

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Nancy Maloney

Case No.: FEC 20-126

TO: Nancy Maloney
1167 North Indian River Drive
Cocoa, FL 32922

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

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission **on August 26, 2020 at 8:30 am, EST**, or as soon thereafter as the parties can be heard.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video or teleconference. Enclosed you will find additional details on joining the video conference via GoToWebinar, 9-Digit Meeting ID 602-468-659, or via teleconference by dialing (866) 901-6455 and entering the meeting access code 515-462-864, when prompted. If you wish to speak before the Commission, you will need to appear by webcam and will be sworn in remotely. Please be advised that the Commission will consider multiple cases, so you will need to wait until your case is considered. If you have any questions, please contact Commission staff at (850) 922-4539.

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 motions to dismiss 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 motions to dismiss 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. 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
August 13, 2020

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 **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.



Florida Elections Commission

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

Telephone: (850) 922-4539 · Facsimile: (850) 921-0783

FEC@myfloridalegal.com · www.fec.state.fl.us



Commission Meeting August 26, 2020 at 8:30AM via GoToWebinar and OpenVoice

In order to participate in the public portion of the August 26, 2020, Florida Elections Commission meeting, please follow the instructions below:

- A. GoToWebinar – Remote Video Conferencing
 1. Open your web browser and search GoToWebinar or enter www.gotowebinar.com
 2. Select Join A Webinar in the upper right corner of the website
 3. Enter the 9-digit Webinar ID: 602-468-659
And your email address
 4. Register your name and email address
 5. You will automatically join to the meeting as an attendee. Attendees are muted and can choose to their webcam.

- B. OpenVoice - Teleconference
 1. Call 1-866-901-6455
 2. Enter Audio Access Code 515-462-864
 3. You will automatically join the meeting as an attendee. Attendees are muted.

While this is a public meeting and advanced registration is not mandatory, we ask that if you plan to attend via Video Conference or Teleconference, that you notify our office in advance. This will give the Commission the opportunity to organize the agenda as efficiently as possible. It will be the goal of the Commission to hear cases in which parties are present, first, in order to reduce the standby time of the parties in attendance.

You can call or email our office of your intent to participate or of any questions you may have regarding this meeting. Please provide the case number(s) when contacting our office.

Thank you,

Commission Staff

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Nancy Maloney

Case No.: FEC 20-126

TO: Nancy Maloney
1167 North Indian River Drive
Cocoa, FL 32922

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

NOTICE OF HEARING (AUTOMATIC FINE)

A hearing will be held in this case before the Florida Elections Commission on August 26, 2020 at 8:30 am, EST, or as soon thereafter as the parties can be heard.

Please note that because of COVID-19, this will be a virtual meeting conducted by remote video conference only. Prior to the meeting, the Commission office will send you a set of participant instructions, which will include login information for the meeting. Please be advised that the Commission will consider multiple cases that day, so you will need to wait until your case is considered. If you have questions, please contact Commission staff at (850) 922-4539.

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 motions to dismiss 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 motions to dismiss 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. 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
July 28, 2020

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 **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.

FLORIDA ELECTIONS COMMISSION
CASE REPORT
Case Number: FEC-20-126

NAME: NANCY MALONEY

DATE APPEAL RECEIVED: 06/02/2020

DATE REPORT DUE: 09/10/2019 (2019 M8)

DATE OF ELECTRONIC RECEIPT: 10/10/2019

NUMBER OF DAYS LATE: 30

AMOUNT OF FINE: \$2,500.00

FINE BASED ON: (..)NUMBER OF DAYS (X) 25% OF RECEIPTS (..) 25% OF EXPENDITURES

TOTAL RECEIPTS FOR REPORTING PERIOD: \$10,000.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$0

DATE OF FIRST NOTIFICATION: 05/14/2020 (Fine Ltr)

CANDIDATE <input checked="" type="checkbox"/>	STATE <input checked="" type="checkbox"/>
PC <input type="checkbox"/>	DISTRICT <input type="checkbox"/>
CCE <input type="checkbox"/>	COUNTY <input type="checkbox"/>
POLITICAL PARTY <input type="checkbox"/>	CITY <input type="checkbox"/>

SUMMARY: Judge Nancy Maloney is a candidate for Circuit Judge, Circuit 18, Group 23 in the 2020 elections. Edna McDonnell Maloney is her treasurer.

