

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Kyle Gibson**

**Case No.: FEC 21-487**

**TO:** Kyle Gibson  
837 NW 1st Avenue  
Ft. Lauderdale, FL 33311

Division of Elections  
500 South 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, **May 17, 2023 at 8:30**, or as soon thereafter as the parties can be heard, at the following location: Via Webinar Registration URL:

<https://attendee.gotowebinar.com/register/571953185404345941>

Audio participation:  
1-877-309-2074

Attendee – muted:  
966-952-589

After registering, you will receive a confirmation email containing information about joining the webinar.

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.**

***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
May 2, 2023

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.

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**Florida Elections Commission,  
Petitioner,**

**Case No.: FEC 21-487**

**v.**

**Kyle Gibson,  
Respondent.**

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**ORDER OF PROBABLE CAUSE**

**THIS MATTER** was heard by the Florida Elections Commission (Commission) at its regularly scheduled meeting on January 24, 2023, in Tallahassee, Florida.

On October 3, 2022, 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 October 20, 2021, Kyle Gibson violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely file an addendum to the campaign's 2021 M8 Report within seven days after receiving notice from the Department of State, Division of Elections, that the report required amendment.

**THIS SPACE INTENTIONALLY LEFT BLANK**

**Count 2:**

On or about November 5, 2021, Kyle Gibson violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely file an addendum to the campaign's 2021 M9 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 January 24, 2023.



Tim Vaccaro, J.D., Executive Director  
For Nicholas Primrose, Chairman  
Florida Elections Commission

Copies furnished to:  
Stephanie J. Cunningham, General Counsel  
Kyle 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 Gibson**

**Case No.: FEC 21-487**

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**TO:** Kyle Gibson  
837 NW 1st Avenue  
Ft. Lauderdale, FL 33311

Division of Elections  
500 S. Bronough Street, Room 316  
Tallahassee, FL 32399-6596

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

A hearing will be held in this case before the Florida Elections Commission on, **January 24, 2023 at 1:00 p.m.**, or as soon thereafter as the parties can be heard, at the following location: Join Zoom Meeting - <https://us06web.zoom.us/j/86542842462?pwd=VjdKeGRjcFAvZko2Y1pTZmo1cU5pdz09>

Meeting ID: 865 4284 2462

Passcode: 5UuWmT

**AUDIO PARTICIPATION:**

1-301-715-8592

Meeting ID: 865 4284 2462

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:

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

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

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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.**

***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
January 9, 2023

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.

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Kyle Gibson**

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**Case No.: FEC 21-487**

**TO:** Kyle Gibson  
837 NW 1st Avenue  
Ft. Lauderdale, FL 33311

Division of Elections  
500 S. Bronough Street, Room 316  
Tallahassee, FL 32399-6596

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

You are hereby notified that **the previously scheduled hearing for December 14, 2022, is cancelled.** It is anticipated that your case will be heard at the next regularly scheduled meeting, which will be scheduled for a date to be determined in either January 2023 or February 2023.

**A Notice of Hearing will be mailed to you approximately 14 days prior to the new hearing date.**

*Tim Vaccaro*

Executive Director  
Florida Elections Commission  
December 13, 2022



**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Kyle Gibson**

**Case No.: FEC 21-487**

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**TO:** Kyle Gibson  
837 NW 1st Avenue  
Ft. Lauderdale, FL 33311

Division of Elections  
500 S. Bronough Street, Room 316  
Tallahassee, FL 32399-6596

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

A hearing will be held in this case before the Florida Elections Commission on, **December 14, 2022 at 10:30 a.m., or as soon thereafter as the parties can be heard**, at the following location: **House Office Building, 402 South Monroe Street, 306 HOB, Mashburn Hall, 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.

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**See further instructions on the reverse side.**

***Tim Vaccaro***

Executive Director  
Florida Elections Commission  
November 30, 2022

Please refer to the information below for further instructions related to your particular hearing:

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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.

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**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Kyle Gibson**

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**Case No.: FEC 21-487**

**STAFF RECOMMENDATION FOLLOWING INVESTIGATION**

Pursuant to Section 106.25(4)(c), Florida Statutes, undersigned staff counsel files this written recommendation for disposition of the referral in this case recommending that there is **probable cause** to charge Respondent with violating **Section 106.07(2)(b)1., Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on September 7, 2022, the following facts and law support this staff recommendation:

1. On November 17, 2021, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division” or “Complainant”), alleging that Kyle Gibson (“Respondent”) violated Chapter 106, Florida Statutes.
2. Respondent was a 2022 candidate for the office of Governor. (ROI Exhibit 1)<sup>1</sup>
3. By letter dated June 15, 2022, the Executive Director notified Respondent that Commission staff would investigate the following statutory provision:

**Section 106.07(2)(b)1., Florida Statutes:** Respondent, a 2022 candidate for the office of Governor, acting as his own treasurer, failed to timely make necessary amendments to the following campaign treasurer’s reports, as alleged in the complaint.

- 2021 M8
- 2021 M9

4. On October 16, 2018, Respondent filed his Appointment of Campaign Treasurer and Designation of Campaign Depository for Candidates form (“DS-DE 9”) appointing himself as treasurer for his campaign. (ROI Exhibit 1)
5. By letter dated October 18, 2018, Kristi Reid Willis, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received his DS-DE 9 and that his name was placed on the 2022 active candidate list. (ROI Exhibit 2, page 1)
6. The acknowledgment letter advised Respondent that all candidates filing reports with the Division are required to use the electronic filing system (“EFS”) and provided Respondent with a user identification number and initial password to grant access to the EFS. (ROI Exhibit 2, page 1) The letter further advised Respondent that all of the Division’s publications and reporting forms were available on its website and directed Respondent to print out Chapter 106, Florida

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

Statutes, and the *Calendar of Reporting Dates*, as well as other relevant documents. (ROI Exhibit 2, page 2)

