

**STATE OF FLORIDA  
FLORIDA ELECTIONS COMMISSION**

**In Re: Angelica D. Xenos-Pacheco**

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**Case No.: FEC 23-067**

**TO:** Angelica D. Xenos-Pacheco  
1571 West 76th Street, Apt. 304  
Hialeah, FL 33014

Marbelys Fatjo, Clerk  
City of Hialeah  
501 Palm Avenue  
Hialeah, FL 33010

**NOTICE OF HEARING (AUTOMATIC FINE (AF))**

A hearing will be held in this case before the Florida Elections Commission on, **November 14, 2023 at 8:30 a.m., or as soon thereafter as the parties can be heard**, at the following location: **402 South Monroe Street, 12 HOB, Tallahassee, Florida 32399**. Due to heightened security access requirements, please bring only essential items into the building and plan to arrive early to allow for delays coming through security.

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  
October 31, 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 to 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 23-067**

**NAME:** ANGELICA D. XENES-PACHECO

**DATE APPEAL RECEIVED:** 02/07/2023

**DATE REPORT DUE:** 02/14/2022 (2022 TR)

**DATE OF HAND-DELIVERED RECEIPT:** 02/16/2022

**DATE FILING OFFICER RECEIVED REPORT:** 02/16/2022

**NUMBER OF DAYS LATE:** 2

**AMOUNT OF FINE:** \$100.00

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

**TOTAL RECEIPTS FOR REPORTING PERIOD:** \$0

**TOTAL EXPENDITURES FOR REPORTING PERIOD:** \$2,435.32

**DATE OF FIRST NOTIFICATION:** 02/15/2022 (Failure to File Ltr)

**SUMMARY:** Angelica D. Xenes-Pacheco was a candidate for Hialeah City Council, Group 6, in the 2021 elections. Ms. Xenes-Pacheco was her own treasurer.

Angelica D. Xenes-Pacheco is appealing the fine claiming she was very ill during the campaign and made efforts to comply. According to Ms. Xenes-Pacheco, she became sick with COVID and was initially hospitalized for two weeks and readmitted multiple times due to complications. She claims that “due to the steroids administered in the hospital, [she] developed Exogenous Cushing Syndrome and was unable to walk for many weeks.” She notes that family and friends helped deliver reports.

- The 2022 TR Original Report covers the period from 11/12/21-02/14/22; it was due on 02/14/22.
- The 2022 TR Report shows that it was filed on 02/16/22 at 2:41 p.m.
- Angelica D. Xenes-Pacheco reported receiving zero contributions while making 3 expenditures.
- The City of Hialeah Clerk’s office does not have any notes that pertain to Angelica D Xenes-Pacheco’s 2022 TR Report.

**PRIOR CASES:** None.

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

Angelica D. Xenos Pacheco  
1571 West 76th St  
Hialeah, FL 33014  
(786) 970-1914  
a\_xenes@yahoo.com

FLORIDA ELECTIONS COMMISSION

107 West Gaines Street, Suite 224,  
Tallahassee, FL 32399-1050  
January 10th, 2022

RE:

Response to Case No.: FEC 22-371

To whom it may concern,

I received a notice of complaint from the Florida Elections Commission on January 19, 2023 (tracking# 9214 8969 0099 9790 1645 7697 62) which was hand delivered to my address by a neighbor who states that the envelope was mistakenly delivered to their house which has the same number as mine but on a different street.

That same day I opened the envelope and saw it was dated December 22, 2022. I sent an email to [fec@myfloridalegal.com](mailto:fec@myfloridalegal.com) notifying the delayed delivery and to request time to respond which was granted. **(EXHIBIT 1)**

I have reviewed the alleged violations and respond as follows:

**Alleged Violation #1**

**-2021 G1 Campaign Treasurer Report due Friday October 8, 2021 was delivered Wednesday October 13, 2021**

**-Failure to pay fine for late report.**

The complaint states that the report was hand delivered by Yuri Yanes on October 13, 2021. According to the report, a letter of late filing and assessed fine addressed to the candidate was given to Mr. Yuri Yanes.

Yuri Yanes had the report in his possession on the morning of the due date. I was not aware that the report was filed late. Yuri Yanes did not give me the notice of late filing and assessed fine.

Upon reading the complaint I saw that notices were sent by email. I did not see the emails until today after I searched for them and found them in the SPAM folder. **(EXHIBIT 2)**

The complaint states that 2 attempts to notify me via certified mail were unsuccessful because the mail was returned to sender as unclaimed. Allegedly third certified letter was delivered on January 28, 2022.

There is no one home throughout the day to receive and sign for mail. The third letter was not received either. Tracking number 70142870000127951572 shows as Delivered, Left with Individual, but that is not possible since there was no one to receive it. The mail was not received. There have been ongoing issues with certified mail. I have gone to the post office in the past regarding this problem. I now went to file a formal complaint and the supervisor, Mr. Vargas instructed me to fill out the online form. **(EXHIBIT 3)**

I became sick with COVID during the campaign and was initially hospitalized for 2 weeks. I was readmitted multiple times due to complications. Due to the steroids that were administered in the hospital, I developed Exogenous Cushing Syndrome and was unable to walk for many weeks. Friends and family helped me with delivering the reports during this time.