The Honorable Nancy Maloney is appealing the fine claiming she sought assistance from the Division of Election regarding filing the report. According to Judge Maloney, she discussed the circumstances with a representative and thought the matter was resolved. Judge Maloney also submitted a copy of the email she sent to Kristi Reid Willis, Elections Bureau Chief, regarding her receipt of the fine letter. The email states that the late filing was due to her mother, the treasurer, being hospitalized. She notes that she explained everything to a DOE staff member at the time but does not have notes on the conversation. She thought the matter was resolved and was surprised to receive the fine letter. She states that all other reports have been timely filed.

- The 2019 M8 Original Report covers the period from 08/15/19-08/31/19; it was due on 09/10/19.
- The 2019 M8 Queued Transaction Report shows that it was created and filed on 09/10/19.¹
- Judge Nancy Maloney reported receiving 1 contribution, while making zero expenditures.
- FEC staff was advised, "The candidate filed a notice of no activity (waiver) on 09/10/19. A waiver is not a report. On 10/10/19, the candidate filed a report showing \$10,000.00 of activity. The fine is based on 25% of the activity.
- The Division of Elections has one entry dated October 10, 2019 that pertains to Judge Maloney's 2019 M8 report. Judge Maloney contacted DOE to discuss an "unreported contribution" to herself from her campaign. A representative helped her amend the 2019 M8 report to reflect that activity and discussed appealing the fine.

PRIOR CASES: None.

¹The filing discussed in this bullet refers to the waiver that reflected zero activity.

From: Nancy Maloney <nancy.maloney.esq.27@gmail.com>
Sent: Thursday, June 4, 2020 4:37 PM
To: Br'Axeton Wims <Braxeton.Wims@myfloridalegal.com>
Subject: Appeal of Campaign Treasurer Report Late Fee

Dear Mrs. Wims,

I telephoned your office at the Florida Elections Commission in response to your email with reference to my appeal of the automatically assessed fine of \$2500.00 for the late campaign finance report due on September 10, 2019. I spoke to Ms. Donna at your office today and she was extremely helpful.

I am attaching the May 14, 2020 letter from the Florida Department of State Division of Elections informing me of the automatically assessed fine. I can not explain the long delay in the receipt of the letter. I am working remotely at home 4 days each week, so it is unlikely that I would have missed it. I do know that with the pandemic we at the Moore Justice Center in Viera, FL in the 18th Judicial Circuit only get mail pick up 3 days per week. As near as I can tell I received the letter late in the week (either Friday 5/28/2020 or Saturday 5/29/2020 after the Memorial Day holiday. The letter I received was in very bad condition being severely water damaged. The envelope pretty much disintegrated when I tried to open it, so I dried the letter out over the weekend and opened it Monday morning, June 1, 2020. I was not expecting a letter such as this at this time because I had sought assistance and then offered an explanation at the time of the reporting and I had heard nothing further about it. I am attaching that water marked letter to this email.

I immediately drafted a letter to Ms. Kristi Reid Willis, Chief of Bureau of Election Records in response to this troubling matter. My record for timely filing of my Campaign Treasurer's Report in my 2014 Campaign for Circuit Court was unblemished, and my record for timely filing of my Campaign Treasurer's Report for my 2020 Campaign for Circuit Court was unblemished as well save this one exception. My mother, Edna McDonnell Maloney, welcomed the opportunity in each campaign to serve as my Campaign Treasurer. My mother is 92 years of age.

I am also attaching my email response to Ms. Willis at Bureau of Elections on Monday, June 1, 2020 that outlines my response to her letter and my Notice of Appeal. I ask that that email letter to Ms. Willis and this email letter to you Mrs. Wims, be accepted as my "Notice of Appeal" of the fine.

I am reviewing my records and my reports and also am reviewing the rules referenced in the Florida Administrative Code in Ms. Willis' letter. When I am further along in my investigation, hopefully, I will be able to speak to one of the persons who assisted me in the October filing with reference to the circumstances surrounding it.

