

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Forward Victory**

**Case No.: FEC 21-500**

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**TO:** Nancy Metayer, Chair  
8767 Shadow Wood Blvd., Apt. 306  
Coral Springs, FL 33071-6729

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 21-500**

**v.**

**Forward Victory,  
Respondent.**

\_\_\_\_\_ /

**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 7, 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 around September 10, 2021, Forward Victory violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2021 M8 reporting period.

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**Count 2:**

On or around October 12, 2021, Forward Victory violated Section 106.07(7), Florida Statutes, when it failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2021 M9 reporting period.

The Commission finds that there is **no probable cause** to charge Respondent with violating Section 106.19(1)(c), Florida Statutes.

**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 Cunningham, General Counsel  
Forward Victory, 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: Forward Victory**

**Case No.: FEC 21-500**

**TO:** Nancy Metayer, Chair  
9833 NW 54th Place  
Coral Springs, FL 33076

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.

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**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: Forward Victory**

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**Case No.: FEC 21-500**

**TO:** Forward Victory  
Nancy Metayer, Chair  
9833 NW 54th Place  
Coral Springs, FL 33076

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: Forward Victory**

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**Case No.: FEC 21-500**

**TO:** Nancy Metayer, Chair  
9833 NW 54th Place  
Coral Springs, FL 33076

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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**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.

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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:

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.

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

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

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

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Forward Victory**

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**Case No.: FEC 21-500**

**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(7), Florida Statutes**, and **no probable cause** to charge Respondent with violating **Section 106.19(1)(c), Florida Statutes**. Based upon a thorough review of the Report of Investigation submitted on September 13, 2022, the following facts and law support this staff recommendation:

1. On December 3, 2021, the Florida Elections Commission (“Commission”) received a referral from the Department of State, Division of Elections (“Division”), alleging that Forward Victory (“Respondent”) violated Chapter 106, Florida Statutes.

2. Respondent is a political committee registered with the Division. (ROI, page 1, ¶1)

3. By letter dated February 4, 2022, the Executive Director notified Respondent that Commission staff would investigate the following statutory provisions:

**Section 106.07(7), Florida Statutes:** As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, may have failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2021 M8
- 2021 M9

**Section 106.19(1)(c), Florida Statutes:** As alleged in the Complaint, Respondent, a political committee registered with the Division of Elections, may have falsely reported or deliberately failed to include information required by Chapter 106, Florida Statutes, during the following reporting periods:

- 2021 M8
- 2021 M9

4. On June 24, 2021, David Metellus filed an Appointment of Campaign Treasurer and Designation of Campaign Depository for Political Committees form (“DS-DE 6”) appointing himself as treasurer for Forward Victory. (ROI Exhibit 1)

5. On July 16, 2021, Nancy Metayer, signing as chairman, filed a Statement of Organization of Political Committee form (“DS-DE 5”) on behalf of Forward Victory. (ROI Exhibit 2)

6. By letter dated August 3, 2021, Donna S. Brown, Chief, Bureau of Election Records, sent Respondent a letter acknowledging that the Division had received its DS-DE 6, and that its name was placed on the Division’s active committee list. (ROI Exhibit 3, page 1)

7. The acknowledgement letter advised Respondent that all committees 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 3, page 1)

8. The acknowledgement letter further advised Respondent that each of the Division’s publications and reporting forms were available on its website and directed Respondent to print out the *Calendar of Reporting Dates* as well as other relevant documents. (ROI Exhibit 3, page 2)

9. Respondent’s 2021 M8 report was due on September 10, 2021. Respondent’s 2021 M9 report was due on October 12, 2021. However, Respondent failed to timely file the reports or notify the filing officer that no reports would be filed. *See* Compl.

10. The Division sent multiple letters notifying Respondent that neither the 2021 M8 report nor a corresponding waiver had been filed. (ROI Exhibits 4 & 6) A Final Notice letter was confirmed delivered to the address provided on the DS-DE 5 on November 4, 2021. *Id.*

11. The Division sent multiple letters notifying Respondent that neither the 2021 M9 report nor a corresponding waiver had been filed. (ROI Exhibits 5 & 7) A Final Notice letter was confirmed delivered to the address provided on the DS-DE 5 on November 24, 2021. *Id.*

12. A subpoena was issued to Respondent’s designated campaign depository to ascertain whether any financial activity occurred during the relevant reporting periods: August 1, 2021 – August 31, 2021, and September 1, 2021 – September 30, 2021. (ROI, page 2, ¶10, n.1)

13. The campaign depository had no record of a campaign account associated with Respondent. (ROI, page 2, ¶10, n.1; ROI Exhibit 9)

14. On February 22, 2022, Commission staff left a voicemail on Respondent’s Chairperson’s phone asking for a return call. (ROI Exhibit 10, page 1) The Chairperson called back on September 1, 2022, stating the reports should have been filed at that time. *Id.*

15. Respondent ultimately filed a waiver for the 2021 M8 report on February 22, 2022—165 days late. (ROI, page 2, ¶10, n.2) A waiver for the 2021 M9 report was filed the same day—133 days late. (ROI, page 2, ¶10, n.3)

16. “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).

17. The facts set forth above show that Respondent is a political committee registered with the Division. Respondent failed to notify the filing officer by the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2021 M8 and M9 reporting periods.

