, refer to Exhibit 2.

8. On August 15, 2016, the Division sent Respondent a letter informing him that one or more campaign reports were incomplete. An error report was included with the letter as an attachment; the error report referenced the 2016 M6 report. The letter was mailed to Respondent at the address provided on his DS-DE 9 form. To review the August 15, 2016 letter and the error report, refer to Exhibit 3.

9. On August 29, 2016, the Division sent Respondent a letter marked "Second Notice," the letter stated, "On August 15, 2016, you were advised that one or more of your campaign treasurer's reports were incomplete ..." An error report was included with the letter as an attachment; the error report referenced the 2016 M6 report. The letter was mailed to Respondent at the address provided on his DS-DE 9 form. To review the August 29, 2016, letter, refer to Exhibit 4.

10. On September 12, 2016, the Division sent Respondent a letter marked "Final Notice" informing him that one or more campaign reports were incomplete. An error report was included with the final notice as an attachment; the error report referenced the 2016 M6 report. The final notice was delivered to the address provided on the DS-DE 9 form. To review the Final Notice and a copy of the delivery confirmation, refer to Exhibit 5.

11. In a questionnaire-affidavit, Respondent was asked the reason for not filing an addendum to the 2016 M6 report upon receiving notification from the Division. As of the date of this report, Respondent has not returned the affidavit, and the affidavit has not been returned by the post office. To review a copy of the affidavit, refer to Exhibit 6.

12. In an e-mail dated March 6, 2017, Kristi Reid Bronson stated that the 2016 M6 report has been amended and is complete; the report was amended on October 10, 2016. To review a copy of the e-mail, refer to Exhibit 7.

### III. FEC History:

13. The Division has made a number of referrals to the Commission staff concerning Respondent. Information below summarizes the cases involving Respondent as well as the section(s) of law that he was found to have violated.

Case #	Section(s) of law
FEC 15-261	106.07(2)(b)1, FS & 106.19(1)(c), FS.

FEC 15-329	106.07(2)(b)1, FS.
FEC 15-397 <sup>1</sup>	106.07(7), FS & 106.07(2)(b)1, FS.
FEC 16-028	106.07(2)(b)1, FS.
FEC 16-157	106.07(2)(b)1, FS.

To review documents relative to the above referenced cases, refer to Exhibit 8.

**Conclusion:**

14. On October 12, 2016, the Commission sent Respondent a letter via certified mail informing him that it received a referral from the Division alleging violations of Florida's election laws. The letter advised Respondent that if he wanted to file a response to the complaint he had 14 days to respond to the allegations in the complaint and was delivered to Respondent's address on October 15, 2016. Respondent did not provide a response to the referral. To review a copy of the Commission's October 12, 2016 letter, refer to Exhibit 9.

15. On January 27, 2017, the Commission sent Respondent a letter informing him that the Division's referral was found to be legally sufficient and the Commission would be investigating Respondent's alleged failure to timely amend his 2016 M6 report. The letter advised Respondent he could file a notarized statement providing any information regarding the facts surrounding the allegation. Respondent did not provide a notarized statement. To review a copy of the Commission's January 27, 2017 letter, refer to Exhibit 10.

16. On February 8, 2017 and March 1, 2017, I left voice-mail messages asking Respondent to return my calls to discuss the allegations in the Division's referral. In addition, a questionnaire-affidavit was mailed to Respondent on February 10, 2017. As of the date of this report, Respondent has not returned my calls or the questionnaire-affidavit.

17. In a previous case involving Respondent, FEC 15-261, he attested in an affidavit that he does possess and has read Chapter 106, Florida Statutes, as well as the *Candidate and Campaign Treasurer Handbook*. Additionally, Respondent attested that he was a 1996 candidate for the House of Representatives and in 2006 he ran for the office of Indian River County School Board, but later withdrew. In 2014, Respondent was a write-in candidate for the office of Governor; however, he forfeited ballot position for the 2014 general election as he failed to designate a Lieutenant Governor candidate by the deadline. To review the relevant pages relative to a previous case involving Respondent, refer to Exhibit 11.

18. Respondent executed a Statement of Candidate form indicating that he had been provided access to read and understand the requirements of Chapter 106, Florida Statutes; the form is dated as having been signed on September 20, 2014. To review a copy of the Statement of Candidate, refer to Exhibit 12.

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<sup>1</sup> As part of a consent order along with FEC 14-299.

Respectfully submitted on March 14, 2017.



Keith Smith  
Investigation Specialist

**Current address of Respondent**

Kyle Chaderwick Gibson  
1418 NE 57<sup>th</sup> Court  
Fort Lauderdale, Florida 33334-6118

**Current address of Complainant**

Division of Elections  
500 South Bronough Street – Room 316  
Tallahassee, Florida 32399-0250

**Name and Address of Filing Officer:**

Kristi Reid-Bronson, Chief  
Bureau of Election Records  
500 South Bronough Street – Room 316  
Tallahassee, Florida 32399-0250

Copy furnished to: David Flagg, Investigations Manager

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Kyle Chaderwick Gibson -- FEC 16-544**

<b>LIST OF EXHIBITS</b>	
<b>Exhibits #s</b>	<b>Description of Exhibits</b>
Exhibit 1	DS-DE 9 form
Exhibit 2	Acknowledgment letter
Exhibit 3	08/15/16 ltr and error rpt.
Exhibit 4	Second notice ltr.
Exhibit 5	Final notice ltr & delivery confirmation
Exhibit 6	Affidavit to Respondent
Exhibit 7	E-mail from KRB
Exhibit 8	Docs relative to previous cases involving Respondent
Exhibit 9	Commission staff's 14-day ltr to Respondent
Exhibit 10	Commission staff's LS ltr to Respondent
Exhibit 11	Relevant pages re: FEC 15-261
Exhibit 12	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.

