

**STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION**

In Re: Joseph Burgos

Case No.: FEC 24-248

TO: Joseph Burgos
4724 Waltham Forest Drive
Davenport, FL 33837

Sharon Lauther, MMC, City Clerk
620 East Main Street
Haines City, FL 33844

NOTICE OF HEARING (AUTOMATIC FINES (AF))

A hearing will be held in this case before the Florida Elections Commission on, **August 19, 2025 at 9:00 a.m., or as soon thereafter as the parties can be heard**, at the following location: **Virtual Meeting via Webinar link: <https://register.gotowebinar.com/register/3863768971242962781> and Webinar ID 748-293-987.**

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
July 28, 2025

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.

FLORIDA ELECTIONS COMMISSION
CASE REPORT
Case Number: FEC-24-248

NAME: **JOSEPH BURGOS**

DATE APPEAL RECEIVED: 08/13/2024

DATE REPORT DUE: 03/08/2024 (2024 M1)

DATE OF HAND DELIVERED RECEIPT: 03/12/2024

DATE FILING OFFICER RECEIVED REPORT: 03/12/2024

NUMBER OF DAYS LATE: 4

AMOUNT OF FINE: **\$650.00**

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

TOTAL RECEIPTS FOR REPORTING PERIOD: \$1,050.00

TOTAL EXPENDITURES FOR REPORTING PERIOD: \$300.00

DATE OF FIRST NOTIFICATION: 08/12/2024 (Fine Ltr)

SUMMARY: Joseph Burgos was a candidate for Haines City Commission, Seat 3 in the 2024 elections. Mr. Burgos was his own treasurer.

Joseph Burgos is appealing the fine, claiming that the penalty is incorrect. According to Mr. Burgos, Sharon, the city clerk, and her assistants provided help with clearing and correcting information. He claims he was under the assumption that if an error occurred, he would be contacted. He notes there were numerous problems during the process, including the election date letter and other details. He requests a waiver of the fine.

- The 2024 M1 Original Report covers the period 02/01/24-03/01/24; it was due on 03/08/24.
- The 2024 M1 Report shows that it was filed on 03/12/24.
- Joseph Burgos reported receiving 4 contributions, while making 1 expenditure.
- The Haines City Clerk's office does not have any notes that pertain to Joseph Burgos' 2024 M1 report.

PRIOR CASES: None.

CORRECTION OF FINE: \$262.50

CANDIDATE [X]	STATE []
PC []	DISTRICT []
CCE []	COUNTY []
POLITICAL PARTY []	CITY [X]

From: [Br"Axeton Wims](#) on behalf of [Florida Elections Commission](#)
To: [Br"Axeton Wims](#)
Subject: Fw: Penalty letter haines city commissioner seat 3
Date: Wednesday, August 14, 2024 9:17:11 AM
Attachments: [Certified Penalty letter for J. burgos March 8 2024.pdf](#)

----- Forwarded by Br"Axeton Wims/OAG on 08/14/2024 09:16 AM -----

From: "joseph burgos" <josephburgosmusic@outlook.com>
To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>
Date: 08/13/2024 07:01 PM
Subject: Penalty letter haines city commissioner seat 3

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

Good Day Ms. Braxton,

My name is Joseph Burgos I ran for commissioner seat 3, I am a young man involved in my community also with Carlos Surtia who ran for seat 4 I received this letter of a penalty but this is incorrect.

We were help and assist by the city clerk Sharon and assistants she was the one who cleared and corrected. I was under the impression if there was an error I would be notified ! I this process there was many mistakes as of the election date letter and so many other errors. I just want to see how I can appeal this penalty and I hope that someone can help me. I ran this race with my heart and with my integrity held up high I played by the rules and respected my fellow competitors all for the love of my city. I hope that you can assist me and waive this penalty I will greatly appreciate it.