Based upon these facts and circumstances, I recommend that the Commission find **no probable cause** to charge Respondent with violating **Section 106.19(1)(c), Florida Statutes** and find **probable cause** to charge Respondent with violating the following:

**Count 1:**

On or around September 10, 2021, Forward Victory violated **Section 106.07(7), Florida Statutes**, when it failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2021 M8 reporting period.

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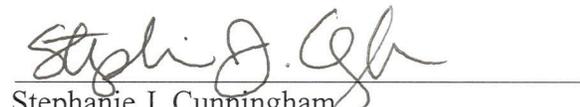
**Count 2:**

On or around October 12, 2021, Forward Victory violated **Section 106.07(7), Florida Statutes**, when it failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the 2021 M9 reporting period.

Respectfully submitted on October 7, 2022.

  
\_\_\_\_\_  
Todd Smith-Schoenwälder, J.D.

I reviewed this Staff Recommendation this 7<sup>th</sup> day of October 2022.

  
\_\_\_\_\_  
Stephanie J. Cunningham  
General Counsel

## FLORIDA ELECTIONS COMMISSION

### Report of Investigation for Sections 106.07(7) and 106.19(1)(c), F.S.

**Case Number: FEC 21-500**

Sections 106.07(7) and 106.19(1)(c), Florida Statutes, failure of a candidate or political committee that did not receive any contributions or make any expenditures during a reporting period to notify timely the filing officer, in writing, that no report is being filed or failure to file a campaign report to reflect financial activity.

**Respondent:** Forward Victory

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

**Division of Elections (Division)**

**Referral Filed:** December 3, 2021

**Respondent Type:** Political Committee

#### **I. Preliminary Information:**

1. Respondent is a political committee registered with the Division.
2. An Appointment of Campaign Treasurer and Designation of Campaign Depository (DS-DE 6) was filed on June 24, 2021. David Metellus was appointed as campaign treasurer. To review the DS-DE 6, refer to Exhibit 1.
3. Respondent filed a Statement of Organization with the Division on July 16, 2021. To review the Statement of Organization, refer to Exhibit 2.
4. An acknowledgement letter was mailed to the address provided on the DS-DE 5 on August 3, 2021, advising Respondent that all committees filing reports with the Division are required to file by means of the Division's electronic filing system (EFS). Respondent was provided with a user identification number and initial password allowing access to the EFS.
5. The acknowledgement letter also advised Respondent that all of the Division's publications and reporting forms are available on their website, including Chapter 106, Florida Statutes, the *Political Committee 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 3.
6. The Division sent correspondence to the address provided on the DS-DE 5 notifying Respondent that the following campaign report(s), or the required notification that no reportable activity occurred, had not been filed: 2021 M8. The letter(s) included reference to the filing date(s) for the report(s). To review the failure to file correspondence, refer to Exhibit 4.
7. The Division sent correspondence to the address provided on the DS-DE 5 notifying Respondent that the following campaign report(s), or the required notification that no reportable activity occurred, had not been filed: 2021 M9. The letter(s) included reference to the filing date(s) for the report(s). To review the failure to file correspondence, refer to Exhibit 5.
8. On November 1, 2021, the Division sent a letter marked "Final Notice" with delivery confirmation to the address provided on the DS-DE 5 notifying Respondent that the following campaign report(s), or the required notification that no reportable activity occurred, had not been filed: 2021 M8. The letter was confirmed delivered on November 4, 2021. To review the letter marked "Final Notice" and delivery confirmation, refer to Exhibit 6.

9. On November 22, 2021, the Division sent a letter marked “Final Notice” with delivery confirmation to the address provided on the DS-DE 5 notifying Respondent that the following campaign report(s), or the required notification that no reportable activity occurred, had not been filed: 2021 M9. The letter was confirmed delivered on November 24, 2021. To review the letter marked “Final Notice” and delivery confirmation, refer to Exhibit 7.

**II. Alleged Violation of Sections 106.07(7), and 106.19(1)(c), Florida Statutes:**

10. I investigated whether Respondent violated these sections of the election laws either by not notifying the filing officer, in writing, that no report would be filed due to not receiving any contributions or making expenditures during the following reporting period(s) or by not filing campaign report(s) to reflect financial activity for the reporting period(s). To review the filing history, refer to Exhibit 8.

| Report  | Report Cover Period | Due Date | Report or Waiver Required | Exhibit 9 <sup>1</sup> |
|---------|---------------------|----------|---------------------------|------------------------|
| 2021 M8 | 8/1/21– 8/31/21     | 9/10/21  | Waiver <sup>2</sup>       | 9                      |
| 2021 M9 | 9/1/21– 9/30/21     | 10/12/21 | Waiver <sup>3</sup>       | 9                      |

11. Respondent did not respond to the referral.

12. On September 1, 2022, I called Respondent’s Chairperson for the purpose of providing an opportunity to discuss the allegations made in the referral. Ms. Metayer stated that all of Respondent’s reports have been filed at this time. She did not give me a reason for the untimely filings. To review the phone log, refer to Exhibit 10.

**SIGNATURE OF INVESTIGATOR:**  **Date:** September 13, 2022\_\_\_\_\_

<sup>1</sup> I subpoenaed campaign account records from the designated campaign depository. The campaign depository provided notification declaring that it had no record of a campaign account and/or no records from the account during the relevant timeframe.

<sup>2</sup> Respondent filed a waiver of the 2021 M8 report on February 22, 2022, which was 165 days late.