In my first review of 2B-1.0055 of the Florida Administrative Code, and if memory serves, I do believe I meet the stated criteria so hopefully we can resolve this troubling matter with my Notice of Appeal, my appeal and without the imposition of a fine. I will have as much supporting information as I can gather when I file the appeal.

Respectfully,

Nancy Maloney
Circuit Judge



*mail policy
when mail it
not certified
any more
Wadeen
on person*

*clean
copy
HPDs
1st
2nd
3rd*

FLORIDA DEPARTMENT OF STATE
Laurel M. Lee
Secretary of State
DIVISION OF ELECTIONS

May 14, 2020

Nancy Maloney
Candidate for Circuit Judge, Circuit 18, Group 23
1167 North Indian River Drive
Cocoa, FL 32922-2922

*Back doors
CAN 74482
candidate
looking*

Dear Judge Maloney:

copies

The campaign treasurer's report that was due on September 10, 2019, was filed on October 10, 2019. By law, you are automatically assessed a late fine of \$2,500.00.

You have 20 days from the receipt of this notice to either:

- 1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

Florida Division of Elections
R.A. Gray Building, Room. 316
500 South Bronough Street
Tallahassee, Florida 32399-025011

email
*campaign related
dec
elec. filing
system*

- 2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150

*1042
1063*
850.922.4539

MS

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

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

Sincerely,

Kristi Reid Willis

Kristi Reid Willis, Chief
Bureau of Election Records

*Send a copy
Commission*

*Answers/
comments
MFD
search and
rules
via list
dept*

*seen 163
clerk documents
May 14*



Nancy Maloney <nancy.maloney.esq.27@gmail.com>

Att: Kristi Reid Willis, Chief, Bureau of Election Records

1 message

Nancy Maloney <nancy.maloney.esq.27@gmail.com>
To: ElecRecords@dos.myflorida.com

Mon, Jun 1, 2020 at 10:12 AM

Dear Ms. Willis,

We have spoken before during the course of qualification for the November 2020 election. You and your staff have always been extremely helpful to me and I was greatly appreciative of that. I was seeking a new term as Circuit Judge. In the end with much difficulty, but with your help and the help of your staff, I did meet qualification requirements and have no opposition on the November 2020 ballot.

I received your May 14, 2020 letter just this morning, June 1, 2020, referencing an automatically assessed late fine of \$2500.00 for the period of September 2019. As you can see with the water marks your letter, the letter got wet and I was unable to open it for a day or two. It does seem like the letter took a very long time to reach me, but again, I just received it.

I was surprised by the letter, although as I read through, I do remember having a problem one month with the reporting that I fully explained to the person answering the phone at your office at the time. I will look but I do not think I have my notes on our conversation because it was so long ago, and because I thought the matter was resolved. If my memory is correct I believe the late filing had to do with my mother, and campaign treasurer, both in this election and my previous election November 2014 became hospitalized and I wasn't able to make the report on time. My mother turned 92 years on October 23, 2019. What I do remember is explaining everything to the person I spoke to at Division of Elections at the time of the late filing.

Since I did not hear anything at that time I thought that the matter was taken care of therefore my surprise at this point to receive this. All other reports were made timely.

Please accept this as a request to appeal the fine to the Florida Elections Commission under Rules 2B-1.005 and 2B-1.005 of the Florida Administrative Code.

Please send further instructions on anything else that I need to do to correct this troubling matter.

Thank you.

Respectfully,

Nancy Maloney
Circuit Judge, 18th Judicial Circuit, Felony Division

 Scan_0163.pdf
279K



FLORIDA DEPARTMENT OF STATE

Laurel M. Lee

Secretary of State

DIVISION OF ELECTIONS

May 14, 2020

Nancy Maloney

Candidate for Circuit Judge, Circuit 18, Group 23

1167 North Indian River Drive

Cocoa, FL 32922-2922

CAN 74482

Dear Judge Maloney:

The campaign treasurer's report that was due on September 10, 2019, was filed on October 10, 2019. By law, you are automatically assessed a late fine of \$2,500.00.