7. The campaign's 2021 M8 and 2021 M9 reports were incomplete when filed. *See* Compl.

8. The Division sent five letters notifying Respondent that the campaign's reports were incomplete and that Respondent was required to amend the reports within 7 days of receipt of the notification. An Error Report showing why the reports were incomplete was attached to each notification. (ROI Exhibits 3-5) The final notifications were confirmed delivered. (ROI Exhibit 4, page 3; ROI Exhibit 5, page 3) As of August 30, 2022, Respondent had not filed the required amendments to his reports. (ROI Exhibit 6)

9. Respondent was given multiple opportunities to respond to Commission staff's investigation, but failed to do so. (ROI, pp. 1-2, ¶¶8-9; ROI Exhibit 7)

10. "Probable Cause" is defined as reasonable grounds of suspicion supported by circumstances sufficiently strong to warrant a cautious person in the belief that the person has committed the offense charged. *Schmitt v. State*, 590 So. 2d 404, 409 (Fla. 1991). Probable cause exists where the facts and circumstances, of which an [investigator] has reasonably trustworthy information, are sufficient in themselves for a reasonable man to reach the conclusion that an offense has been committed. *Department of Highway Safety and Motor Vehicles v. Favino*, 667 So. 2d 305, 309 (Fla. 1st DCA 1995).

11. The facts set forth above show that Respondent was a 2022 candidate for the office of Governor. Respondent failed to timely file the required amendments to the campaign's 2021 M8 and 2021 M9 reports within 7 days of receiving notification from the Division that the reports were incomplete and required amendment.

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

**Count 1:**

On or about October 20, 2021, Kyle Gibson violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely file an addendum to the campaign's 2021 M8 Report within seven days after receiving notice from the Department of State, Division of Elections, that the report required amendment.

**Count 2:**

On or about November 5, 2021, Kyle Gibson violated Section 106.07(2)(b)1., Florida Statutes, when he failed to timely file an addendum to the campaign's 2021 M9 Report within seven days

after receiving notice from the Department of State, Division of Elections, that the report required amendment.

Respectfully submitted on October 3, 2022.



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Stephanie J. Cunningham  
General Counsel

I reviewed this Staff Recommendation this 4<sup>th</sup> day of October 2022.



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Tim Vaccaro  
Executive Director

# FLORIDA ELECTIONS COMMISSION

## Report of Investigation for Failure to Timely Amend

**Case Number:** FEC 21-487

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

**Respondent:** Kyle Gibson

**Respondent's Atty:** N/A

**Division of Elections (Division)**

**Referral Filed:** November 17, 2021

**Respondent Type:** Treasurer for Candidate

### I. Preliminary Information:

1. I investigated whether Respondent violated this section of the election laws by failing to file amended reports for the following campaign treasurer reports after receiving notice from the filing officer: 2021 M8 and 2021 M9.

2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 9) was filed on October 16, 2018. Respondent was appointed as campaign treasurer for Kyle Gibson, a 2022 candidate for Governor. To review the DS-DE 9, refer to Exhibit 1.

3. On October 18, 2018, the Division sent Respondent a letter acknowledging Respondent's appointment as the campaign treasurer for Kyle Gibson's campaign. The letter 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 that it was Respondent's responsibility to read, understand, and follow the requirements of Florida's election laws. To review the acknowledgement letter, refer to Exhibit 2.

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

4. The Division sent correspondence to the address provided on the DS-DE 9 notifying Respondent that one or more campaign treasurer reports were incomplete. The correspondence included error reports referencing the following reports: 2021 M8 and 2021 M9. To review the correspondence and error reports, refer to Exhibit 3.

5. On October 7, 2021, the Division sent a letter marked "Final Notice" with delivery confirmation to the address provided on the DS-DE 9 notifying Respondent that one or more campaign treasurer reports were incomplete. The letter included an error report referencing the following report: 2021 M8. It was confirmed delivered on October 13, 2021. To review the "Final Notice," error report and delivery confirmation, refer to Exhibit 4.

6. On October 27, 2021, the Division sent a letter marked "Final Notice" with delivery confirmation to the address provided on the DS-DE 9 notifying Respondent that one or more campaign treasurer reports were incomplete. The letter included an error report referencing the following report: 2021 M9. It was confirmed delivered on October 29, 2021. To review the "Final Notice," error report and delivery confirmation, refer to Exhibit 5.

7. In an email dated August 30, 2022, Division staff confirmed that Respondent has not correctly amended any of the reports at issue. To review the email from Division staff, refer to Exhibit 6.

8. Respondent did not respond to the referral.

9. I attempted to contact Respondent on four occasions for the purpose of providing an opportunity to discuss the allegations made in the referral. As of the date of this report, neither my telephone calls nor emails have been returned. Therefore, I am unable to ascertain whether Respondent has read Chapter 106, Florida Statutes, and/or the *Candidate and Campaign Treasurer Handbook*. To review the phone log and emails, refer to Exhibit 7.

**SIGNATURE OF INVESTIGATOR:**



**Date:** September 7, 2022

**FLORIDA ELECTIONS COMMISSION**  
**REPORT OF INVESTIGATION**  
**Kyle Gibson -- FEC 21-487**

<b>LIST OF EXHIBITS</b>	
<b>Exhibits #s</b>	<b>Description of Exhibits</b>
Exhibit 1	DS-DE 9
Exhibit 2	Acknowledgement Letter
Exhibit 3	Division Correspondence
Exhibit 4	Final Notice - 2021 M8
Exhibit 5	Final Notice - 2021 M9
Exhibit 6	Division Email
Exhibit 7	Phone Log and Emails



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

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

(PLEASE PRINT OR TYPE)

RECEIVED  
DEPARTMENT OF STATE  
2018 OCT 16 AM 8:44  
DIVISION OF ELECTIONS  
TALLAHASSEE FL

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

OFFICE USE ONLY

**1. CHECK APPROPRIATE BOX(ES):**

Initial Filing of Form    Re-filing to Change:  Treasurer/Deputy     Depository     Office     Party

**2. Name of Candidate** (in this order: First, Middle, Last)

Kyle KC Gibson

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

PO Box 590581  
Tamarac, Florida 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**

PO Box 590581

**12. Telephone**

( 850 ) 322-8815

**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**

Centennial Bank

**20. Address**

2600 E Commercial Blvd

**21. City**

Ft Lauderdale

**22. County**

Broward

**23. State**

Florida

**24. Zip Code**

33308

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**

October 5, 2018

**26. Signature of Candidate**

X 


**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.

October 5, 2018

Date

X 

Signature of Campaign Treasurer or Deputy Treasurer



## FLORIDA DEPARTMENT OF STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

October 18, 2018

Kyle 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 October 16, 2018. Your name has been placed on the 2022 active candidate list.