<sup>3</sup> Respondent filed a waiver of the 2021 M9 report on February 22, 2022, which was 133 days late.



**APPOINTMENT OF CAMPAIGN TREASURER  
AND DESIGNATION OF CAMPAIGN  
DEPOSITORY FOR  
POLITICAL COMMITTEES**  
(Sections 106.011(2) and 106.021(1), F.S.)

RECEIVED  
DEPARTMENT OF STATE  
2021 JUN 24 PM 3:18  
FLORIDA  
DIVISION OF ELECTIONS

**CHECK APPROPRIATE BOX:**

Initial Filing for:  Primary Treasurer  Deputy Treasurer

Re-filing to Change:  Primary Treasurer  Deputy Treasurer  Primary/Secondary Depository

OFFICE USE ONLY

|                                 |                                 |
|---------------------------------|---------------------------------|
| 1. Committee<br>Forward Victory | 2. Telephone<br>(954 ) 857-5441 |
|---------------------------------|---------------------------------|

|  |                     |  |
|--|---------------------|--|
| 3. Name of Treasurer or Deputy Treasurer<br>David Metellus | 4. Email (optional) | 5. Telephone (optional)<br>(954 ) 798-2255 |
|--|---------------------|--|

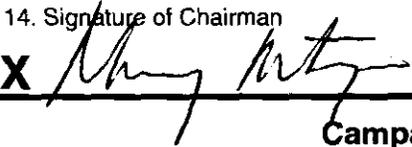
6. Mailing Address  
3504 NW 82nd Dr. Coral Springs, FL 33065

7. Street Address  
3504 NW 82nd Dr. Coral Springs, FL 33065

8. The following bank has been designated as the  Primary Depository  Secondary Depository

|                                     |  |
|-------------------------------------|--|
| 9. Name of Bank<br>CenterState Bank | 10. Street Address<br>10385 Royal Palm Blvd. |
|-------------------------------------|--|

|                           |                 |                       |
|---------------------------|-----------------|-----------------------|
| 11. City<br>Coral Springs | 12. State<br>FL | 13. Zip Code<br>33065 |
|---------------------------|-----------------|-----------------------|

|   |   |
|---|---|
| 14. Signature of Chairman<br><b>X</b>  | 15. Name of Chairman (Print or Type)<br>Nancy Metayer |
|---|---|

**Campaign Treasurer's Acceptance of Appointment**

I, David Metellus, do hereby accept the appointment as  
(Please Print or Type)  
treasurer or deputy treasurer for Forward Victory  
(Committee)

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

6/17/21 **X**   
Date Signature of Campaign Treasurer or Deputy Treasurer

# STATEMENT OF ORGANIZATION OF POLITICAL COMMITTEE

(PLEASE TYPE)

OFFICE USE ONLY

RECEIVED  
2021 JUL 16 PM 3:08

|   |           |
|---|-----------|
| <b>1. Full Name of Committee</b><br>Forward Victory | Telephone |
|---|-----------|

Mailing Address (include city, state and zip code)  
 9833 NW 54th Place  
 Coral Springs, FL 33065

Street Address (include city, state and zip code)  
 9833 NW 54th Place  
 Coral Springs, FL 33065

**2. Affiliated or Connected Organizations (includes other committees of continuous existence and political committees)**

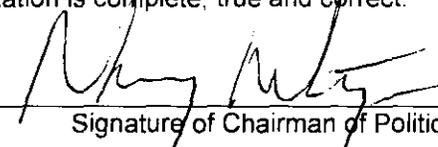
| Name of Affiliated or Connected Organization | Mailing Address | Relationship |
|--|-----------------|--------------|
| N/A  |                 |              |

**3. Area, Scope and Jurisdiction of the Committee**  
 Candidate and ballot issues, statewide, legislative, multi-district, countywide, and municipal elections

**4. Nature of Organization or Organization's Special Interest (e.g., medical, legal, education, etc.)**  
 Civic

**5. Identify by Name, Address and Position, the Custodian of Books and Accounts (include treasurer's name)**

| Full Name      | Mailing Address                             | Committee Title or Position |
|----------------|---|-----------------------------|
| David Metellus | 3504 NW 82nd Dr.<br>Coral Springs, FL 33065 | Treasurer                   |