You have 20 days from the receipt of this notice to either:

1. Pay the fine to the Florida Division of Elections (For a candidate only, a fine is not an allowable campaign expenditure and must be paid from personal funds) at:

*Florida Division of Elections
R.A. Gray Building, Room. 316
500 South Bronough Street
Tallahassee, Florida 32399-025011*

2. Appeal the fine to the Florida Elections Commission (See Rules 2B-1.005 and 2B-1.0055, Florida Administrative Code) at:

*Florida Elections Commission
107 West Gaines Street, Ste. 224
Tallahassee, Florida 32399-0150*

If you appeal, please send a copy also to the Florida Division of Elections so that you will not receive further notices from the Division about this matter.

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

Sincerely,

Kristi Reid Willis, Chief
Bureau of Election Records

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

(1) Nancy Maloney (2) 74482
 Candidate, Committe or Party Name I.D. Number

(3) 1167 North Indian River Drive Cocoa FL 32922
 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 08/15/2019 To 08/31/2019 Report Type: M8

Original Amendment Special Election Report

(6) CONTRIBUTIONS THIS REPORT

Cash & Checks	\$0.00
Loans	\$10,000.00
<i>Total Monetary</i>	\$10,000.00
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

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

Name: Nancy Maloney

Report: 2019 M8

Period: 08/15/2019 to 08/31/2019

**** 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
1 08/27/2019	MALONEY NANCY 1167 N. INDIAN RIVER DRIVE COCOA, FL 32922	S	CIRCUIT JUDGE	\$10,000.00
		LOA		ADD

ID:

CAMPAIGN TREASURER'S REPORT – ITEMIZED EXPENDITURES

Name: Nancy Maloney

Report: 2019 M8

Period: 08/15/2019 to 08/31/2019

**** 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: Nancy Maloney

Report: 2019 M8

Period: 08/15/2019

to 08/31/2019

**** 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: Nancy Maloney

Report: 2019 M8

Period: 08/15/2019 to 08/31/2019

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

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

Queued Items for 2019-M8

Account: 74482

CTJ 018 Nancy Maloney

Rpt Seq: 1

<i>ProcessDescription</i>	<i>Status</i>	<i>Submitter</i>	<i>Created</i>	<i>LastUpdate</i>
Create Pending Report	Processing Complete	74482	9/10/2019 4:31:46 PM	9/10/2019 4:31:46 PM
Review Pending Report	Processing Complete	74482	9/10/2019 4:32:05 PM	9/10/2019 4:32:05 PM
File Pending Report	Processing Complete	74482	9/10/2019 7:49:12 PM	9/10/2019 7:49:12 PM
Amend Filed Report	Processing Complete	74482	10/10/2019 3:05:34 PM	10/10/2019 3:05:34 PM
Review Pending Report	Processing Complete	74482	10/10/2019 3:11:08 PM	10/10/2019 3:11:08 PM
File Pending Report	Processing Complete	74482	10/10/2019 3:12:56 PM	10/10/2019 3:12:56 PM



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

Florida Department of State - Division of Elections

Florida Election System Reports

Candidate/Committee Lookup

Candidate Name: Nancy Maloney

Name:

Account: [74482](#)

Election:

Date Due	Type	Date Filed	Status	Days Late	Fine Assessed	Appealed	Amount Fined	Amount Paid
4/10/2020	M3	3/31/2020						
3/10/2020	M2	3/9/2020						
2/10/2020	M1	2/9/2020						
1/10/2020	M12	1/10/2020						
12/10/2019	M11	12/9/2019						
11/12/2019	M10	11/8/2019						
10/10/2019	M9	10/10/2019						
9/10/2019	M8	9/10/2019	APP	0	\$2,500.00		\$2,500.00	\$0.00

Acct:

Type:



Florida Department of State Division of Elections

2020 General Election Nancy Maloney (NOP) Circuit Judge

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.](#)

	Filing Period	Contributions			Expend	Other	Transfers
		Monetary	Loans	InKind			
<input type="radio"/>	08/15/2019 - 08/31/2019	0.00	10,000.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	09/01/2019 - 09/30/2019	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	10/01/2019 - 10/31/2019	0.17	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	11/01/2019 - 11/30/2019	0.08	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	12/01/2019 - 12/31/2019	0.34	0.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	01/01/2020 - 01/31/2020	0.00	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	02/01/2020 - 02/29/2020	0.50	0.00	0.00	0.00	0.00	0.00
<input type="radio"/>	03/01/2020 - 03/31/2020	0.00	100,000.00	0.00	0.00	0.00	0.00
<input checked="" type="radio"/>	All Dates (Totals)	1.09	110,000.00	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](#)