RECEIVED  
DEPARTMENT OF STATE

2014 SEP 25 AM 9:59

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

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)

Kyle Chaderwick Gibson

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

P.O. Box 590581 Tamarac, FL 33359-0581

**4. Telephone**

(850 ) 322-8815

**5. E-mail address**

KCIN2018@gmail.com

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

Governor of Florida

**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**

Kyle C. Gibson

**11. Mailing Address**

P.O. Box 590581

**12. Telephone**

(      )

**13. City**

Tamarac

**14. County**

Broward

**15. State**

Florida

**16. Zip Code**

33359-0581

**17. E-mail address**

KCIN2018@gmail.com

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

**19. Name of Bank**

Wells Fargo

**20. Address**

1700 West Commercial Blvd

**21. City**

Ft. Lauderdale

**22. County**

Broward

**23. State**

Florida

**24. Zip Code**

33309

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**

September 20, 2014

**26. Signature of Candidate**

*Kyle C. Gibson*

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

I, Kyle C. Gibson, do hereby accept the appointment  
(Please Print or Type Name)

designated above as:     Campaign Treasurer     Deputy Treasurer.

Sept 20, 2014

Date

EXHIBIT X

*Kyle C. Gibson*  
Signature of Campaign Treasurer or Deputy Treasurer



## FLORIDA DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

September 26, 2014

Kyle Chaderwick Gibson  
Post Office Box 590581  
Tamarac, Florida 33359-0581

Dear Mr. Gibson:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of Governor, which was placed on file in our office on September 25, 2014. Your name has been placed on the 2018 active candidate list.

### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **October 10, 2014**. The report will cover the period of September 1-30, 2014 (M9). 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 Website Address:** <https://efs.dos.state.fl.us>

**Identification Number:** 64360

**EXHIBIT 2 (1 of 3)**  
Division of Elections

R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399

850.245.6200 • 850.245.6217 (Fax) [election.dos.state.fl.us](http://election.dos.state.fl.us)

Promoting Florida's History and Culture [VivaFlorida.org](http://VivaFlorida.org)



Kyle Chaderwick Gibson  
September 26, 2014  
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 no later than midnight, Eastern Standard Time, 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.

EXHIBIT 2 (2 of 3)

Kyle Chaderwick Gibson  
September 26, 2014  
Page Three


**Instructions and Assistance**

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

All of the Division's publications and reporting forms are available on the Division of Elections' website 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, *2014 Candidate and Campaign Treasurer Handbook*, *2014 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/ljr

Enclosures

EXHIBIT

2

(3 of 3)





FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

August 15, 2016

Kyle Chaderwick Gibson  
Post Office Box 590581  
Tamarac, FL 33359-0581

Re: CAN 64360

Dear Mr. Gibson:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson  
Chief, Bureau of Election Records

Attachment

EXHIBIT 3 (of 2)

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2016 M6 (22) Covering Period: 6/1/16 - 6/30/16

Account: 64360

Contributions		Contributor			Contribution						
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
1					X		X	\$0.00			

- \*The Transaction Date Is Either Before Or After The Report Coverage Period
- \*The Value Supplied For Contributor Type Is Invalid
- \*The Value Supplied For Contribution Type Is Invalid
- \*Amount is Zero
- \*No Value Provided For Last Name Field
- \*No Address Was Provided
- \*No City Was Provided In The Address
- \*No State Was Provided In The Address

Enditures  
 ad Transfers  
 her Distributions  
 EXHIBIT  
 3  
 (2022)



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

**Second Notice**

August 29, 2016

Kyle Chaderwick Gibson  
Post Office Box 590581  
Tamarac, FL 33359-0581

Re: CAN 64360

Dear Mr. Gibson:

On August 15, 2016, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

The Division's electronic filing system indicates that the required information has not been provided. Pursuant to Section 106.22, Florida Statutes, the Division is required to notify the Florida Elections Commission of the failure to provide information required by Chapter 106. Accordingly, if the information requested in our prior notice is not received within 7 days of receipt of this letter, we will refer this matter to the Commission. A second copy of the error report is attached for your convenience.

Sincerely,

Kristi Reid Bronson, Chief  
Bureau of Election Records

Attachment

EXHIBIT

4



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

**FINAL NOTICE**

**Delivery Confirmation:**

USPS TRACKING # **9114 9999 4431 4596 7283 83**  
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com  
or call 1-800-222-1811.

September 12, 2016

Kyle Chaderwick Gibson  
Post Office Box 590581  
Tamarac, FL 33359-0581

Re: CAN 64360

Dear Mr. Gibson:

You have previously been advised that one or more campaign treasurer's reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the information has been reported accurately, you must provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that if you fail to comply with this request, 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 need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

Kristi Reid Bronson  
Chief, Bureau of Election Records

Attachment

EXHIBIT 5 (1 of 2)

English

Customer Service

USPS Mobile

Register / Sign In



# USPS Tracking®

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Tracking Number: 9114999944314596728383

## Product & Tracking Information

Postal Product:

Features:

USPS Tracking®

DATE & TIME

STATUS OF ITEM

LOCATION

September 15, 2016 , 9:32 am

Delivered, PO Box

FORT LAUDERDALE, FL 33359

Your item has been delivered and is available at a PO Box at 9:32 am on September 15, 2016 in FORT LAUDERDALE, FL 33359.

September 14, 2016 , 6:09 pm

Arrived at USPS Facility

OPA LOCKA, FL 33054

September 13, 2016 , 10:12 pm

Arrived at USPS Facility

TALLAHASSEE, FL 32301

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Tracking (or receipt) number

-----

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EXHIBIT

5 (2 of 2)



**FLORIDA ELECTIONS COMMISSION**

**The Collins Building  
107 West Gaines Street, Suite 224  
Tallahassee, Florida 32399-1050  
(850) 922-4539**

February 10, 2017

Kyle Chaderwick Gibson  
1418 NW 57<sup>th</sup> Court  
Ft. Lauderdale, FL 33334

**RE: Case No.: FEC 16-544**

Dear Mr. Gibson:

The Florida Elections Commission needs additional information concerning the complaint filed against you with the Commission. Therefore, please complete the enclosed questionnaire, have it notarized, and return it to me by **February 28, 2017**.

Thank you for your cooperation in this matter. Please let me know if you have any questions. I may be reached at the telephone number above or by e-mail at [keith.smith@myfloridalegal.com](mailto:keith.smith@myfloridalegal.com).

Sincerely,

A handwritten signature in cursive script that reads "Keith Smith".