|  |   |   |                 |
|--|---|---|-----------------|
| <b>6. List by Name, Address and Position, Other Principal Officers, Including Officers and Members of the Finance Committee, If Any (include chairman's name)</b>    |   |   |                 |
| Full Name  | Mailing Address                               | Committee Title or Position                       |                 |
| Nancy Metayer  | 9833 NW 54th Place<br>Coral Springs, FL 33076 | Chairperson                                       |                 |
| David Metellus   | 3504 NW 82nd Dr.<br>Coral Springs, FL 33065   | Treasurer   |                 |
| <b>7. List by Name, Address, Office Sought and Party Affiliation Each Candidate or Other Individual that this Committee is Supporting (if none, please indicate)</b> |   |   |                 |
| Full Name  | Mailing Address                               | Office Sought                                     | Party           |
| N/A  |   |   |                 |
| <b>8. List Any Issues this Committee is Supporting:</b> TIO BE DETERMINED  |   |   |                 |
| <b>List Any Issues this Committee is Opposing:</b> TO BE DETERMINED  |   |   |                 |
| <b>9. If this Committee is Supporting the Entire Ticket of a Party, Give Name of Party</b>   |   |   |                 |
| N/A  |   |   |                 |
| <b>10. In the Event of Dissolution, What Disposition will be Made of Residual Funds?</b>   |   |   |                 |
| Return to contributors or donate to an IRC Section 527 or 501(c) organization  |   |   |                 |
| <b>11. List all Banks, Safety Deposit Boxes, or Other Depositories Used for Committee Funds</b>  |   |   |                 |
| Name of Bank or Depository & Account Number  |   | Mailing Address                                   |                 |
| CenterState Bank<br>Account #TBD   |   | 10385 Royal Palm Blvd.<br>Coral Springs, FL 33065 |                 |
| <b>12. List all Reports Required to be Filed by this Committee with Federal Officials and the Names, Addresses and Positions of Such Officials, If Any</b>           |   |   |                 |
| Report Title   | Dates Required to be Filed                    | Name & Position of Official                       | Mailing Address |
| FORM 8871  | UPON CREATION                                 | IRS   | OGDEN, UT       |
| FORM 1120-POL  | AS REQUIRED                                   | IRS   | OGDEN, UT       |
| IRS FORM 990   | AS REQUIRED                                   | IRS   | OGDEN, UT       |
| STATE OF <u>FLORIDA</u> <u>BROWARD</u> COUNTY  |   |   |                 |
| I, <u>NANCY METAYER</u> , certify that the information in this Statement of  |   |   |                 |
| Organization is complete, true and correct.  |   |   |                 |
| <b>X</b>    |   | <u>7/14/21</u>                                    |                 |
| Signature of Chairman of Political Committee   |   | Date  |                 |



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**LAUREL M. LEE**  
Secretary of State

August 3, 2021

Nancy Metayer, Chairperson  
Forward Victory  
9833 Northwest 54th Place  
Coral Springs, Florida 33076

Dear Ms. Metayer:

This will acknowledge receipt of the Statement of Organization and Appointment of Campaign Treasurer and Designation of Campaign Depository for **Forward Victory**, which were placed on file in our office on July 16, 2021. This information appears to comply with the requirements of Section 106.03, Florida Statutes, and the name of this organization has been placed on our active committee list as a political committee.

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

Your first campaign treasurer's report will be due on **August 10, 2021**. The report will cover the period of July 1-31, 2021 (2021 M7). All political committees that 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 the committee's user identification number. Enclosed are the committee's confidential, filing credentials.

**EFS Website Address:** <https://efs.dos.state.fl.us>  
**Identification Number:** 79579

### **Timely Filing**

All reports 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

Nancy Metayer, Chairperson  
August 3, 2021  
Page Two

due date, the report will be accepted as timely filed if filed no later than midnight, Eastern Standard Time, of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

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

### **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 chairperson and campaign treasurer, and such persons are subject to the provisions of Section 106.07(5), Florida Statutes.

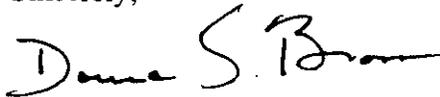
### **Instructions and Assistance**

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 <https://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: Chapter 106, Florida Statutes, *Political Committee Handbook*, *Calendar of Reporting Dates*, and Rule 1S-2.017, Florida Administrative Code.**

Please let me know if you need additional information.

Sincerely,



Donna S. Brown, Chief  
Bureau of Election Records

DSB/zjs

Enclosures

pc: David Metellus, Treasurer



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

September 13, 2021

Nancy Metayer, Chairperson  
Forward Victory  
9833 Northwest 54th Place  
Coral Springs, FL 33076-3076

PAC 79579

Dear Ms. Metayer:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was September 10, 2021.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
  - \$50 per day for the first 3 days late
  - \$500 per day for each day after the 3rd day late
  - If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief  
Bureau of Election Records

cc: David Metellus, Treasurer



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

**Second Notice**

October 13, 2021

Nancy Metayer, Chairperson  
Forward Victory  
9833 Northwest 54th Place  
Coral Springs, FL 33076-3076

PAC 79579

Dear Ms. Metayer:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was September 10, 2021.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on September 13, 2021.

The first notice which we provided to you specifically explained the automatic fine provisions in the law (s. 106.07(8)(b), Fla. Stat.) for failure to file a required report. Such fines are continuing to accrue for a late-filed report. Also, that notice explained that if no reportable activity occurred for the report date(s), you are still required to provide notification in writing that no reportable activity occurred. Our initial notice further indicated that, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Handwritten signature of Donna S. Brown in black ink.

Donna S. Brown, Chief  
Bureau of Election Records

cc: David Metellus, Treasurer



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee  
Secretary of State

DIVISION OF ELECTIONS

October 13, 2021

Nancy Metayer, Chairperson  
Forward Victory  
9833 Northwest 54th Place  
Coral Springs, FL 33076-3076

PAC 79579

Dear Ms. Metayer:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was October 12, 2021.

The law (s. 106.07(8)(b), Fla. Stat.) requires the filing officer to immediately notify you about the missed filing date and the automatic fines that will be assessed for late filing of a report, if a report was due.

- If reportable activity occurred and you have not filed a report, statutory fines are automatically assessed as follows until you file your report:
  - \* \$50 per day for the first 3 days late
  - \* \$500 per day for each day after the 3rd day late
  - \* If the required report immediately precedes a primary and general election, the automatic fine is \$500 for each late day.