Thank you Joseph Burgos

Number : 4076993307

Email : Josephburgosmusic@outlook.com

I now live in
4724 Waltham forest

Get [Outlook for iOS](#)(See attached file: *Certified Penalty letter for J. burgos March 8 2024.pdf*)



HAINES CITY

THE HEART OF FLORIDA

620 East Main Street
Haines City, FL 33844
Phone (863) 421-3600
Fax (863) 421-5561
www.hainescity.com

August 12, 2024

Joseph Burgos
314 South 22nd Street
Haines City, FL 33844

Dear Mr. Burgos

Your campaign treasurer's report, which was due March 8, 2024, was not received until March 12, 2024. Section 106.07 (8)(b), Florida Statutes, provides that the fine shall be \$50 per day for the first 3 days late and, thereafter, \$500 per day for each late day, not to exceed 25% of the total receipts or expenditures, whichever is greater, for the period covered by the late report. Since your report was filed on March 12, 2024, you are fined the amount of \$650.00.

The fine must be paid to the City of Haines City within 20 days of receipt of this notice unless appealed to the Florida Elections Commission. Please note that as a candidate, the fine is not an allowable campaign expenditure and must be paid from personal funds.

Section 106.07 (8)(c), Florida Statutes, provides for appealing or disputing the assessed fine by submitting a notice of appeal in writing within 20 days of the date of receipt of the notice of payment due stating any unusual circumstances surrounding the failure to file on the designated due date. A failure to timely file such notice will constitute a waiver of the right of appeal.

You also have the right to a hearing before the Commission. However, if you desire a hearing before the Commission, you must request such hearing in the notice of appeal within 20 days of receipt of this notice. If no timely request for a hearing is made in your notice of appeal, you will be deemed to have waived your right to a hearing and the Commission's determination shall be based upon your written record.

If you have any questions, please do not hesitate to call me or our office.

Sincerely,

Sharon Lauther
City Clerk



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THE HEART OF FLORIDA

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If you have any questions, please do not hesitate to call me or our office.

Sincerely,

Sharon Lauther
City Clerk

CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Joseph Burgos
Name

(2) 314 South 22nd street
Address (number and street)
Haines City, FL 33844
City, State, Zip Code

OFFICE USE ONLY

☐ Check here if address has changed

(3) ID Number: 0005

(4) Check appropriate box(es):

☒ Candidate Office Sought: _____

☐ Political Committee (PC)

☐ Electioneering Communications Org. (ECO)

☐ Party Executive Committee (PTY)

☐ Independent Expenditure (IE) (also covers an individual making electioneering communications)

☐ Check here if PC or ECO has disbanded

☐ Check here if PTY has disbanded

☐ Check here if no other IE or EC reports will be filed

(5) Report Identifiers

Cover Period: From 2 / 11 / 24 To 3 / 11 / 24 Report Type: M1

☒ Original

☐ Amendment

☐ Special Election Report

(6) Contributions This Report

Cash & Checks \$ 2,050 . 00

Loans \$ _____

Total Monetary \$ _____

In-Kind \$ 100 . 00

(7) Expenditures This Report

Monetary Expenditures \$ _____ , 561 . 97

Transfers to Office Account \$ _____ , _____ , _____

Total Monetary \$ _____ , _____ , _____

(8) Other Distributions

\$ _____ , _____ , _____

(9) TOTAL Monetary Contributions To Date

\$ _____ , 2,750 . 00

(10) TOTAL Monetary Expenditures To Date

\$ _____ , 561 . 97

(11) 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:

(Type name) Joseph Burgos
☐ Individual (only for IE or electioneering comm.) ☒ Treasurer ☐ Deputy Treasurer

X

Signature

(Type name) Joseph Burgos
☒ Candidate ☐ Chairperson (only for PC and PTY)

X

Signature

CAMPAIGN TREASURER'S REPORT – ITEMIZED CONTRIBUTIONS

(1) Name Joseph Burger (2) I.D. Number 005

(3) Cover Period 2 / 11 / 24 through 3 / 10 / 24 (4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Contributor Type Occupation		(9) Contribution Type	(10) In-kind Description	(11) Amendment	(12) Amount
2, 20, 24	Blasting Supplier Inc.	B	Construction	check			\$250.00
001	P.O. Box 155 Davenport, Florida 33836						
2, 28, 24	NorthEast Bldg Pgc	B	Business	check			\$500.00
002	2350 Bradbury RD Haines City FL 33844						
2, 19, 24	William Gurnee	I	admin	CC			\$100.00
003	116 N 2nd st Haines City FL						
2, 14, 24	Michael T. Gibson	B	Law Firm	CC			\$200.00
004	Tuan Tore 1045 Berkeley drive 34744 Kissimmee FL						
3, 5, 24	GDW infotechinc	B	Technology Business	check			\$1,000
005	524 US HWY 17/92 Haines City FL 33844						
3, 2, 24	Mem Balloon	B	Printing Company	INK	Signs		\$100.00
006	602 Hwy 17/92 Haines City FL						
1 / 1							