Keith Smith  
Investigator

Enclosure: Affidavit of Background Information

EXHIBIT 6 (123)

**AFFIDAVIT OF BACKGROUND INFORMATION**  
**Case Number: FEC 16-544**

**STATE OF FLORIDA**  
**County of Broward**

**Kyle Chaderwick Gibson, 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 \_\_\_\_\_ as \_\_\_\_\_.
3. What action have you taken to determine your responsibilities under Florida's election laws?

---

---

---

4. Do you possess a copy of Chapter 106, Florida Statutes?  Yes  No

5. If so, when did you first obtain it? \_\_\_\_\_

6. Have you read Chapter 106, Florida Statutes?  Yes  No

7. Do you possess a copy of the *Candidate and Campaign Treasurer Handbook*?  Yes  No

8. If so, when did you first obtain it? \_\_\_\_\_

9. Have you read the *Candidate and Campaign Treasurer Handbook*?  Yes  No

10. Please explain the reason you failed to timely make the necessary amendments to your 2016 M6 campaign report when directed by the Division of Elections to do so.

---

---

---

---

**EXHIBIT** 6 (2 of 3)



---

**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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

---

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: *KS*

**EXHIBIT** 6 (3&3)



RE: Follow-up to referral  
Bronson, Kristi R.  
to:  
Keith Smith  
03/13/2017 09:09 AM  
Hide Details  
From: "Bronson, Kristi R." <Kristi.Bronson@DOS.MyFlorida.com>  
To: Keith Smith <Keith.Smith@myfloridalegal.com>

It was amended 10-10-16.

Regards,

*Kristi Reid Bronson, Chief  
Division of Elections,  
Bureau of Election Records  
(850) 245-6240*

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided. Please note: Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

**From:** Keith Smith [<mailto:Keith.Smith@myfloridalegal.com>]  
**Sent:** Monday, March 13, 2017 9:03 AM  
**To:** Bronson, Kristi R.  
**Subject:** RE: Follow-up to referral

Kristi:

Do you have a date as to when the 2016 M6 was amended?

Thanks,

*Keith Smith*

Investigator - Florida Elections Commission  
107 West Gaines Street - Suite 224  
Tallahassee, FL 32399-1050  
(850) 922-4539 (phone)  
(850) 921-0783 (fax)

"Bronson, Kristi R." ---03/06/2017 02:45:29 PM---The 2016 M4 has not been amended. The 2016 M6 has been amended and is complete. Regards,

From: "Bronson, Kristi R." <Kristi.Bronson@DOS.MyFlorida.com>  
To: Keith Smith <Keith.Smith@myfloridalegal.com>  
Date: 03/06/2017 02:45 PM  
Subject: RE: Follow-up to referral

EXHIBIT 7 (1 of 2)

The 2016 M4 has not been amended. The 2016 M6 has been amended and is complete.

*Regards,*

*Kristi Reid Bronson, Chief  
Division of Elections,  
Bureau of Election Records  
(850) 245-6240*

This response is provided for reference only and does not constitute legal advice or representation. As applied to a particular set of facts or circumstances, interested parties should refer to the Florida Statutes and applicable case law, and/or consult a private attorney before drawing any legal conclusions or relying upon the information provided.

Please note: Florida has a very broad public records law. Written communications to or from state officials regarding state business constitute public records and are available to the public and media upon request unless the information is subject to a specific statutory exemption. Therefore, your e-mail message may be subject to public disclosure.

**From:** Keith Smith [mailto:Keith.Smith@myfloridalegal.com]  
**Sent:** Thursday, March 02, 2017 9:40 AM  
**To:** Bronson, Kristi R.  
**Subject:** Follow-up to referral

Ms. Bronson:

Has Kyle C. Gibson, a 2018 candidate for Governor, (ID # 64360), filed any amendments to his 2016 M4 & 2016 M6 campaign reports?

Thank you for your cooperation in this matter.

*Keith Smith*

Investigator - Florida Elections Commission  
107 West Gaines Street - Suite 224  
Tallahassee, FL 32399-1050  
(850) 922-4539 (phone)  
(850) 921-0783 (fax)

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**EXHIBIT** 7 (2 of 2)

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 15-261**

v.

**Kyle C. Gibson,  
Respondent.**

---

**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on November 17, 2015, in Tallahassee, Florida.

Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violations:

**Count 1**

On or about March 2, 2015, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely make necessary amendments to the campaign's 2014 M4 Report.

**Count 2**

On or about March 2, 2015, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely make necessary amendments to the campaign's 2014 Termination Report.

**EXHIBIT 8 (1 of 15)**

**Count 3**

On or about December 4, 2014, Respondent violated Section 106.19(1)(c), Florida Statutes, when he falsely reported a \$125 campaign expenditure on his 2014 Termination Report that occurred almost 30 days after the campaign depository was closed.

**DONE AND ORDERED** by the Florida Elections Commission on November 17, 2015.

---

M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:  
Jaakan A. Williams, Assistant General Counsel  
Kyle C. Gibson, Respondent  
Division of Elections, Complainant

**NOTICE OF RIGHT TO A HEARING**

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by 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.

EXHIBIT 8 (3 of 15)

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 15-329**

v.

**Kyle Chaderwick Gibson,  
Respondent.**

---

**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on November 17, 2015, in Tallahassee, Florida.

Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violations:

**Count 1**

On or about March 16, 2015, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely make necessary amendments to the campaign's 2014 M10 Report.

**Count 2**

On or about April 14, 2015, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely make necessary amendments to the campaign's 2015 M2 Report.

**EXHIBIT**

8 (4 & 15)

**DONE AND ORDERED** by the Florida Elections Commission on November 17, 2015.

---

M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:  
Jaakan A. Williams, Assistant General Counsel  
Kyle Chaderwick Gibson, Respondent  
Division of Elections, Complainant

### NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by 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.

EXHIBIT 8 (5 & 15)



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.