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

HISTORY NOTES
Nancy Maloney - 74482

Unique ID	Date Recorded	Last Edited Date	Originally Recorded By
66888	10/10/2019 3:32:00 PM		mcchellman
<p>Candidate called re what she considered an unreported contribution from herself to her own campaign. She had spoken to Darryl and Nathan before me.</p> <p>She stated her depository is located at the same bank as her personal checking and savings. After some discussion she stated that she has learned that the three accounts have separate account numbers. She said she had transferred \$10,000 to the account with the account number for the depository on 8/27/19. (Her M8 was inaccurately filed as a waiver.) She said she did not know that she needed to report that activity as a candidate to self contribution. We discussed the side effects of not having a cleanly different campaign depository and the problems that can cause. I told her that she needed to make sure this money was deposited into her campaign depository and she stated the bank had recently confirmed that the depository account had received the contribution 8/27/19.</p> <p>I helped her amend the M8 report to reflect the contribution and she filed it while she was on the phone. I advised that a fine would be issued based on filing the AMD report reporting the activity for the first time a month after the due date. We discussed her options related to appealing the fine to the FEC, requesting a hearing, etc.</p> <p>She discussed various issues in her life that could be considered as contributing to the late reporting of this activity and I told her the FEC would consider these circumstances if she chose to appeal the fine and make the FEC aware of them. She understood DOE has to levy the fine and the FEC is the only entity with the ability to waive the fine in whole or in part.</p>			
66359	8/30/2019 3:22:00 PM		dsbrown
<p>RE: Credential Request Form</p> <p>Gave Judge Maloney her password and pin.</p>			

**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

2019 AUG 15 AM 9:46

FLORIDA DEPARTMENT OF STATE
DIVISION OF ELECTIONS

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)

NANCY MALONEY

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

1167 NORTH INDIAN RIVER DRIVE
COCOA, FL 32922

4. Telephone

(321) 258-1174

5. E-mail address

nancy.maloney.esq.27@gmail.com

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

CIRCUIT JUDGE, 18th JUDICIAL, GROUP 23

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

EDNA McDONNELL MALONEY

11. Mailing Address

200 SOUTH BANANA RIVER BLVD, BANANA BAY, #1903

12. Telephone

(321) 784-4133

13. City

COCOA BEACH

14. County

BREVARD

15. State

FL

16. Zip Code

32931

17. E-mail address

maloney.edna@aol.com

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

19. Name of Bank

CHASE

20. Address

5390 STADIUM PARKWAY

21. City

VIERA

22. County

BREVARD

23. State

FL

24. Zip Code

32955

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

8 AUGUST 2019

26. Signature of Candidate

X 

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

I, EDNA McDONNELL MALONEY, do hereby accept the appointment
(Please Print or Type Name)

designated above as: Campaign Treasurer Deputy Treasurer.

8 AUGUST 2019

Date

X 

Signature of Campaign Treasurer or Deputy Treasurer

**CANDIDATE OATH -
JUDICIAL OFFICE**

Check box **only** if you are seeking to qualify as a write-in candidate:

Write-in candidate

RECEIVED
2020 APR -9 AM 9:32

OFFICE USE ONLY

Candidate Oath

(Section 105.031, Florida Statutes)

I, **NANCY MALONEY**

(Print name above as you wish it to appear on the ballot. If your last name consists of two or more names but has no hyphen, check box . (See page 2 - Compound Last Names). No change can be made after the end of qualifying. Although a write-in candidate's name is not printed on the ballot, the name must be printed above for oath purposes.)

am a candidate for the judicial office of **Circuit Court Judge** , , 18 .
(Office) (District #) (Circuit #)

23 ; my legal residence is **Brevard** County, Florida; I am a qualified elector
(Group #)

of the state and of the territorial jurisdiction of the court to which I seek election; I am qualified under the Constitution and the Laws of Florida to hold the judicial office to which I desire to be elected or in which I desire to be retained; I have qualified for no other public office in the state, the term of which office or any part thereof runs concurrent with the office I seek; and I have resigned from any office which I am required to resign pursuant to Section 99.012, Florida Statutes; and I will support the Constitution of the United States and the Constitution of the State of Florida.