### **Campaign Treasurer's Reports**

Your first campaign treasurer's report will be due on **November 13, 2018**. The report will cover the period of October 1-31, 2018 (2018 M10). All candidates who file reports with the Division of Elections are required to file by means of the Division's Electronic Filing System (EFS).

### **EFS Access**

Below is the web address to access the EFS and your user identification number. The enclosed sealed envelope contains your filing credentials.

**EFS Website Address:** <https://efs.dos.state.fl.us>  
**Identification Number:** 73870

### **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

Division of Elections  
R.A. Gray Building, Suite 316 • 500 South Bronough Street • Tallahassee, Florida 32399  
850.245.6240 • 850.245.6260 (Fax) [dos.myflorida.com/elections/](https://dos.myflorida.com/elections/)



Kyle Gibson  
October 18, 2018  
Page Two

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.

### **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://dos.myflorida.com/elections/>. It is your responsibility to read, understand, and follow the requirements of Florida's election laws. Therefore, please print a copy of the following documents: Chapters 104 and 106, Florida Statutes, *Candidate and Campaign Treasurer Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.**

Please let me know if you need additional information.

Sincerely,



Kristi Reid Willis, Chief  
Bureau of Election Records

KRW/jcs

Enclosures



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

September 14, 2021

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

Re: CAN 73870

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,

Donna S. Brown, Chief  
Bureau of Election Records

Attachment

**Error Report**

Candidate: Kyle Gibson

Office: GOV

Report: 2021 M8 (35) Covering Period: 8/1/21 - 8/31/21

Account: 73870

**Contributions**

		Contributor			Contribution						
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
2	08/11/21	DUKES CHARLOTTE			I		CAS	\$50.00			
		*No Address Was Provided									
		*No City Was Provided In The Address									
		*No State Was Provided In The Address									
1	08/11/21	EAST ORLANDO			I		CAS	\$20.22			
		*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

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

**Second Notice**

September 29, 2021

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

Re: CAN 73870

Dear Mr. Gibson:

On September 14, 2021, 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,

Donna S. Brown, Chief  
Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Gibson

Office: GOV

Report: 2021 M8 (35) Covering Period: 8/1/21 - 8/31/21

Account: 73870

Contributions

		Contributor			Contribution						
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind	Descrip	Amend
2	08/11/21	DUKES CHARLOTTE			I		CAS	\$50.00			
		*No Address Was Provided									
		*No City Was Provided In The Address									
		*No State Was Provided In The Address									
1	08/11/21	EAST ORLANDO			I		CAS	\$20.22			
		*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

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

October 13, 2021

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

Re: CAN 73870

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,

Donna S. Brown, Chief  
Bureau of Election Records

Attachment



**Error Report**

Candidate: Kyle Gibson

Office: GOV

Report: 2021 M9 (36) Covering Period: 9/1/21 - 9/30/21

Account: 73870

**Contributions**

**Expenditures**

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
1					X		\$0.00	
*The Transaction Date Is Either Before Or After The Report Coverage Period								
*Invalid Expenditure Type								
*Amount is Zero								
*No Value Provided For Last Name Field								
*No Address Was Provided								
*No City Was Provided In The Address								
*No State Was Provied In The Address								
*Missing Expenditure Purpose								

**Fund Transfers**

**Other Distributions**



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

**FINAL NOTICE**

**Delivery Confirmation:**

USPS TRACKING # **9114 9014 9645 1750 4309 33**  
& CUSTOMER RECEIPT For Tracking or Inquiries go to USPS.com  
or call 1-800-222-1811

October 7, 2021

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

Re: CAN 73870

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,

Donna S. Brown, Chief  
Bureau of Election Records

Attachment

**Error Report**

Candidate: Kyle Gibson

Office: GOV

Report: 2021 M8 (35) Covering Period: 8/1/21 - 8/31/21

Account: 73870

**Contributions**

Contributor			Contribution							
Seg	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind Descrip	Amend
2	08/11/21	DUKES CHARLOTTE			I		CAS	\$50.00		
		*No Address Was Provided								
		*No City Was Provided In The Address								
		*No State Was Provided In The Address								
1	08/11/21	EAST ORLANDO			I		CAS	\$20.22		
		*No Address Was Provided								
		*No City Was Provided In The Address								
		*No State Was Provided In The Address								

**Expenditures**

**Fund Transfers**

**Other Distributions**

# USPS Tracking®

[FAQs >](#)

**Track Another Package +**

**Tracking Number:** 9114901496451750430933




[Remove X](#)

Your item has been delivered and is available at a PO Box at 3:07 pm on October 13, 2021 in FORT LAUDERDALE, FL 33359.