The total fine for the untimely report cannot exceed 25% of the total receipts or expenditures, whichever is greater, for the cover period. Even if you end up filing your report late, we cannot waive the statutory fines. We will notify you of the specific amount of fines owed once you file your report. You have 20 days from the day you receive the notice to pay the fine or to appeal the fine to the Florida Elections Commission.

- If no reportable activity occurred for the report date(s), you are still required to notify us in writing, via the Division's Electronic Filing System, that no reportable activity occurred. No automatic fines are statutorily assessed.

However, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief  
Bureau of Election Records

cc: David Metellus, Treasurer



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee  
Secretary of State

DIVISION OF ELECTIONS

**Second Notice**

November 1, 2021

Nancy Metayer, Chairperson  
Forward Victory  
9833 Northwest 54th Place  
Coral Springs, FL 33076-3076

PAC 79579

Dear Ms. Metayer:

Our records indicate that you have not filed either your campaign treasurer's report or notification that no reportable activity occurred, whichever is applicable. The filing date was October 12, 2021.

We mailed, via regular mail, the first notice of the failure to file the above-mentioned report or notification to the address on file with our office on October 13, 2021.

The first notice which we provided to you specifically explained the automatic fine provisions in the law (s. 106.07(8)(b), Fla. Stat.) for failure to file a required report. Such fines are continuing to accrue for a late-filed report. Also, that notice explained that if no reportable activity occurred for the report date(s), you are still required to provide notification in writing that no reportable activity occurred. Our initial notice further indicated that, in all cases, failure to file and/or untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief  
Bureau of Election Records

cc: David Metellus, Treasurer



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee  
Secretary of State

DIVISION OF ELECTIONS

Final Notice  
Delivery Confirmation:

USPS TRACKING # & CUSTOMER RECEIPT 9114 9022 0078 9649 8722 15  
For Tracking or inquiries go to USPS.com or call 1-800-222-1811.

November 1, 2021

Nancy Metayer, Chairperson  
Forward Victory  
9833 Northwest 54th Place  
Coral Springs, FL 33076-3076

PAC 79579

Dear Ms. Metayer:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

| <u>Year</u> | <u>Report</u> | <u>Cover Period</u> |
|-------------|---------------|---------------------|
| 2021        | M8            | 8/1/21 - 8/31/21    |

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief  
Bureau of Election Records

cc: David Metellus, Treasurer

## Track Another Package +

**Tracking Number:** 9114902200789649872215

[Remove X](#)

Your item was delivered in or at the mailbox at 3:31 pm on November 4, 2021 in POMPANO BEACH, FL 33076.

### **Delivered, In/At Mailbox**

November 4, 2021 at 3:31 pm  
POMPANO BEACH, FL 33076

**Get Updates** 

---

**Text & Email Updates**



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**Tracking History**



---

**Product Information**



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**See Less** 

## Can't find what you're looking for?

Go to our [FAQs](#) section to find answers to your tracking questions.



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**  
Secretary of State

DIVISION OF ELECTIONS

**Final Notice**  
**Delivery Confirmation:**

USPS TRACKING # **9114 9022 0078 9644 8021 66**  
& CUSTOMER RECEIPT For Tracking or inquiries go to USPS.com  
or call 1-800-222-1811.

November 22, 2021

Nancy Metayer, Chairperson  
Forward Victory  
9833 Northwest 54th Place  
Coral Springs, FL 33076-3076

PAC 79579

Dear Ms. Metayer:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

| <u>Year</u> | <u>Report</u> | <u>Cover Period</u> |
|-------------|---------------|---------------------|
| 2021        | M9            | 9/1/21 - 9/30/21    |

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief  
Bureau of Election Records

cc: David Metellus, Treasurer

## Track Another Package +

**Tracking Number:** 9114902200789644802156

[Remove X](#)

Your item was delivered in or at the mailbox at 4:25 pm on November 24, 2021 in POMPANO BEACH, FL 33076.

### **Delivered, In/At Mailbox**

November 24, 2021 at 4:25 pm  
POMPANO BEACH, FL 33076

Feedback

**Get Updates** v

---

**Text & Email Updates**



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**Tracking History**



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**Product Information**



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**See Less** ^

## Can't find what you're looking for?

Go to our [FAQs](#) section to find answers to your tracking questions.



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

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Committee Name: Forward Victory

Name:

Account: 79579

Election:

Acct:

Type:

| Date Due   | Type | Date Filed | Status | Days Late | Fine Assessed | Appealed | Amount Fined | Amount Paid |
|------------|------|------------|--------|-----------|---------------|----------|--------------|-------------|
| 8/26/2022  | P7A  |            | SNT    | 0         | \$0.00        |          | \$0.00       | \$0.00      |
| 8/19/2022  | P7   |            | SNT    | 0         | \$0.00        |          | \$0.00       | \$0.00      |
| 8/12/2022  | P6   | 8/17/2022  | CLO    | 5         | \$0.00        |          | \$0.00       | \$0.00      |
| 8/5/2022   | P5   | 8/17/2022  | CLO    | 12        | \$0.00        |          | \$0.00       | \$0.00      |
| 7/29/2022  | P4   | 8/17/2022  | CLO    | 19        | \$0.00        |          | \$0.00       | \$0.00      |
| 7/22/2022  | P3   | 8/17/2022  | CLO    | 26        | \$0.00        |          | \$0.00       | \$0.00      |
| 7/15/2022  | P2A  | 8/17/2022  | CLO    | 33        | \$0.00        |          | \$0.00       | \$0.00      |
| 7/8/2022   | P2   | 8/17/2022  | CLO    | 40        | \$0.00        |          | \$0.00       | \$0.00      |
| 7/1/2022   | P1A  | 8/17/2022  | CLO    | 47        | \$0.00        |          | \$0.00       | \$0.00      |
| 6/24/2022  | P1   | 8/17/2022  | CLO    | 54        | \$0.00        |          | \$0.00       | \$0.00      |
| 6/10/2022  | M5   | 8/17/2022  | PEN    | 68        | \$0.00        |          | \$0.00       | \$0.00      |
| 5/10/2022  | M4   | 5/2/2022   |        |           |               |          |              |             |
| 4/11/2022  | M3   | 5/2/2022   | CLO    | 21        | \$0.00        |          | \$0.00       | \$0.00      |
| 3/10/2022  | M2   | 3/5/2022   |        |           |               |          |              |             |
| 2/10/2022  | M1   | 2/22/2022  | CLO    | 12        | \$0.00        |          | \$0.00       | \$0.00      |
| 1/10/2022  | M12  | 2/22/2022  | CLO    | 43        | \$0.00        |          | \$0.00       | \$0.00      |
| 1/7/2022   | SP2  | 2/22/2022  | CLO    | 46        | \$0.00        |          | \$0.00       | \$0.00      |
| 12/10/2021 | M11  | 2/22/2022  | CLO    | 74        | \$0.00        |          | \$0.00       | \$0.00      |
| 11/10/2021 | M10  | 2/22/2022  | CLO    | 104       | \$0.00        |          | \$0.00       | \$0.00      |
| 10/12/2021 | M9   | 2/22/2022  | CLO    | 133       | \$0.00        |          | \$0.00       | \$0.00      |
| 9/10/2021  | M8   | 2/22/2022  | CLO    | 165       | \$0.00        |          | \$0.00       | \$0.00      |
| 8/10/2021  | M7   | 8/10/2021  |        |           |               |          |              |             |



## Florida Department of State Division of Elections

### Forward Victory

### Campaign Finance Activity

**Note:** The information presented below was obtained from the Committee's/Candidate's Campaign Treasurer's Report filed with the Division of Elections. [About the Campaign Finance Data Base.](#) If all contributions for a reporting period are less than 1 dollar Then they may not be displayed.

|   | Filing Period             | Contributions |       |        | Expend | Other | Transfers |
|---|---------------------------|---------------|-------|--------|--------|-------|-----------|
|   |                           | Monetary      | Loans | InKind |        |       |           |
| W | 07/06/2021 - 07/31/2021   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 08/01/2021 - 08/31/2021   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 09/01/2021 - 09/30/2021   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 10/01/2021 - 10/31/2021   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 11/01/2021 - 11/30/2021   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 12/01/2021 - 12/31/2021   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 12/01/2021 - 01/06/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 01/01/2022 - 01/31/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 02/01/2022 - 02/28/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 03/01/2022 - 03/31/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 04/01/2022 - 04/30/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 05/01/2022 - 05/31/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 06/01/2022 - 06/17/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 06/18/2022 - 06/24/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 06/25/2022 - 07/01/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 07/02/2022 - 07/08/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 07/09/2022 - 07/15/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 07/16/2022 - 07/22/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 07/23/2022 - 07/29/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| W | 07/30/2022 - 08/05/2022   | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |
| ⊙ | <b>All Dates (Totals)</b> | 0.00          | 0.00  | 0.00   | 0.00   | 0.00  | 0.00      |

Note: (E) indicates that report was filed electronically

X Indicates that detail has not been released

W Indicates that a waiver was filed and L Indicates that a loan report was filed

Select Detail Type

Contributions ▼

Select Sort Order

Date(Ascending) ▼

Select Output Type

Display On Screen ▼

Submit Query Now

[Query the Campaign Finance Data Base](#)

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[\[Department of State\]](#) [\[Division of Elections\]](#) [\[Candidates and Races\]](#) [\[Campaign Finance Information\]](#)

## Cedric Oliver

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**From:** Chandra Reese <ccrease@southstatebank.com>  
**Sent:** Thursday, March 3, 2022 5:28 PM  
**To:** Cedric Oliver  
**Subject:** Secure Subpoena, Case FEC 21-500 Subpoena No 21-500-010  
**Attachments:** 05. 21-500\_Subpoena to Depository\_3-1-22.pdf

This message was sent securely using Zix®

Hi Cedric,

We are in receipt of the attached Subpoena however I am not able to locate any records using the information you provided.

**CenterState Bank, NA**  
**Portfolio Customer Search**

Current x +

**Customer Options**  
Create New Customer [Quick Search](#)

**Personal Customer Search**

| First Name           | Middle Name          | Last Na              |
|----------------------|----------------------|----------------------|
| <input type="text"/> | <input type="text"/> | <input type="text"/> |

**Non-Personal Customer Search**

Non-Personal Name

No customers found for search criteria

**CenterState Bank, NA**  
**Portfolio Customer Search**

Current x +

**Customer Options**  
[Create New Customer](#)      [Quick Search](#)

**Personal Customer Search**

| First Name | Middle Name | Last Name |
|------------|-------------|-----------|
| nancy      |             | metayer   |

No customers found for search criteria

**CenterState Bank, NA**  
**Portfolio Customer Search**

Current x +

**Customer Options**  
[Create New Customer](#)      [Quick Search](#)

**Personal Customer Search**

| First Name | Middle Name | Last Name |
|------------|-------------|-----------|
| david      |             | metellus  |

No customers found for search criteria

Do you have any identifying information like an account number, TIN, EIN that you can provide me with?