EXHIBIT 8 (6 of 15)

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Kyle Chaderwick Gibson**

---

**Case Nos.: FEC 15-397, 14-299  
F.O. No.: FO FEC**

**CONSENT FINAL ORDER**

Respondent, Kyle Chaderwick Gibson, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

**FINDINGS OF FACT**

1. On September 11, 2014, and August 24, 2015, complaints were filed with the Commission alleging that Respondent violated Chapter 106, Florida Statutes.
2. Respondent expressed a desire to enter into negotiations directed toward reaching a consent agreement.
3. Respondent and the staff stipulate to the following facts:
  - a. Respondent was a 2014 candidate for the office of Governor, and he designated himself as campaign treasurer.
  - b. During the 2014 election cycle, Respondent failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because he had not received funds, made contributions, or expended reportable funds during the 2014 M9 Report, 2014 M12 Report, 2015 M3 Report, and the 2015 M7 Report.
  - c. On October 16, 2014, Mr. Gibson filed a waiver-of-report for the 2014 M9 Report, on January 21, 2015, Mr. Gibson filed a waiver-of-report for the 2014 M12 Report, on April 15, 2015, Mr. Gibson filed a waiver-of-report for the 2015 M3 Report, and on August 11, 2015, Mr. Gibson filed a

**EXHIBIT** 8 (2015)

waiver-of-report for the 2015 M7 Report.

- d. Respondent failed to timely make necessary amendments to the campaign's 2011 Q4, 2012 Q1, 2013 M10, and the 2014 P1 Reports after receiving multiple written notices from the Division that the reports were incomplete.

### CONCLUSIONS OF LAW

4. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

5. Section 106.25(4)(i)3., Florida Statutes, allows the Commission to approve a consent agreement with a Respondent prior to the Commission finding probable cause that a violation of the election laws occurred. The consent agreement has the same force and effect as a consent agreement reached after the Commission finds probable cause.

6. The Commission staff and Respondent stipulate that staff can prove the facts in paragraph three above and to the Commission's ability to impose a civil penalty against Respondent in this case.

### ORDER

7. The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

8. The parties shall each bear its own attorney's fees and costs that are in any way associated with this case.

9. The Commission will consider the Consent Order at its next available meeting.

10. The Respondent voluntarily waives the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

11. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. Respondent expressly waives any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondent shall be

EXHIBIT 8 (8 & 15)

responsible for all fees and costs associated with enforcement.

12. If the Commission does not receive the signed Consent Order and payment of the civil penalty by the close of business on January 19, 2016, the staff withdraws this offer of settlement and will proceed with the case.

13. Payment of the civil penalty by cashier's check, money order, and good for at least 120 days, or attorney trust account check is a condition precedent to the Commission's consideration of the Consent Order.

### PENALTY

**WHEREFORE**, based upon the foregoing facts and conclusions of law, the Commission finds that the Respondent has violated the following provision of Chapter 106, Florida Statutes, and imposes the following fine:

A. Respondent has violated Section 106.07(7), Florida Statutes, when Kyle Chaderwick Gibson, acting as his own campaign treasurer, failed to notify the filing officer on the prescribed reporting date that no report would be filed for the 2014 P2 Report, 2014 M9, 2014 M12, 2015 M3, and the 2015 M7 Reports. Respondent is fined \$200.00 for the violations.

B. Respondent has violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely make necessary amendments to the campaign's 2011 Q4, 2012 Q1, 2013 M10, and the 2014 P1 Reports. Respondent is fined \$200.00 for the violations.

Therefore it is

**ORDERED** that the Respondent shall remit to the Commission a civil penalty in the amount of 400.00, inclusive of fees and costs. The civil penalty shall be paid by cashier's check, money order, good for at least 120 days, or attorney trust account check. The civil penalty should

EXHIBIT 8 (9 & 15)

be made payable to the Florida Elections Commission and sent to 107 West Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050.

**Respondent** hereby agrees and consents to the terms of this Order on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Kyle Chaderwick Gibson  
P.O. Box 590581  
Tamarac, FL 33359-0581

**Commission staff** hereby agrees and consents to the terms of this Consent Order on \_\_\_\_\_, 2016.

\_\_\_\_\_  
Jaakan A. Williams  
Assistant General Counsel  
Florida Elections Commission  
107 West Gaines Street  
Collins Building, Suite 224  
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on February 17 -18, 2016 in Tallahassee, Florida.

\_\_\_\_\_  
M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:  
Jaakan A. Williams, Assistant General Counsel  
Kyle Chaderwick Gibson, Respondent  
Division of Elections, Complainant

EXHIBIT 8 (10 of 15)

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 16-028**

**v.**

**Kyle C. Gibson,  
Respondent.**

---

**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on August 17, 2016, in Tallahassee, Florida.

Based on the Complaint, Report of Investigation, Staff's Recommendation, and oral statements (if any) made at the probable cause hearing, the Commission finds that there is **probable cause** to charge Respondent with the following violation(s):

**Count 1:**

On or about December 23, 2015, Kyle C. Gibson violated Section 106.07(2)(b)1., Florida Statutes, when he failed to file an addendum to his 2015 M10 Report within seven days after receiving notice from the Department of State, Division of Elections, that the report required amendment.

**DONE AND ORDERED** by the Florida Elections Commission on August 17, 2016.

---

M. Scott Thomas, Chairman  
Florida Elections Commission

**EXHIBIT** 8 (11 & 15)

Copies furnished to:  
Stephanie J. Cunningham, Assistant General Counsel  
Kyle C. Gibson, Respondent  
Division of Elections, Complainant

## NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by 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.

EXHIBIT 8 (12 of 15)

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 16-157**

**v.**

**Kyle Chaderwick Gibson,  
Respondent.**

---

**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on February 28, 2017, in Tallahassee, Florida.

On December 2, 2016, 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 April 16, 2016, Respondent violated Section 106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to the campaign's 2016 M1 Report correcting the errors identified by the Division within seven days of receiving notice from the filing officer that the Report was incomplete.

**Count 2:**

On or about April 16, 2016, Respondent violated Section

**EXHIBIT** 8 (13 of 15)



106.07(2)(b)1., Florida Statutes, when Respondent failed to file an addendum to the campaign's 2016 M2 Report correcting the errors identified by the Division within seven days of receiving notice from the filing officer that the Report was incomplete.

**DONE AND ORDERED** by the Florida Elections Commission on February 28, 2017.

---

M. Scott Thomas, Chairman  
Florida Elections Commission

Copies furnished to:  
Cole H. Kekelis, Assistant General Counsel  
Kyle Chaderwick Gibson, Respondent  
Division of Elections, Complainant

### NOTICE OF RIGHT TO A HEARING

As the Respondent, you may elect to resolve this case in several ways. First, you may elect to resolve this case by 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.