## **Delivered, PO Box**

October 13, 2021 at 3:07 pm  
FORT LAUDERDALE, FL 33359

**Get Updates** 

- Text & Email Updates** 
- Tracking History** 
- Product Information** 

**See Less** 



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

**FINAL NOTICE**

**Delivery Confirmation:**

USPS TRACKING # **9114 9023 0722 4937 6644 90**  
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com  
or call 1-800-222-1811

October 27, 2021

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

Re: CAN 73870

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,

Donna S. Brown, Chief  
Bureau of Election Records

Attachment

**Error Report**

Candidate: Kyle Gibson

Office: GOV

Report: 2021 M9 (36)

Covering Period: 9/1/21 - 9/30/21

Account: 73870

**Contributions**

**Expenditures**

<u>Seq</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
1					X		\$0 00	
*The Transaction Date Is Either Before Or After The Report Coverage Period								
*Invalid Expenditure Type								
*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								
*Missing Expenditure Purpose								

**Fund Transfers**

**Other Distributions**

# USPS Tracking®

[FAQs >](#)

[Track Another Package +](#)

**Tracking Number:** 9114902307224937664490

[Remove X](#)

Your item has been delivered and is available at a PO Box at 11:49 am on October 29, 2021 in FORT LAUDERDALE, FL 33359.

## **Delivered, PO Box**

October 29, 2021 at 11:49 am  
FORT LAUDERDALE, FL 33359

[Feedback](#)

[Get Updates v](#)

- [Text & Email Updates](#) v
- [Tracking History](#) v
- [Product Information](#) v

[See Less ^](#)

8/30/22, 4:33 PM

Mail - Charles Mellow - Outlook

Re: Request on Failure to Amend Report(s) - Account # 73870 - Gibson- 2021 M8 / 2021 M9

Baker, Sheena T. <Sheena.Baker@dos.myflorida.com>

Tue 8/30/2022 4:18 PM

To: Charles Mellow <Charles.Mellow@myfloridalegal.com>

Cc: Brown, Donna S. <Donna.Brown@dos.myflorida.com>

Good Early Evening,

It appears that there have been no changes made to the 2021 M8 or the 2021 M9 reports.

Respectfully,

***Sheena Turner Baker***

Regulatory Specialist III, Auditor

Department of Election Records

FLORIDA DEPARTMENT OF STATE

R. A. Gray Building, Room 316

500 South Bronough Street

Tallahassee, Florida 32399-0250

(850) 245-6111

---

**From:** Brown, Donna S. <Donna.Brown@dos.myflorida.com>

**Sent:** Tuesday, August 30, 2022 1:16 PM

**To:** Baker, Sheena T. <Sheena.Baker@dos.myflorida.com>

**Subject:** FW: Request on Failure to Amend Report(s) - Account # 73870 - Gibson- 2021 M8 / 2021 M9

Please assist Charles.

---

**From:** Charles Mellow <Charles.Mellow@myfloridalegal.com>

**Sent:** Tuesday, August 30, 2022 10:48 AM

**To:** Brown, Donna S. <Donna.Brown@dos.myflorida.com>

**Subject:** Request on Failure to Amend Report(s) - Account # 73870 - Gibson- 2021 M8 / 2021 M9

EMAIL RECEIVED FROM EXTERNAL SOURCE

Have the following report(s) been amended to correct all error(s) identified by the Division in the attached Final Notice letter(s)? If so, on what date was each report amended to correct all such errors?

2021 M8 -

2021 M9 -

Charles Mellow - Investigator

Florida Elections Commission - Office of the Attorney General

Collins Building - Room 212

107 W. Gaines Street

Tallahassee, FL 32399-6596

Phone: (850) 922-4539

[Charles.Mellow@myfloridalegal.com](mailto:Charles.Mellow@myfloridalegal.com)





**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
Case No.: FEC 21-487**

**Respondent:** Kyle Gibson

**Complainant:** Division of Elections

1. **Date and time:** 08/26/2022; 03:41 p.m.  
**Name:** Kyle Gibson  
**Phone #:** (850) 322-8815  
**Summary:** I phoned Respondent, automated voice message stated, "Please leave message for Kyle Gibson." I indicated who I was, and that I was with the Florida Elections Commission and calling for Kyle Gibson. I stated I was calling in reference to FEC 20-305, 20-641, 21-023, 21-056, 21-487 and 22-072 and to call me back at his earliest convenience at (850) 922-4539. Follow-up email was sent to [KyleKCGibson@gmail.com](mailto:KyleKCGibson@gmail.com).  
**Entered by:** CM
2. **Date and time:** 08/30/2022; 10:40 a.m.  
**Name:** Kyle Gibson  
**Phone #:** (850) 322-8815  
**Summary:** I phoned Respondent, automated voice message stated, "Please leave message for Kyle Gibson." I indicated who I was, and that I was with the Florida Elections Commission and calling for Kyle Gibson. I stated I was calling in reference to FEC 20-305, 20-641, 21-023, 21-056, 21-487 and 22-072 and to call me back at his earliest convenience at (850) 922-4539.  
**Entered by:** CM
3. **Date and time:**  
**Name:**  
**Phone #:**  
**Summary:**  
**Entered by:**
4. **Date and time:**  
**Name:**  
**Phone #:**  
**Summary:**  
**Entered by:**
5. **Date and time:**  
**Name:**  
**Phone #:**  
**Summary:**  
**Entered by:**

## RESPONDENT INTERVIEW MEMO

- **21-487** – Please explain reason why you did not amend the following campaign treasurer reports to correct all errors identified by the Division of Elections within 7 days of receiving notice from the Division that the reports were incomplete and required amendment: **2021 M8 and 2021 M9**.
- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.
- What action have you taken to determine your responsibilities under Florida's election laws?
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Do you possess a copy of the [*Candidate and Campaign Treasurer OR Political Committee OR Electioneering Communications Organization*] Handbook? If so, when did you first obtain it? Have you read it?
- *If a section of Chapter 104 is listed in the LS letter, ask:* Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Did you receive any other materials from your filing officer? If so, please describe them.
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?

FEC 20-305, FEC 20-641, FEC 21-023, FEC 21-056, FEC 21-487 and FEC 22-072

Charles Mellow <Charles.Mellow@myfloridalegal.com>

Fri 8/26/2022 3:54 PM

To: KyleKCGibson@gmail.com <KyleKCGibson@gmail.com>

Mr. Gibson,

My name is Charles Mellow with the Florida Elections Commission. I have tried to reach you at (850) 322-8815.