Section 876.05, Florida Statutes, oath (only applicable if elected and when term of office begins): I, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of the court system and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

Candidate's Florida Voter Registration Number (located on your voter information card) [REDACTED]

Phonetic spelling for audio ballot: Print name phonetically on the line below as you wish it to be pronounced on the audio ballot as may be used by persons with disabilities (see instructions on page 2 of this form): [Not applicable to write-in candidates.]


X  (321)617-7274 nancy.maloney@flcourts18.org

Signature of Candidate Telephone Number Email Address
1167 N. Indian River Drive Cocoa Florida 32922-7533
Address City State ZIP Code

STATE OF FLORIDA
COUNTY OF Brevard


Signature of Notary Public
Print, Type, or Stamp Commissioned Name of Notary Public below:

Sworn to (or affirmed) and subscribed before me by means of physical presence this 31st day of March, 2020.
Personally Known: or Produced Identification: _____
Type of Identification Produced: _____

 **KIMBERLY HOPPING**
MY COMMISSION #GG166179
EXPIRES: DEC 06, 2021
Bonded through 1st State Insurance

KIMBERLY HOPPING
MY COMMISSION #GG166179
EXPIRES: DEC 06, 2021
Bonded through 1st State Insurance

**STATEMENT OF
CANDIDATE
FOR JUDICIAL OFFICE**

(Section 105.031(5), F.S.)

(Please Type)

RECEIVED
OFFICE USE ONLY
DEPARTMENT OF
2019 AUG 15 AM 9:46
DIVISION OF ELECTIONS

I, NANCY MALONEY

a judicial candidate, have received, read, and understand the requirements of the Florida Code of Judicial Conduct.

Nancy Maloney
(Signature of candidate)

8 August 2019
(Date)

Each candidate for judicial office, including an incumbent judge, shall file a statement with the qualifying officer, within 10 days after filing the Appointment of Campaign Treasurer and Designation of Campaign Depository.

**STATEMENT OF
CANDIDATE**

(Section 106.023, F.S.)

(Please print or type)

OFFICE USE ONLY
DEPARTMENT OF
2019 AUG 15 AM 9:46
DIVISION OF ELECTIONS

I, NANCY MALONEY,

candidate for the office of CIRCUIT JUDGE, 18th JUDICIAL, GROUP 23 ;

have been provided access to read and understand the requirements of

Chapter 106, Florida Statutes.

X



Signature of Candidate

8 AUGUST 2019

Date

Each candidate must file a statement with the qualifying officer within 10 days after the Appointment of Campaign Treasurer and Designation of Campaign Depository is filed. Willful failure to file this form is a first degree misdemeanor and a civil violation of the Campaign Financing Act which may result in a fine of up to \$1,000, (ss. 106.19(1)(c), 106.265(1), Florida Statutes).



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

August 16, 2019

The Honorable Nancy Maloney
1167 North Indian River Drive
Cocoa, Florida 32922

Dear Judge Maloney:

This will acknowledge receipt of the Appointment of Campaign Treasurer and Designation of Campaign Depository for the office of Circuit Judge, which was placed on file in our office on August 15, 2019. Your name has been placed on the 2020 active candidate list.

Campaign Treasurer's Reports

Your first campaign treasurer's report will be due on **September 10, 2019**. The report will cover the period of August 1-31, 2019 (2019 M8). 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. Enclosed are your confidential, filing credentials.

EFS Website Address: <https://efs.dos.state.fl.us>

Identification Number: 74482

Timely Filing

All reports filed must be completed and filed through the EFS no later than midnight, Eastern Standard Time, of the due date. Reports not filed by midnight of the due date are late filed and subject to the penalties in Section 106.07(8), Florida Statutes. In the event that the EFS is inoperable on the due date, the report will be accepted as timely filed if filed no later than midnight of the first business day the EFS becomes operable. No fine will be levied during the period the EFS was inoperable.

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)**



Nancy Maloney
August 16, 2019
Page Two

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 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 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 <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: 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/zjs

Enclosures

pc: Edna McDonnell Maloney, Treasurer