Thanks



**Chandra C. Reese**

Deposit Ops Specialist  
 1951 8<sup>th</sup> St NW

Winter Haven, FL 33881  
**Office** 863-593-6522  
[SouthStateBank.com](http://SouthStateBank.com)

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please notify the sender immediately and destroy the original message, any attachments to it and all copies. Please refer to SouthState's [Privacy Notice](#) for important information on how we manage your information.

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**FLORIDA ELECTIONS COMMISSION**  
**PHONE LOG**  
**Case No.: FEC 21-500**

**Respondent:** Forward Victory

**Complainant:** DOE

1. **Date and time:** February 22, 2022 @ 11:30 am  
**Name:** David Martellus—Treasurer  
**Phone #:** Unavailable  
**Summary:** I had telephone contact from the Treasurer inquiring about the status of the investigation and wanting to know what needed to be done to get this case resolved. I explained that I couldn't confirm/deny that a report existed due to him not being a party on this case. He explained that the Chairperson Nancy Metayer also served as a local Commissioner and had instructed him to get this matter handled. I inquired about contact information for the Chairperson. I was given a number of # (954) 857-5441.  
**Entered by:** CKO
2. **Date and time:** February 22, 2022 @ 11:55 am  
**Name:** Nancy Metayer—Chairperson  
**Phone #:** (954) 857-5441  
**Summary:** I attempted telephone contact to complete initial interview. I left a message to return my call.  
**Entered by:** CKO
3. **Date and time:** March 3, 2022 @ 2:50 pm  
**Name:** Redetha Laurange—Assistant Bank Rep  
**Phone #:** (800) 277-2175  
**Summary:** I had telephone contact to inquire if subpoena was received. Ms. Laurange explained that she had to leave work early on yesterday, but she checked her records and has the subpoena and will be forwarding it to the proper channels. She verified with a reply email.  
**Entered by:** CKO
4. **Date and time:** September 1, 2022 @ 9:30 am  
**Name:** Nancy Metayer—Chairperson  
**Phone #:** (954) 857-5441  
**Summary:** I had telephone contact from the Chairperson advising me that she was returning a call received from the FEC this morning. I explained that I hadn't attempted to contact her this morning, but I went over the complaint details with her. She stated that her reports should've been filed at this time. She then got another call and told me that she would have to call me back.  
**Entered by:** CKO
5. **Date and time:** September 1, 2022 @ 1:45 pm  
**Name:** Nancy Metayer—Chairperson  
**Phone #:** (954) 857-5441

**Summary:** I attempted telephone contact to complete final interview. I left a message to return my call.

**Entered by:** CKO

6. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Entered by:**

7. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Entered by:**

8. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Entered by:**

9. **Date and time:**

**Name:**

**Phone #:**

**Summary:**

**Entered by:**

**RESPONDENT INTERVIEW MEMO – Call details at #[LOG NUMBER]**

*Type and ask your case specific question(s) first, then ask the remaining questions.*

- Has the political committee filed their 2021 M8 and M9 Reports at this time? If so, when? If not, why not?
- Did the political committee have any financial activity to report during these reporting periods?
- 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 *Political Committee 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)



February 4, 2022

Nancy Metayer, Chair  
Forward Victory  
9833 Northwest 54<sup>th</sup> Place  
Coral Springs, FL 33076

**RE: Case No.: FEC 21-500; Respondent: Forward Victory**

Dear Ms. Metayer:

On December 3, 2021, the Florida Elections Commission received a complaint alleging that your committee 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(7), Florida Statutes:** As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, failed to notify the filing officer on the prescribed reporting date that no report would be filed on that date because it had not received funds, made contributions, or expended reportable funds during the following reporting periods:

- 2021 M8
- 2021 M9

**Section 106.19(1)(c), Florida Statutes:** As alleged in the complaint, Respondent, a political committee registered with the Division of Elections, may have falsely reported, or deliberately failed to include information required by Chapter 106, Florida Statutes, during the following reporting periods:

- 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, 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 your committee. Notice will be mailed to you and the Complainant at least 14 days before any hearing at which your case is to be considered.

Nancy Metayer, Chair  
February 4, 2022  
Page 2  
FEC 22-500

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.**

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 **Cedric Oliver**, the investigator assigned to this case, by phone at (850) 922-4539 or by email at [Cedric.Oliver@myfloridalegal.com](mailto:Cedric.Oliver@myfloridalegal.com).

Sincerely,



Tim Vaccaro  
Executive Director

TV/mw

**DIVISION OF ELECTIONS  
FEC NOTICE FORM**

To FEC from Division of Elections

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**Name:** Forward Victory  
**Account Number:** 79579  
**Chairperson:** Nancy Metayer  
**Treasurer:** David Metellus  
**Registered Agent:** David Metellus

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The Division of Elections hereby provides this notice to the Florida Elections Commission pursuant to sections 106.07(8)(d), 106.22(7), and 106.25(2), Florida Statutes. An apparent violation of Chapter 106, Florida Statutes, has occurred based upon the failure to file a report after notice or failure to file a notification to the filing officer in writing that no report was being filed on the prescribed reporting date as required by section 106.07(7), Florida Statutes.