Please contact me at (850) 922-4539 at your earliest convenience or email me a specific day and time to call you to discuss case numbers FEC 20-305, FEC 20-641, FEC 21-023, FEC 21-056, FEC 21-487 and FEC 22-072.

Thank you,

Charles Mellow - Investigator  
Florida Elections Commission - Office of the Attorney General  
Collins Building - Room 212  
107 W. Gaines Street  
Tallahassee, FL 32399  
Phone: (850) 922-4539  
[Charles.Mellow@myfloridalegal.com](mailto:Charles.Mellow@myfloridalegal.com)



FEC 20-305, FEC 20-641, FEC 21-023, FEC 21-056, FEC 21-487 and FEC 22-072

Charles Mellow <Charles.Mellow@myfloridalegal.com>

Wed 9/7/2022 8:37 AM

To: kcin2018@gmail.com <kcin2018@gmail.com>

Mr. Gibson,

My name is Charles Mellow with the Florida Elections Commission. I have tried to reach you at (850) 322-8815.

Please contact me at (850) 922-4539 at your earliest convenience or email me a specific day and time to call you to discuss case numbers FEC 20-305, FEC 20-641, FEC 21-023, FEC 21-056, FEC 21-487 and FEC 22-072.

Thank you,

Charles Mellow - Investigator  
Florida Elections Commission - Office of the Attorney General  
Collins Building - Room 212  
107 W. Gaines Street  
Tallahassee, FL 32399  
Phone: (850) 922-4539  
[Charles.Mellow@myfloridalegal.com](mailto:Charles.Mellow@myfloridalegal.com)



Please note: Florida has a very broad public records law. Written communications to or from me 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.

**FLORIDA ELECTIONS COMMISSION  
PHONE LOG  
Case No.: FEC 21-487**

**Respondent:** Kyle Gibson

**Complainant:** Division of Elections

1. **Date and time:** 08/26/2022; 03:41 p.m.  
**Name:** Kyle Gibson  
**Phone #:** (850) 322-8815  
**Summary:** I phoned Respondent, automated voice message stated, "Please leave message for Kyle Gibson." I indicated who I was, and that I was with the Florida Elections Commission and calling for Kyle Gibson. I stated I was calling in reference to FEC 20-305, 20-641, 21-023, 21-056, 21-487 and 22-072 and to call me back at his earliest convenience at (850) 922-4539. Follow-up email was sent to [KyleKCGibson@gmail.com](mailto:KyleKCGibson@gmail.com).  
**Entered by:** CM
2. **Date and time:** 08/30/2022; 10:40 a.m.  
**Name:** Kyle Gibson  
**Phone #:** (850) 322-8815  
**Summary:** I phoned Respondent, automated voice message stated, "Please leave message for Kyle Gibson." I indicated who I was, and that I was with the Florida Elections Commission and calling for Kyle Gibson. I stated I was calling in reference to FEC 20-305, 20-641, 21-023, 21-056, 21-487 and 22-072 and to call me back at his earliest convenience at (850) 922-4539.  
**Entered by:** CM
3. **Date and time:**  
**Name:**  
**Phone #:**  
**Summary:**  
**Entered by:**
4. **Date and time:**  
**Name:**  
**Phone #:**  
**Summary:**  
**Entered by:**
5. **Date and time:**  
**Name:**  
**Phone #:**  
**Summary:**  
**Entered by:**

## RESPONDENT INTERVIEW MEMO

- **21-487** – Please explain reason why you did not amend the following campaign treasurer reports to correct all errors identified by the Division of Elections within 7 days of receiving notice from the Division that the reports were incomplete and required amendment: **2021 M8 and 2021 M9**.
- Have you ever run for public office? If so, please name each office you ran for and state what year each election occurred.
- Have you ever been appointed to act as a campaign treasurer for a candidate? If so, please name each such candidate, the office each ran for, and state what year each election occurred.
- Have you ever held the office of chairperson, treasurer, or other similar position for a political committee or electioneering communications organization? If so, please name each committee, state the office you held for each, and state when you held each office.
- Have you ever prepared or signed a campaign treasurer's report? If so, please state the name of the candidate or committee whose report you prepared or signed.
- What action have you taken to determine your responsibilities under Florida's election laws?
- Do you possess a copy of Chapter 106, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Do you possess a copy of the [*Candidate and Campaign Treasurer OR Political Committee OR Electioneering Communications Organization*] Handbook? If so, when did you first obtain it? Have you read it?
- *If a section of Chapter 104 is listed in the LS letter, ask:* Do you possess a copy of Chapter 104, Florida Statutes? If so, when did you first obtain it? Have you read it?
- Did you receive any other materials from your filing officer? If so, please describe them.
- Do you have anything else to add for the Commission's consideration regarding the charges specified in the letter of legal sufficiency in this case?



# Florida Elections Commission

107 West Gaines Street, Suite 224 Tallahassee, Florida 32399-6596  
Telephone: (850) 922-4539 · Facsimile: (850) 921-0783  
[FEC@myfloridalegal.com](mailto:FEC@myfloridalegal.com) · [www.fec.state.fl.us](http://www.fec.state.fl.us)



June 15, 2022

Kyle Gibson  
837 NW 1<sup>st</sup> Avenue  
Fort Lauderdale, FL 33311

**RE: Case No.: FEC 21-487; Respondent: Kyle Gibson**

Dear Mr. Gibson:

On November 17, 2021, 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 violations:

**Section 106.07(2)(b)1., Florida Statutes:** Respondent, a 2022 candidate for the office of Governor, acting as his own treasurer, failed to timely make necessary amendments to the following campaign treasurer's reports, as alleged in the complaint.

- 2021 M8
- 2021 M9

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

Pursuant to Section 106.25(4)(i)3., Florida Statutes, the Commission may enter into a consent agreement with a Respondent to settle a complaint prior to a finding of probable cause. If you are interested in entering negotiations directed towards reaching a consent agreement to resolve this matter, please contact the Commission and request to speak with the attorney assigned to this case.