EXHIBIT

8 (15 & 15)



**FLORIDA ELECTIONS COMMISSION**

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

October 12, 2016

**CERTIFIED MAIL 9214 8969 0099 9790 1610 9380 70**

Kyle Chaderwick Gibson  
1418 NW 57<sup>th</sup> Court  
Ft. Lauderdale, FL 33334

**RE: Case No.: FEC 16-544; Respondent: Kyle Chaderwick Gibson**

Dear Mr. Gibson:

On October 5, 2016, the Florida Elections Commission received the enclosed complaint alleging that you violated Florida's election laws. Section 106.25(2), Florida Statutes states:

The respondent shall have 14 days *after receipt* of the complaint to file an initial response, and the executive director may not determine the legal sufficiency of the complaint during that time period.

If you choose to file a response to the complaint, please send it to my attention at the address listed above. To ensure that I receive your response in a timely manner, you may also want to send it via e-mail to my attention, at [fec@myfloridalegal.com](mailto:fec@myfloridalegal.com). You will be notified by letter whether the complaint is determined legally sufficient.

**Please note that all documents related to this matter will be mailed to the above address unless you notify us of a new address.**

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you, the Respondent, unless you waive confidentiality in writing.

EXHIBIT

9 (103)

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

Sincerely,

*Erin Riley*

Deputy Agency Clerk

ip/enr

Enclosure: Complaint w/attachments

EXHIBIT 9 (203)



Date Produced: 10/17/2016

Florida Elections Commission:

The following is the delivery information for Certified Mail™/RRE item number 9214 8969 0099 9790 1610 9380 70. Our records indicate that this item was delivered on 10/15/2016 at 01:05 p.m. in FORT LAUDERDALE, FL 33334. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink that reads "George A. Adams".

Address of Recipient :

A handwritten address in black ink that reads "1418 NW 57th".

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

EXHIBIT 9 (3&3)  
Customer Reference Number: 16-544 14 Day Ltr-Kyle Chader



**FLORIDA ELECTIONS COMMISSION**

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

January 27, 2017

Kyle Chaderwick Gibson  
1418 NW 57<sup>th</sup> Court  
Ft. Lauderdale, FL 33334

**RE: Case No.: FEC 16-544**

Dear Mr. Gibson:

On October 5, 2016, 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 106.07(2)(b)1., Florida Statutes:** Respondent, a 2018 candidate for Florida Governor, acting as his own treasurer, failed to timely make necessary amendments to the campaign's 2016 M6 campaign treasurer report, as alleged in the complaint.

You may respond to the allegation above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegation. Your response will be included as an attachment to the investigator's report.

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

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral

EXHIBIT 10 (1 of 2)

statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

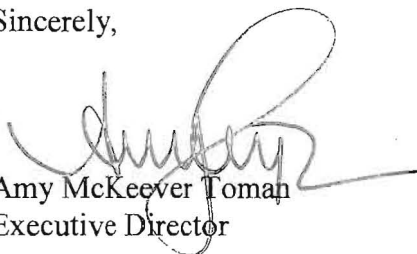
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

**The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the above address as this letter. Therefore, if your address changes, you must notify this office of your new address. Otherwise, you may not receive these important documents. Failure to receive the documents will not delay the probable cause hearing.**

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

If you have any questions or need additional information, please contact **Keith Smith**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman  
Executive Director

AMT/dam

EXHIBIT (10 (2 of 2))

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Case No.: FEC 15-261**

**Respondent:** Kyle Chaderwick Gibson

**Complainant:** Division of Elections

Pursuant to Section 106.25, Florida Statutes, on March 9, 2015, the Florida Elections Commission received information from the Division of Elections alleging 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 statutes:

Section 106.07(2)(b)1, Florida Statutes, failure of the treasurer of a candidate to file an addendum to an incomplete report after receiving notice from the filing officer;

Section 106.141(1), Florida Statutes, failure of a candidate to dispose of funds remaining in his campaign account within 90 days after he withdrew, became unopposed, was eliminated, or elected and to file a report reflecting the disposition of all remaining funds; and

Section 106.19(1)(c), Florida Statutes, prohibiting a person or organization from falsely reporting or deliberately failing to report information required by Chapter 106, Florida Statutes.

**I. Preliminary Information:**

1. Respondent, Kyle Chaderwick Gibson, was a 2014 write-in candidate for the office of Governor. According to the Division of Elections (Division), Respondent filed to run on January 4, 2011 and he qualified on June 19, 2014.

2. On September 5, 2014, the Division mailed Respondent a letter notifying him that pursuant to Section 99.063(5), Florida Statutes, he forfeited ballot position for the 2014 general election. Respondent had failed to designate a Lieutenant Governor candidate by 5:00 p.m. on September 4, 2014. To review the letter from the Division to Respondent relative to removing his name from the ballot, refer to Exhibit 1.

3. On January 4, 2011, Respondent's "APPOINTMENT OF CAMPAIGN TREASURER AND DESIGNATION OF CAMPAIGN DEPOSITORY FOR CANDIDATES" form (DS-DE 9) was filed with the Division. Respondent appointed himself to serve as

EXHIBIT 11 (1 of 2)



all of the Division's publications are available on their website and that it was his responsibility to read, understand and follow the requirements of Florida's election laws.

32. In an affidavit, Respondent attested that he does possess and has read Chapter 106, Florida Statutes as well as the *Candidate and Campaign Treasurer Handbook*. When asked what action had he taken to determine his responsibilities under Florida's election laws, he stated, "Continue to familiarize myself by re-reading the law." Respondent attested that in 1996 he was a candidate for the House of Representatives and in 2006 he ran for the Indian River School Board, but later withdrew. To review Respondent's response to the questionnaire-affidavit, refer to Exhibit 7.

33. Respondent executed a "Statement of Candidate" form indicating that he received, read and understand the requirements of Chapter 106, Florida Statutes; the form is dated as having been signed on January 4, 2011. To review the form, refer to Exhibit 9.

Respectfully submitted on August 28, 2015.