The following reports are outstanding after notification:

2021 M8

2021 M9

- Forward Victory (79579) is a political committee registered with the Division of Elections. On July 16, 2021, the committee filed the DSDE 5 and DSDE 6 with the Division indicating that Nancy Metayer was the chairperson.
- The 2021 M8 campaign treasurer's report was due on September 10, 2021. On September 13, 2021, the Division mailed Forward Victory notification that the 2021 M8 campaign treasurer's report had not been filed.
- On October 13, 2021, the Division mailed Forward Victory notification that the 2021 M8 campaign treasurer's report had not been filed.
- On November 1, 2021, the Division mailed Forward Victory final notification with delivery confirmation that the 2021 M8 report had not been filed. (See attached letter and delivery confirmation.)

- The 2021 M9 campaign treasurer's report was due on October 12, 2021. On October 13, 2021, the Division mailed Forward Victory notification that the 2021 M9 campaign treasurer's report had not been filed.
- On November 1, 2021, the Division mailed Forward Victory notification that the 2021 M9 campaign treasurer's report had not been filed.
- On November 22, 2021, the Division mailed Forward Victory final notification with delivery confirmation that the 2021 M9 report had not been filed. (See attached letter and delivery confirmation.)
- The committee did not notify the Division of Elections prior to or on the prescribed reporting dates for the 2021 M8 and 2021 M9 reports that no reports were to be filed.
- As of December 1, 2021, Forward Victory has not filed the 2021 M8 and 2021 M9 reports.

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**Sent By:** Donna S. Brown *DSB*  
**Date:** December 1, 2021  
kaf



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee  
Secretary of State

DIVISION OF ELECTIONS

**Final Notice**  
**Delivery Confirmation:**

USPS TRACKING # **9114 9022 0078 9649 8722 15**  
& CUSTOMER RECEIPT  
For Tracking or inquiries go to [USPS.com](http://USPS.com)  
or call 1-800-222-1811.

November 1, 2021

Nancy Metayer, Chairperson  
Forward Victory  
9833 Northwest 54th Place  
Coral Springs, FL 33076-3076

PAC 79579

Dear Ms. Metayer:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

| <u>Year</u> | <u>Report</u> | <u>Cover Period</u> |
|-------------|---------------|---------------------|
| 2021        | M8            | 8/1/21 - 8/31/21    |

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief  
Bureau of Election Records

cc: David Metellus, Treasurer

**Track Another Package +**

**Tracking Number:** 9114902200789649872215

[Remove X](#)

Your item was delivered in or at the mailbox at 3:31 pm on November 4, 2021 in POMPANO BEACH, FL 33076.

## **Delivered, In/At Mailbox**

November 4, 2021 at 3:31 pm  
POMPANO BEACH, FL 33076

**Get Updates** 

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**Text & Email Updates**



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**Tracking History**



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**Product Information**



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**See Less** 

## **Can't find what you're looking for?**

Go to our [FAQs](#) section to find answers to your tracking questions.



FLORIDA DEPARTMENT OF STATE

**Laurel M. Lee**

Secretary of State

DIVISION OF ELECTIONS

**Final Notice  
Delivery Confirmation:**

USPS TRACKING #  
& CUSTOMER  
RECEIPT

**9114 9022 0078 9644 8021 56**

For Tracking or inquiries go to USPS.com  
or call 1-800-222-1811.

November 22, 2021

Nancy Metayer, Chairperson  
Forward Victory  
9833 Northwest 54th Place  
Coral Springs, FL 33076-3076

PAC 79579

Dear Ms. Metayer:

A recent review of the Division's records show that the Division has not yet received the below-referenced campaign treasurer's report or the required notification that no reportable activity occurred, whichever is applicable, during the following cover period:

| <u>Year</u> | <u>Report</u> | <u>Cover Period</u> |
|-------------|---------------|---------------------|
| 2021        | M9            | 9/1/21 - 9/30/21    |

The Division has previously notified you of the unfiled report or notification. Please file your report or notification. If the report is not filed within 7 days of receipt of this letter, the Division will refer this matter to the Florida Elections Commission, which may impose civil penalties of up to \$1000 per violation, apart from that automatic fine provisions of s. 106.07(8)(b), Fla. Stat.) that are applicable only to campaign finance reports.

As we stated in the prior notices, even if you now file the report or notification, the untimely filing of a report of reportable activity, or if applicable, a notice that no reportable activity occurred, may constitute an apparent violation of chapter 106, Fla. Stat. If we refer such matter to the Florida Elections Commission, the Commission may subsequently impose a civil penalty for each violation under chapter 106.265(1), Fla. Stat.

If you have any questions, please contact the help desk at (850) 245-6280.

Sincerely,

Donna S. Brown, Chief  
Bureau of Election Records

cc: David Metellus, Treasurer

## Track Another Package +

**Tracking Number:** 9114902200789644802156

[Remove X](#)

Your item was delivered in or at the mailbox at 4:25 pm on November 24, 2021 in POMPANO BEACH, FL 33076.

### **Delivered, In/At Mailbox**

November 24, 2021 at 4:25 pm  
POMPANO BEACH, FL 33076

Feedback

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**Text & Email Updates**



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**Tracking History**



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**Product Information**



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