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

Kyle Gibson  
June 15, 2022  
Page 2  
FEC 21-487

Pursuant to Section 106.25, Florida Statutes, complaints, investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 or 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause, unless the Respondent files a written waiver of confidentiality with the Commission. The confidentiality provision does not apply to the Complainant or the Respondent.

Should 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.

For additional information, please refer to the "Frequently Asked Questions" section of the Commission's website.

If you have additional questions, please contact **Chuck Mellow**, the investigator assigned to this case, by phone at (850) 922-4539 or by email at [Charles.Mellow@myfloridalegal.com](mailto:Charles.Mellow@myfloridalegal.com).

Sincerely,

A handwritten signature in blue ink that reads "Tim Vaccaro". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tim Vaccaro  
Executive Director

TV/mw



**DIVISION OF ELECTIONS  
FEC NOTICE FORM**

To FEC from Division of Elections

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**Candidate:** Kyle Gibson  
**Account Number:** 73870  
**Treasurer:** Kyle 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, Florida Statutes, 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):

2021 M8

2021 M9

- Kyle Gibson (73870) is a 2022 candidate for the office of Governor.
- On October 16, 2018, Mr. Gibson filed the Appointment of Campaign Treasurer and Designation of Campaign Depository with the Division appointing himself as treasurer.
- On September 14, 2021, the Division mailed Mr. Gibson notification that the 2021 M8 campaign treasurer's report was incomplete.
- On September 29, 2021, the Division mailed Mr. Gibson notification that the 2021 M8 campaign treasurer's report was incomplete.
- On October 7, 2021, the Division mailed Mr. Gibson final notification with delivery confirmation that the 2021 M8 campaign treasurer's report was incomplete. (See attached letter and delivery confirmation.)
- On October 13, 2021, the Division mailed Mr. Gibson notification that the 2021 M9 campaign treasurer's report was incomplete.
- On October 27, 2021, the Division mailed Mr. Gibson final notification with delivery confirmation that the 2021 M9 campaign treasurer's report was incomplete. (See attached letter and delivery confirmation.)

Kyle Gibson (73870)

Page Two

- As of November 10, 2021, the 2021 M8 and 2021 M9 campaign treasurer's reports remain incomplete.

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**Sent By:** Donna S. Brown *DSB*

**Date:** November 10, 2021

dlh



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

**FINAL NOTICE**

**Delivery Confirmation:**

USPS TRACKING # **9114 9014 9845 1750 4309 33**  
& CUSTOMER RECEIPT For Tracking or Inquiries go to [USPS.com](http://USPS.com)  
or call 1-800-222-1811

October 7, 2021

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

Re: CAN 73870

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,

Donna S. Brown, Chief  
Bureau of Election Records

Attachment

Error Report

Candidate: Kyle Gibson

Office: GOV

Report: 2021 M8 (35) Covering Period: 8/1/21 - 8/31/21

Account: 73870

Contributions

		Contributor			Contribution					
Seq	Date	Name	Address	City/State/Zip	Type	Occupation	Type	Amount	InKind Descrip	Amend
2	08/11/21	DUKES CHARLOTTE			I		CAS	\$50.00		
		*No Address Was Provided								
		*No City Was Provided In The Address								
		*No State Was Provided In The Address								
1	08/11/21	EAST ORLANDO			I		CAS	\$20.22		
		*No Address Was Provided								
		*No City Was Provided In The Address								
		*No State Was Provided In The Address								

Contributions

Transfers

Distributions

# USPS Tracking®

[FAQs >](#)

[Track Another Package +](#)

**Tracking Number:** 9114901496451750430933




[Remove X](#)

Your item has been delivered and is available at a PO Box at 3:07 pm on October 13, 2021 in FORT LAUDERDALE, FL 33359.

## **Delivered, PO Box**

October 13, 2021 at 3:07 pm  
FORT LAUDERDALE, FL 33359

**Get Updates** 

- Text & Email Updates** 
- Tracking History** 
- Product Information** 

**See Less** 



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

**FINAL NOTICE**

**Delivery Confirmation:**

USPS TRACKING # **9114 9023 0722 4937 6644 90**  
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com  
or call 1-800-222-1811

October 27, 2021

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

Re: CAN 73870

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,

Donna S. Brown, Chief  
Bureau of Election Records

Attachment

**Error Report**

Candidate: Kyle Gibson

Office: GOV

Report: 2021 M9 (36) Covering Period: 9/1/21 - 9/30/21

Account: 73870

**Contributions**

**Expenditures**

<u>1</u>	<u>Date</u>	<u>Name</u>	<u>Address</u>	<u>City/State/Zip</u>	<u>Type</u>	<u>Expenditure Purpose</u>	<u>Amount</u>	<u>Amend</u>
					X		\$0 00	
		*The Transaction Date Is Either Before Or After The Report Coverage Period						
		*Invalid Expenditure Type						
		*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						
		*Missing Expenditure Purpose						

**Transfers**

**Distributions**

# USPS Tracking®

[FAQs >](#)

[Track Another Package +](#)

**Tracking Number:** 9114902307224937664490

[Remove X](#)




Your item has been delivered and is available at a PO Box at 11:49 am on October 29, 2021 in FORT LAUDERDALE, FL 33359.