---

Keith Smith  
Investigation Specialist

**Current address of Respondent**

Kyle Chaderwick Gibson  
1418 NE 57<sup>th</sup> Court  
Fort Lauderdale, Florida 33334-6118

**Current address of Complainant**

Division of Elections  
500 South Bronough Street – Room 316  
Tallahassee, Florida 32399-0250

**Name and Address of Filing Officer:**

Kristi Reid-Bronson, Chief  
Bureau of Election Records  
500 South Bronough Street – Room 316  
Tallahassee, Florida 32399-0250

Copy furnished to: David Flagg, Investigations Manager

EXHIBIT 11 (2 of 2)

**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

RECEIVED  
DEPARTMENT OF STATE  
OFFICE USE ONLY  
2014 SEP 25 AM 10:00  
DIVISION OF ELECTIONS  
TALLAHASSEE, FL

I, Kyle KC Gibson ,

candidate for the office of Governor of Florida ;

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

X *Kyle C. Gibson*  
Signature of Candidate

Sept 20, 2014  
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  
Telephone: (850) 922-4539  
Fax: (850) 921-0783

January 27, 2017

Kyle Chaderwick Gibson  
1418 NW 57<sup>th</sup> Court  
Ft. Lauderdale, FL 33334

**RE: Case No.: FEC 16-544**

Dear Mr. Gibson:

On October 5, 2016, 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 106.07(2)(b)1., Florida Statutes:** Respondent, a 2018 candidate for Florida Governor, acting as his own treasurer, failed to timely make necessary amendments to the campaign's 2016 M6 campaign treasurer report, as alleged in the complaint.

You may respond to the allegation above by filing a notarized statement providing any information regarding the facts and circumstances surrounding the allegation. Your response will be included as an attachment to the investigator's report.

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

The Commission will then hold a hearing to determine whether there is probable cause to believe you have violated Chapters 104 or 106, Florida Statutes. You and the complainant will receive a notice of hearing at least 14 days before the hearing. The notice of hearing will indicate the location, date, and time of your hearing. You will have the opportunity to make a brief oral

statement to the Commission, but you will not be permitted to testify or call others to testify, or introduce any documentary or other evidence.

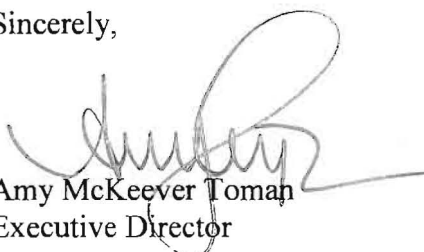
At any time before a probable cause finding, you may notify us in writing that you want to enter into negotiations directed towards reaching a settlement via consent agreement.

**The Report of Investigation, Staff Recommendation, and Notice of Hearing will be mailed to the above address as this letter. Therefore, if your address changes, you must notify this office of your new address. Otherwise, you may not receive these important documents. Failure to receive the documents will not delay the probable cause hearing.**

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

If you have any questions or need additional information, please contact **Keith Smith**, the investigator assigned to this case.

Sincerely,



Amy McKeever Toman  
Executive Director

AMT/dam

**DIVISION OF ELECTIONS  
FEC NOTICE FORM**

To FEC from Division of Elections

RECEIVED  
2016 OCT -5 P 3: 22  
STATE OF FLORIDA  
ELECTIONS COMMISSION

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**Name:** Kyle Chaderwick Gibson  
**Account Number:** 64360  
**Candidate:** Kyle Chaderwick Gibson  
**Treasurer:** Kyle Chaderwick Gibson  
**Person Named/Notified:** Kyle Chaderwick Gibson

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The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.22(7) and 106.25, Florida Statutes. An apparent violation of Chapter 106, F.S., has occurred based upon a failure to file addendums after notice as required by section 106.07(2)(b)1., Florida Statutes, for the following report(s):

2016 M6

**Sent By:** Kristi Reid Bronson  
**Date:** October 3, 2016 *KRB*

ejr

## AFFIDAVIT

**STATE OF FLORIDA**

**County of Leon**

**Kristi Reid Bronson, being duly sworn, says:**

1. I am the Chief of the Bureau of Election Records of the Division of Elections (Division). In that capacity, I oversee the Division's duties related to the filing of campaign finance reports.
2. This affidavit is made upon my personal knowledge, including information obtained from review of the attached records, of which I am the custodian.
3. I am of legal age and competent to testify to the matters stated herein.
4. Kyle Chaderwick Gibson (64360) is a 2018 candidate for the office of State Governor.
5. On September 25, 2014, Mr. Gibson filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division. He appointed himself as treasurer. (See attached documents and acknowledgment letter.)
6. On August 15, 2016, the Division mailed Mr. Gibson notification that the 2016 M6 campaign treasurer's report was incomplete. (See attached letter.)
7. On August 29, 2016, the Division mailed Mr. Gibson notification that the 2016 M6 campaign treasurer's report was incomplete. (See attached letter.)
8. On September 12, 2016, the Division mailed Mr. Gibson final notification with delivery confirmation that the 2016 M6 campaign treasurer's report was incomplete. (See attached letter.)

9. As of October 3, 2016, the 2016 M6 campaign treasurer's report remains incomplete.

**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 3<sup>rd</sup> day  
of October, 2016.

  
\_\_\_\_\_

Signature of Notary Public - State of Florida

Print, Type, or Stamp Commissioned Name of Notary Public  
Personally Known ✓







**STATEMENT OF  
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

RECEIVED  
DEPARTMENT OF STATE  
OFFICE USE ONLY

2014 SEP 25 AM 10:00

DIVISION OF ELECTIONS  
TALLAHASSEE, FL

I, Kyle KC Gibson,

candidate for the office of Governor of Florida;

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

X *Kyle C. Gibson*  
Signature of Candidate

Sept 20, 2014  
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 DEPARTMENT of STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

September 26, 2014

Kyle Chaderwick Gibson  
Post Office Box 590581  
Tamarac, Florida 33359-0581

Dear Mr. Gibson:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of Governor, which was placed on file in our office on September 25, 2014. Your name has been placed on the 2018 active candidate list.

### Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **October 10, 2014**. The report will cover the period of September 1-30, 2014 (M9). 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 Website Address:** <https://efs.dos.state.fl.us>

**Identification Number:** 64360



Division of Elections  
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6200 • 850.245.6217 (Fax) [election.dos.state.fl.us](http://election.dos.state.fl.us)  
Promoting Florida's History and Culture VivaFlorida.org

FLORIDA  
DIVISION OF  
ELECTIONS

Kyle Chaderwick Gibson  
September 26, 2014  
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 no later than midnight, Eastern Standard Time, 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.

Kyle Chaderwick Gibson  
September 26, 2014  
Page Three

**Instructions and Assistance**

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

**All of the Division's publications and reporting forms are available on the Division of Elections' website 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, 2014 Candidate and Campaign Treasurer Handbook, 2014 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/ljr

Enclosures



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

August 15, 2016

Kyle Chaderwick Gibson  
Post Office Box 590581  
Tamarac, FL 33359-0581

Re: CAN 64360

Dear Mr. Gibson:

The Division of Elections has determined that one or more campaign reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this notice to file an amended report to correct errors or provide missing information. If the information has been reported accurately, provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that failure to supply this information within the time allowed may constitute a violation of Chapter 106, Florida Statutes.

If you need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Bronson".

Kristi Reid Bronson  
Chief, Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2016 M6 (22) Covering Period: 6/1/16 - 6/30/16

Account: 64360

Contributions

		Contributor			Contribution					
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind Descrip	Amend
1					X		X	\$0.00		

- \*The Transaction Date Is Either Before Or After The Report Coverage Period
- \*The Value Supplied For Contributor Type Is Invalid
- \*The Value Supplied For Contribution Type Is Invalid
- \*Amount is Zero
- \*No Value Provided For Last Name Field
- \*No Address Was Provided
- \*No City Was Provided In The Address
- \*No State Was Provided In The Address

Expenditures

Bad Transfers

Other Distributions



FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

**Second Notice**

August 29, 2016

Kyle Chaderwick Gibson  
Post Office Box 590581  
Tamarac, FL 33359-0581

Re: CAN 64360

Dear Mr. Gibson:

On August 15, 2016, you were advised that one or more of your campaign treasurer's reports were incomplete and that you had 7 days to provide the requested information.

The Division's electronic filing system indicates that the required information has not been provided. Pursuant to Section 106.22, Florida Statutes, the Division is required to notify the Florida Elections Commission of the failure to provide information required by Chapter 106. Accordingly, if the information requested in our prior notice is not received within 7 days of receipt of this letter, we will refer this matter to the Commission. A second copy of the error report is attached for your convenience.

Sincerely,

Kristi Reid Bronson, Chief  
Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2016 M6 (22) Covering Period: 6/1/16 - 6/30/16

Account: 64360

Contributions

Contributor

Contribution

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Occupation</u>	<u>Type</u>	<u>Amount</u>	<u>InKind</u>	<u>Descrip</u>	<u>Amend</u>
1					X		X	\$0.00			

- \*The Transaction Date Is Either Before Or After The Report Coverage Period
- \*The Value Supplied For Contributor Type Is Invalid
- \*The Value Supplied For Contribution Type Is Invalid
- \*Amount is Zero
- \*No Value Provided For Last Name Field
- \*No Address Was Provided
- \*No City Was Provided In The Address
- \*No State Was Provided In The Address

Expenditures

Fund Transfers

Other Distributions





FLORIDA DEPARTMENT OF STATE

**Ken Detzner**  
Secretary of State

DIVISION OF ELECTIONS

**FINAL NOTICE**

**Delivery Confirmation:**

USPS TRACKING # **9114 9999 4431 4596 7283 83**  
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com  
or call 1-800-222-1811.

September 12, 2016

Kyle Chaderwick Gibson  
Post Office Box 590581  
Tamarac, FL 33359-0581

Re: CAN 64360

Dear Mr. Gibson:

You have previously been advised that one or more campaign treasurer's reports are incomplete for the reasons noted in the attached error report.

Pursuant to Section 106.07(2), Florida Statutes, you have 7 days from receipt of this letter to correct errors or provide missing information. If the information has been reported accurately, you must provide a written explanation to the Division addressing the issue noted in the error report. Please be advised that if you fail to comply with this request, 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 need assistance in filing an amendment, please contact the Division's help line at (850) 245-6280.

Sincerely,

A handwritten signature in black ink that reads "Kristi Reid Bronson".

Kristi Reid Bronson  
Chief, Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Chaderwick Gibson

Office: GOV

Report: 2016 M6 (22) Covering Period: 6/1/16 - 6/30/16

Account: 64360

Contributions		Contributor				Contribution					
Seg	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
1					X		X	\$0.00			

- \*The Transaction Date Is Either Before Or After The Report Coverage Period
- \*The Value Supplied For Contributor Type Is Invalid
- \*The Value Supplied For Contribution Type Is Invalid
- \*Amount is Zero
- \*No Value Provided For Last Name Field
- \*No Address Was Provided
- \*No City Was Provided In The Address
- \*No State Was Provided In The Address

penditures

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# USPS Tracking®

Still Have Questions?

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[Get Easy Tracking Updates >](#)  
[Sign up for My USPS.](#)

Tracking Number: 9114999944314596728383

## Product & Tracking Information

Postal Product:

Features:  
USPS Tracking®

DATE & TIME

STATUS OF ITEM

LOCATION

September 15, 2016 , 9:32 am

Delivered, PO Box

FORT LAUDERDALE, FL 33359

Your item has been delivered and is available at a PO Box at 9:32 am on September 15, 2016 in FORT LAUDERDALE, FL 33359.