CAMPAIGN TREASURER'S REPORT - ITEMIZED EXPENDITURES

(1) Name Joseph Buys

(2) I.D. Number 005

(3) Cover Period 2 / 11 / 24 through 3 / 10 / 24

(4) Page 1 of 1

(5) Date	(7) Full Name (Last, Suffix, First, Middle) Street Address & City, State, Zip Code	(8) Purpose (add office sought if contribution to a candidate)	(9) Expenditure Type	(10) Amendment	(11) Amount
(6) Sequence Number					
2/27/24	M+M Balloon	Banner Sign -	CAN		\$300.00
001	602 Hwy 17-92 Haines City, FL				
3/6/24	Facebook adsense	Advertisement	CAN		\$-15.00
002	Calikonic 54348				
3/7/24	Facebook adsense	Advertisement	CAN		\$-1.97
003					
1/17/24	Ha City of Haines City	Entry Fee	CAN	Add	\$245.00
002		Candidate			
1/1					
1/1					
1/1					
1/1					

Select Language

▼

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2024 April Municipal Election

Election Date: 4/2/2024

(Website last updated at: 04/08/2024 9:53:54 am)

Registered Voters:	38,549
Ballots Counted:	5,739
Voter Turnout:	14.89%
Precincts Reporting:	
6 / 6	
Election Day:	Completely Reported
Vote By Mail:	Completely Reported

FINAL OFFICIAL RESULTS

Summary Results

▼



Change View

Vote Type View:

Graphical



Dundee Amendment 1

Participating Precincts Reporting:

1 / 1



Show
Detailed
View

Choice	Percent	Votes
Yes for approval	31.43%	143

No against approval**68.57%****312****455**

☆ Davenport Commissioner - Seat 1

Participating Precincts Reporting: 1 / 1


[Show
Detailed
View](#)

Choice	Percent	Votes
Linda M. Robinson	71.29%	509
Timothy Scott Woodlee	28.71%	205
		714

☆ Davenport Commissioner - Seat 2

Participating Precincts Reporting: 1 / 1


[Show
Detailed
View](#)

Choice	Percent	Votes
Jeremy Clark	57.52%	409
Christopher A. Lopez	42.48%	302
		711

☆ Haines City - City Commission, Seat 3

Participating Precincts Reporting: 2 / 2


[Show
Detailed
View](#)

Choice	Percent	Votes
Joseph Burgos	28.27%	625
Jayne Hall	19.63%	434
Morris L. West	52.10%	1,152
		2,211

☆ **Haines City - City Commission, Seat 4**

Participating Precincts Reporting: 2 / 2

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Detailed
View](#)

Choice	Percent	Votes
Clarence Daniels	30.80%	672
Kim Downing	32.91%	718
Buster Raggs Sr	6.87%	150
Carlos Surita	29.42%	642
		2,182

☆ **Lake Wales City Commissioner, Seat 2**

Participating Precincts Reporting: 2 / 2

[Show
Detailed
View](#)

Choice	Percent	Votes
Brandon Alvarado	42.13%	939
Crystal Higbee	15.57%	347
Daniel Williams	42.31%	943
		2,229

☆ **Lake Wales City Commissioner, Seat 4**

Participating Precincts Reporting: 2 / 2

[Show
Detailed
View](#)

Choice	Percent	Votes
Carol Gillespie	57.40%	1,327
Danny Krueger	42.60%	985
		2,312

Select Language

▼

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2024 Haines City Run-off Election

Election Date: 4/30/2024

(Website last updated at: 05/03/2024 9:15:30 am)

Registered Voters:	18,686
Ballots Counted:	1,566
Voter Turnout:	8.38%
Precincts Reporting:	
2 / 2	
Election Day:	Completely Reported
Vote By Mail:	Completely Reported

FINAL OFFICIAL RESULTS

Summary Results

▼

Change View

Vote Type View:

Graphical

▼

★ HC City Commission, Seat 4

Participating Precincts Reporting: 2 / 2

Show Detailed View

Choice	Percent	Votes
Clarence Daniels	47.18%	737
Kim Downing	52.82%	825

1,562



HAINES CITY

WWW.HAINESCITY.COM

Name: _____

<i>PAPERS FILED 2024 Municipal Election</i>	<i>Date and Time</i>	<i>Initials</i>	<i>Initials</i>
<div>Identification Number: _____</div>	<i>Filed</i>	<i>of</i>	<i>of</i>
	<i>with City Clerk</i>	<i>City Clerk</i>	<i>Candidate</i>
<i>“Resign to Run” letter (applicable only to candidates serving on City Boards and must be submitted by Friday, January 27, 2024)</i>			
<i>Appointment of Campaign Treasurer – Form DS-DE9 (Due before opening of campaign account)</i>			
<i>Qualifying / Application Fee \$25.00 for the Candidate Manual and the \$220 (1% Assessment Fee) for a total of \$245 (Due after the campaign account has been opened and the first check must be made payable to the City of Haines City)</i>			
<i>Statement of Candidate - Form DS-DE84 (Due within 10 days of filing Appointment of Campaign Treasurer)</i>			
<i>Candidate Oath – Form DS-DE302NP (Due during qualifying)</i>			
<i>Notice of Logic & Accuracy Testing Notice – City Form (Due during qualifying)</i>			
<i>Financial Disclosure - Form 6 – 2024 Version (Due during qualifying)</i>			

<i>Loyalty Oath – City Form per Sections 876.05-876.10 of the Florida Statutes (Due during qualifying)</i>			
<i>Statement of Residency – City Form (Due during qualifying)</i>			
<i>Certification of Elector; Supervisor of Elections affidavit, personal affidavit, or valid voter registration card (Due during qualifying)</i>			
<i>Certification Letter to Candidate (Due to candidate when candidate qualified)</i>			
<i>Oath of Office (Due to candidate when a candidate is sworn in)</i>			
<i>Poll-Watcher Forms Optional – Must be filed before noon to SOE on the second Tuesday preceding the election (March 19, 2024 for the regular election and April 23, 2024 for the run-off election)</i>			
TREASURERS REPORTS OR WAIVERS			
09/1/23 – 09/30/23 – Due by 1/10/23 Due by 5:00 p.m.			
10/1/23 – 12/31/23 – Due by 1/10/24 Due by 5:00 p.m.			
1/1/24-1/31/24– Due by 2/10/24 (Monthly) Due by 5:00 p.m.			
2/1/24 – 2/29/24 – Due by 3/11/24 (Monthly)			
<i>1st Treasurer’s Report – M1</i> Due by 5:00 p.m. on 3/8/24			

Reporting period Qualifying – 3/1/24			
<i>2nd Treasurer's Report – M2</i> Due by 5:00 p.m. on 3/22/24 Reporting Period 3/2/24-3/15/24			
<i>3rd Treasurer's Report – M3</i> Due by 5:00 p.m. on 3/29/24 Reporting Period 3/16/24 - 3/28/24 No Contributions After Midnight on Thursday 3/28/24			
<i>Final with election – Final</i> March 30, 2024, through close of account Due by 5:00 p.m. on 7/1/24			
<i>Final Unopposed – 90 days after qualifying</i> Due by 5:00 p.m.			
RUN-OFF TREASURERS REPORTS OR WAIVERS			
<i>1st Treasurer's Report – RO-1 (25th day before election)</i> Due by 5:00 p.m. on 4/5/2024 Reporting Period 3/30/24 – 3/30/24 This will be a waiver report since no contributions were allowed to be accepted after midnight on 3/28/2024 and the M3 report was filed.			
<i>2nd Treasurer's Report – RO-2 (11th day before election)</i> Due by 5:00 p.m. on 4/19/24 Reporting Period 4/1/24 - 4/12/24			
<i>3rd Treasurer's Report – RO-3</i> Due by 5:00 p.m. on 4/27/24 (4th day before election) Reporting Period 4/13/24 - 4/26/24			

No Contributions After Midnight on 4/26/24			
<i>Final with runoff election – Final</i> April 31, 2024 – Close of Account Due by 5:00 p.m. on 7/2/2024			