 **Delivered, PO Box**

October 29, 2021 at 11:49 am  
FORT LAUDERDALE, FL 33359

Feedback

**Get Updates** 

- Text & Email Updates** 
- Tracking History** 
- Product Information** 

**See Less** 



**Queued Items for 2021-M8**

Account: 73870

**GOV Kyle Gibson**

Rpt Seq: 35

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	73870	8/12/2021 4:08:29 PM	8/12/2021 4:08:29 PM
File Pending Report	Processing Complete	73870	9/10/2021 10:51:53 PM	9/10/2021 10:51:54 PM
Review Filed Report	Processing Complete	dlhoward	9/13/2021 11:32:41 AM	9/13/2021 11:32:41 AM
Review Filed Report	Processing Complete	dlhoward	11/10/2021 11:15:27 AM	11/10/2021 11:15:27 AM

**FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS  
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) Kyle Gibson (2) 73870  
Candidate, Committe or Party Name I.D. Number

(3) Post Office Box 590581 Tamarac FL 33359-0581  
Address (number and street) City State Zip Code  
 Check box if address has changed since last report

(4) Check appropriate box(es):  
 Candidate (office sought):  
 Political Committee  Check If PC has DISBANDED  
 Committee of Continuous Existance  Check If CCE has DISBANDED  
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 08/01/2021 To 08/31/2021 Report Type: M8  
 Original  Amendment  Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$70.22
Loans	\$0.00
<i>Total Monetary</i>	\$70.22
In-Kind	\$0.00

(7) EXPENDITURES THIS REPORT

Monetary Expenditures	\$0.00
Transfers to Office Account	\$0.00
<i>Total Monetary</i>	\$0.00

(8) Other Distributions

Certification

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

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

Name of  Treasurer  Deputy Treasurer

X  
Signature

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

Name of  Candidate  Chairman (PC/PTY Only)

X  
Signature

Name: Kyle Gibson

Report: 2021 M8

Period: 08/01/2021 to 08/31/2021

**\*\* Records in Filed Report \*\***

Seq #	Full Name (Last, Suffix, First, Middle)	Contributor	Occupation	Amount
Date	Street Address & City, State, Zip	Type	In-Kind Description	Amend
* 1	EAST, ORLANDO	I		\$20.22
08/11/2021		CAS		
* 2	DUKES, CHARLOTTE	I		\$50.00
08/11/2021		CAS		

ID:

**CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES**

Name: Kyle Gibson

Report: 2021 M8

Period: 08/01/2021 to 08/31/2021

**\*\* Records in Filed Report \*\***

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Purpose	Amount Amend

ID:

**CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS**

Name: Kyle Gibson

Report: 2021 M8

Period: 08/01/2021

to 08/31/2021

**\*\* Records in Filed Report \*\***

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Type	Nature of Account	Amount Amend

ID:

**CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS**

Name: Kyle Gibson

Report: 2021 M8

Period: 08/01/2021 to 08/31/2021

**\*\* Records in Filed Report \*\***

Seq #	Full Name (Last, Suffix, First, Middle)	Recipient	Purpose	Amount
Date	Street Address & City, State, Zip	Type	Related Expenditure	Amend

## Queued Items for 2021-M9

Account: 73870

GOV Kyle Gibson

Rpt Seq: 36

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	73870	9/10/2021 10:53:29 PM	9/10/2021 10:53:29 PM
File Pending Report	Processing Complete	73870	10/12/2021 3:50:53 PM	10/12/2021 3:50:53 PM
Review Filed Report	Processing Complete	dlhoward	10/13/2021 9:08:15 AM	10/13/2021 9:08:15 AM
Review Filed Report	Processing Complete	dlhoward	10/27/2021 9:39:46 AM	10/27/2021 9:39:46 AM
Review Filed Report	Processing Complete	dlhoward	11/10/2021 11:19:44 AM	11/10/2021 11:19:44 AM
Review Filed Report	Processing Complete	dlhoward	11/10/2021 11:20:18 AM	11/10/2021 11:20:18 AM

**FLORIDA DEPARTMENT OF STATE, DIVISION OF ELECTIONS  
CAMPAIGN TREASURER'S REPORT SUMMARY**

(1) Kyle Gibson (2) 73870  
Candidate, Committee or Party Name I.D. Number

(3) Post Office Box 590581 Tamarac FL 33359-0581  
Address (number and street) City State Zip Code  
 Check box if address has changed since last report

(4) Check appropriate box(es):  
 Candidate (office sought):  
 Political Committee  Check If PC has DISBANDED  
 Committee of Continuous Existence  Check If CCE has DISBANDED  
 Party Executive Committee

(5) REPORT IDENTIFIERS

Cover Period: From 09/01/2021 To 09/30/2021 Report Type: M9  
 Original  Amendment  Special Election Report

(6) CONTRIBUTIONS THIS REPORT

(7) EXPENDITURES THIS REPORT

Cash & Checks \$0.00  
 Loans \$0.00  
*Total Monetary* \$0.00  
 In-Kind \$0.00

Monetary Expenditures \$0.00  
 Transfers to Office Account \$0.00  
*Total Monetary* \$0.00

(8) Other Distributions

Certification

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

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

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

Name of  Treasurer  Deputy Treasurer

Name of  Candidate  Chairman (PC/PTY Only)

X  
Signature

X  
Signature



ID:

**CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS**

Name: Kyle Gibson

Report: 2021 M9

Period: 09/01/2021 to 09/30/2021

**\*\* Records in Filed Report \*\***

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Contributor	Occupation	Amount
		Type	In-Kind Description	Amend

Name: Kyle Gibson

Report: 2021 M9

Period: 09/01/2021 to 09/30/2021

**\*\* Records in Filed Report \*\***

Seq #	Full Name (Last, Suffix, First, Middle)	Type	Purpose	Amount
Date	Street Address & City, State, Zip			Amend
* 1		X		\$0.00

ID:

**CAMPAIGN TREASURER'S REPORT – ITEMIZED FUND TRANSFERS**

Name: Kyle Gibson

Report: 2021 M9

Period: 09/01/2021 to 09/30/2021

**\*\* Records in Filed Report \*\***

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & Citi. State, Zip	Type	Nature of Account	Amount Amend

ID:

**CAMPAIGN TREASURER'S REPORT – ITEMIZED DISTRIBUTIONS**

Name: Kyle Gibson

Report: 2021 M9

Period: 09/01/2021 to 09/30/2021

**\*\* Records in Filed Report \*\***

Seq # Date	Full Name (Last, Suffix, First, Middle Street Address & City, State, Zip	Recipient	Purpose	Amount
		Type	Related Expenditure	Amend