September 14, 2016 , 6:09 pm

Arrived at USPS Facility

OPA LOCKA, FL 33054

September 13, 2016 , 10:12 pm

Arrived at USPS Facility

TALLAHASSEE, FL 32301

## Available Actions

[Text Updates](#)

[Email Updates](#)

## Track Another Package

Tracking (or receipt) number

[Track It](#)

## Manage Incoming Packages

Track all your packages from a dashboard  
No tracking numbers necessary

[Sign up for My USPS >](#)



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- [Resources for Developers](#)

### LEGAL INFORMATION

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- [Terms of Use](#)
- [FOIA](#)
- [No FEAR Act EEO Data](#)

**HISTORY NOTES**  
Kyle Chaderwick Gibson - 64360

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
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50520	9/27/2016 2:41:00 PM		Ejrowlette
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RE: Audit of 2016 M6  
I attempted to reach Mr. Gibson but got his voice mail. I asked him to please amend and correct his 2016 M6 report; otherwise, on Friday of this week, the issue will be referred to the FEC. Ejr

49843	8/18/2016 4:42:00 PM		zjsantos
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RE: Returned Mail

Attention Mr. Kyle Chaderwick Gibson, Candidate for Governor (64360)

This email is to inform you that we have received returned mail from your address:

Post Office Box 590581  
Tamarac, Florida 33359-0581

I have attached a pdf of the returned mail to this email.

Please update your address with us, you may do so by either logging into EFS and changing it in the Campaign Account section, or by sending us a signed letter stating the address change.

You may send the signed written letter to:

Bureau of Election Records  
Florida Department of State  
R.A. Gray Building, Room 316  
500 S. Bronough Street  
Tallahassee, FL 32399

You may email a copy of the letter to:  
<mailto:ElecRecords@dos.myflorida.com?subject=Update of Address>

Or by fax to:

850-245-6259 or 850-245-6260

If you have any questions, please contact me at 850-245-6280.

Zach Santos  
Regulatory Specialist I  
Bureau of Election Records  
Florida Department of State  
R.A. Gray Building  
500 S. Bronough Street  
Tallahassee, FL 32399  
Helpline: 850.245.6280

47546	5/5/2016 1:18:00 PM		zjsantos
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RE: Returned Mail

I left a voicemail explaining that we have returned mail for Mr. Gibson and explained how he can update it with us.

**HISTORY NOTES**  
Kyle Chaderwick Gibson - 64360

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
46984	3/23/2016 9:11:00 AM		EJRowlette
<p>Re: Audit letter requested before referral Attempted to reach Mr. Gibson by phone this morning to request his letter of explanation for the \$175 used for Law School. I got his voice mail and left a message. I also emailed Mr. Gibson at the email he provided the division of elections: KCIN2018@gmail.com. See below for email. Ejr</p> <p>'KCIN2018@gmail.com' Attention Mr. Kyle Chaderwick Gibson, 2018 Candidate for Governor (64360). This email is in reference to an audit mailed out on January 14, February 2, and February 16, 2016. You and I spoke on March 4 in making the necessary corrections to these campaign finance reports; however, I also told you that a letter of explanation from you was necessary in detailing the expense of \$175 used for Law School but was later refunded. A referral to the Florida Elections Commission will be sent tomorrow, March 24, 2016, if your letter is not received by the end of this working day, March 23, 2016. Please email your letter to: DivElections@dos.state.fl.us Or fax: 850-245-6260 If you have any questions, please contact me at 850-245-6280. Erika J. Rowlette Regulatory Specialist II Bureau of Election Records Florida Department of State</p>			
46497	2/12/2016 9:23:00 AM		ejrowlette
<p>Re: Returning Mr. Gibson's phone call I attempted to get back with Mr. Gibson, but I got a voice mail. I told him I got his message and was returning his call. I explained that the errors on his reports were still there. I told him to call back and I'd assist him in making the necessary corrections to this report and the others that are still incomplete. Ejr</p>			
46483	2/11/2016 2:55:00 PM		ejrowlette
<p>Re: Uncorrected audits (Phone call from Mr. Gibson) Mr. Gibson left a voice mail concerning one of the transactions...a \$175 transaction he was paying back to the campaign account. I will see if I can locate it.ejr</p>			
46442	2/10/2016 11:25:00 AM		EJRowlette
<p>Re: Uncorrected Audits Attempted to reach candidate by phone but got voice mail. I explained that he had several reports that needed his attention in correcting errors. I asked him to please call me back and I would assist him in making these updates. I told him that if the corrections weren't made, this matter would be referred to the Florida Election Commission. ejr 1/8/16- No change to report. I sent him an email. See CanCom for email. Ejr</p>			
46037	1/13/2016 8:32:00 AM		jvquinn
<p>Re: Pin Number Received a call from Mr. Gibson wanting his treasurer's pin number. Mr. Gibson sent in a letter requesting this pin number, so I was able to release the information that he was requesting.</p>			
46018	1/12/2016 11:23:00 AM		DSBrown
<p>RE: Request for PIN DOE received a faxed letter from the candidate requesting his treasurer PIN. I called Mr. Gibson's phone number (as indicated on the letter) at 8:40 am; left message advising Mr. Gibson that I would be in a meeting starting at 9:00 am, but he could call Janet Quinn (gave direct number) for his treasurer PIN. At 11:20 pm, I checked to see if Mr. Gibson had left me a message or called Janet. He had not.</p>			
45972	1/11/2016 8:37:00 AM		DSBrown
<p>Re: Request for Credentials Candidate faxed a letter requesting his password be reset. I called and spoke to Mr. Gibson; reset his password. After advising him of the password, he read it back to me. He said he did not need his PIN's.</p>			

**HISTORY NOTES**  
Kyle Chaderwick Gibson - 64360

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
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45959	1/8/2016 11:35:00 AM		EJRowlette
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Re: Audit of 2015 M11- email sent to Candidate (kcin2018@gmail.com)  
Attention Mr. Gibson, Candidate (64360).  
This email is in reference to an audit mailed out on 12/11/15 and 12/30/15.  
I have included a copy of the audit attached to this email.  
Please update this report so we may close out this audit.  
If you have any questions, please contact me at 850-245-6280.

Erika J. Rowlette  
Regulatory Specialist II  
Bureau of Election Records

45634	12/9/2015 1:31:00 PM		DSBrown
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RE: Credential Request Form

Mr. Gibson hand delivered his CRF. He said he was in town and did not have his credentials with him. He wanted to file his report. He asked that the password be reset. Malcolm assisted Mr. Gibson at the front counter. The password was reset and all of the credentials were then given to Mr. Gibson.

44494	9/1/2015 4:47:00 PM		zjsantos
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RE: Undeliverable email address

I spoke with Mr. Gibson and explained to him how he can update his email address, he implied he will as soon as he gets the chance.