Account/Seq 73870 5

Election/Type

20221108-GEN

Kyle Gibson

CAN

Status/Reviewer	Mailed	Type/Recd	R E S P O N S E
CO dlhoward	<b>1st:</b> 9/14/2021	AUT	
11/10/21 2:12 pm	<b>2nd:</b> 9/29/2021	10/13/2021	
	<b>3rd:</b> 10/7/2021		

**NOTES:** 11/10/2021 - No actions have been taken to correct the completion errors, closing this audit and adding it sequence #5 to sequence #6 for FEC Referral. - DLH

10/20/2021 - I attempted to make phone contact with Mr. Kyle Gibson in reference to completion notices detailing errors in his 2021 M8 and 2021 M9 reports. Since I did not get an answer, I had to leave a voice message requesting a return call. DLH

10/07/2021 - No actions has been taken to correct the errors in this 2021 M8 Audit Notice. Therefore, the final notice was sent. DLH

10/04/2021 - I attempted to make phone contact with Mr. Kyle Gibson in reference to this second 2021 Audit Notice sent on September 29, 2021. Since I did not get an answer, I had to leave a voice message requesting a return call. Please note that no actions have been taken to date to correct the errors in this completion audit notice. DLH

09/29/2021 - No actions has been taken to correct the error in this 2021 M8 Audit Notice. Ssecond Notice Sent. DLH

09/27/2021 - I attempted to make phone contact with Mr. Kyle Gibson to offer my assistance with correcting the two contribution errors detailed in sequence #1 and #2 of this 2021 M8 Audit Notice. Since I did not get an answer, I had to leave a voice message requesting a return call. DLH

# Report Detail

Account/Seq      73870      6

Election/Type

20221108-GEN

Kyle Gibson

CAN

Status/Reviewer	Mailed	Type/Recd	R E S P O N S E
SN dlhoward	1st: 10/13/2021		
11/10/21 9:08 am	2nd:	10/29/2021	
	3rd: 10/27/2021		

NOTES: 11/10/2021 - Due to no actions being taken to correct the completion errors on the 2021 M8 nor the 2021 M9 reports, I closed the audit for sequence #5 (2021 M8 report, which had the final notice mailed out on October 7, 2021 and a confirmation receipt date of 10/13/21) and added it to this audit, sequence #6 (2021 M9) to be referred to the FEC. - DLH

10/27/2021 - No actions have been taken to correct the completion error detailed in the 2021 M9 Audit notice. The Final Notice was sent instead of a Second Notice per Bureau Chief Donna Brown. DLH

10/20/2021 - I attempted to make phone contact with Mr. Kyle Gibson in reference to completion notices detailing errors in his 2021 M8 and 2021 M9 reports. Since I did not get an answer, I had to leave a voice message requesting a return call. DLH

**HISTORY NOTES**  
**Kyle Gibson - 73870**

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
75849	10/20/2021 9:12:00 AM		dlhoward
<p>RE: Completion Audit notices</p> <p>I attempted to make phone contact with Mr. Kyle Gibson in reference to completion notices detailing errors in his 2021 M8 and 2021 M9 reports. Since I did not get an answer, I had to leave a voice message requesting a return call. DLH</p>			
73861	3/10/2021 9:14:00 AM	3/10/2021 1:13:11 PM	mcchellman
<p>Re CRF Letter, called 9:10 am, no one answered and unable to leave a message as mailbox was full. Called again 12:10 pm, no answer, no way to leave a message. This is the only number on file for the candidate. Called back and finally reached him 1:10 pm, gave him his PINs, reminded him of today's due date.</p>			
72777	1/11/2021 12:13:00 PM		ealustria
<p>RE: EFS credentials request</p> <p>I released Mr. Gibson's new password, candidate PIN, and treasurer PIN over the phone. He then repeated his EFS credentials back to me for verification and said he will file his reports as soon as possible. -eal</p>			
68909	5/12/2020 11:54:00 AM		dsbrown
<p>RE: Credential Request</p> <p>Spoke to Mr. Gibson. He said he couldn't remember his treasurer pin. I gave him the treasurer pin. He said he would file his report "momentarily".</p>			
66791	10/4/2019 10:34:00 AM		jcsoria
<p>Re: FEC Referral (Audit)</p> <p>I contacted candidate on 9/30 and left him a message indicating that he would be referred to the FEC due to incomplete campaign reports. Candidate did not return call.</p>			
65805	7/10/2019 4:25:00 PM		ZJSantos
<p>RE: Credential Request Form</p> <p>I released them to Mr. Gibson at the front desk.</p>			
65300	5/29/2019 1:59:00 PM		mcchellman
<p>Re CRF letter, called Can/T 2:00 pm and gave him his 2 PINs.</p>			
64598	4/11/2019 1:17:00 PM		dsbrown
<p>RE: Credentials</p> <p>Mr. Gibson called back. I confirmed that he needed his password reset. Gave him new password and his candidate/treasure pins.</p>			
64592	4/11/2019 11:40:00 AM		dsbrown
<p>RE: Credential Request</p> <p>Mr. Gibson sent a letter requesting his password and pin as candidate and treasurer. He did not provide a phone number in the letter. I called the number on file and left a message for him to call me direct for his credentials.</p>			
64223	3/27/2019 10:43:00 AM		zjsantos
<p>RE: Late Filings</p> <p>I left a voicemail for Mr. Gibson instructing him to file the 2018 M10, M11, &amp; M12 reports as waivers, and if there was any activity on those reports go back and amend them. I then instructed him to file the 2019 M1 &amp; M2 reports, those have been available.</p>			

**HISTORY NOTES**  
Kyle Gibson - 73870

<b>Unique ID</b>	<b>Date Recorded</b>	<b>Last Edited Date</b>	<b>Originally Recorded By</b>
63231	2/8/2019 11:59:00 AM		mcchellman
Re CRF, gave Can/T his credentials at the counter at 11:50 pm.			