**I was not aware that the 2021 G1 report was delivered late or that a fine was due. Email notifications were not seen because they went to the SPAM folder. Letters sent by mail were not received. I spoke with the City Clerks office on or around January 26th 2022, and I was not informed of the 2021-G1 late filing and fee.**

## **Alleged Violation #2**

**-2021-G3 Campaign Treasurer Report due Friday October 29, 2021, was delivered Monday November 1, 2021**

**-Failure to pay fine for late report.**

The report was given to Reina Guanche before the due date but she arrived too late to City Hall Friday October 29th 2021. Reina Guanche delivered it the next business day which was Monday November 1, 2021. Reina did inform me that there was a late fine assessed. I did not receive any notification via mail. A formal complaint has been filed with the USPS for mail that shows as delivered but was never received. **(EXHIBIT 4)** Notifications sent via email were not seen until now due to going to the SPAM folder **(EXHIBIT 3)**

**During a telephone conversation January 2022, with an employee at the City Clerks office, I was reminded of the late fine. I sent multiple money orders in February 2022 and to my understanding, this fine was paid in full.**

### **Alleged Violation #3**

#### **Late Filing of 2021-R2 Campaign Treasurers Report**

During a telephone conversation with an employee at the City Clerks office on or around January 26th 2022, I was informed that the 2021-R2 Campaign treasurers report was filed late. I was not aware that a fine was due prior to that date. By the time I found out about the fine, it was too late to file an appeal with the FEC. I would have requested a reduction of the fine due to the circumstances with my medical condition that required me to rely on help during that time. Nevertheless, I sent the payment for the \$2,737.50 fine on February 2, 2022. Emails were not seen because they went to the SPAM folder (**EXHIBIT 3**). No mail was received. A complaint has been filed with the USPS due to an ongoing problem with certified mail (**EXHIBIT 5**)

### **Alleged Violation #4**

#### **Late Filing TR (Termination Report) Campaign Treasurers Report and failure to pay the fine imposed.**

#### **Report due February 14, 2022, Delivered February 16, 2022.**

I was not aware that the report was late or that a fine was due. A complaint has been filed with the USPS due to mail delivery problems.

I have addressed all issues and paid fines for which I have been made aware of. There have been ongoing problems with mail delivery to my address since 2020. I have made several complaints to the USPS. The supervisor at the post office informed me that during 2020 and part of 2021, mail carriers were not required to deliver certified mail directly to an individual as a COVID precaution, yet multiple mail pieces show as delivered, left with individual. This has been a problem with all certified mail and packages requiring signature, not just with mail from City of Hialeah. One of the letters show as left with Front Desk/Reception even though there is no front desk since it is a house. Another one shows left with individual even though no one was home on that date/time. I would not have intentionally disregarded a notice requiring my attention. On January 26th 2022 I was verbally informed of the late filing of 2021-R2 Campaign Treasurers Report and I sent the \$2,737.50 payment for the fine within one week. I will contact the City Clerk to address any pending fines. I was not aware of the \$1,150.00 due for late 2021-G1 Report. All emails from City of Hialeah went to SPAM. If there is any possibility of waiving or reducing the amount of the outstanding fine, I kindly ask you to please review the circumstances and make a determination. I was very ill during that year and made my best effort to be in compliance.

Thank you for your attention and consideration to this matter.

Sincerely,



Angelica Xenos-Pacheco

## Re: Case No. FEC 22-371

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From: Florida Elections Commission (fec@myfloridalegal.com)

To: angelica.caballero83@yahoo.com

Date: Friday, January 20, 2023, 10:17 AM EST

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Your request for additional time to submit a response is granted. Please ensure your response is submitted by the close of business on February 7, 2023.

Regards,

Donna Ann Malphurs  
Agency Clerk/Public Information Officer

▼ "ANGELICA XENES" ---01/19/2023 01:14:37 PM---RE: Case No. FEC 22-371 Good afternoon.

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From: "ANGELICA XENES" <angelica.caballero83@yahoo.com>  
To: "fec@myfloridalegal.com" <fec@myfloridalegal.com>  
Date: 01/19/2023 01:14 PM  
Subject: Case No. FEC 22-371

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RE: Case No. FEC 22-371

Good afternoon.

A neighbor brought a certified mail envelope addressed to me that was wrongly delivered to their address instead of mine. According to them, although it is certified, the envelope was left in their mailbox around the last week of December while no one was home. They were out of town for the holidays and found it along with the rest of their mail when they arrived. I believe the house it was left at has the same number as mine but on a different street. This mail piece was in their possession until this morning when they came by my house to give it to me.

I see that it is a complaint dated December 22, 2022, to which I must respond within 14 days of receipt. Please note that I did not receive it until today, 1/19/23.

I kindly ask that you allow me 14 days to respond, commencing today.

Thank you for your attention

Regards

Angelica Xenos Pacheco

yahoo!mail

Find messages, documents, photos or people

Advanced



Compose

- Inbox 535K
- Unread
- Starred
- Drafts 365
- Sent
- Archive
- Spam**
- Trash
- Less

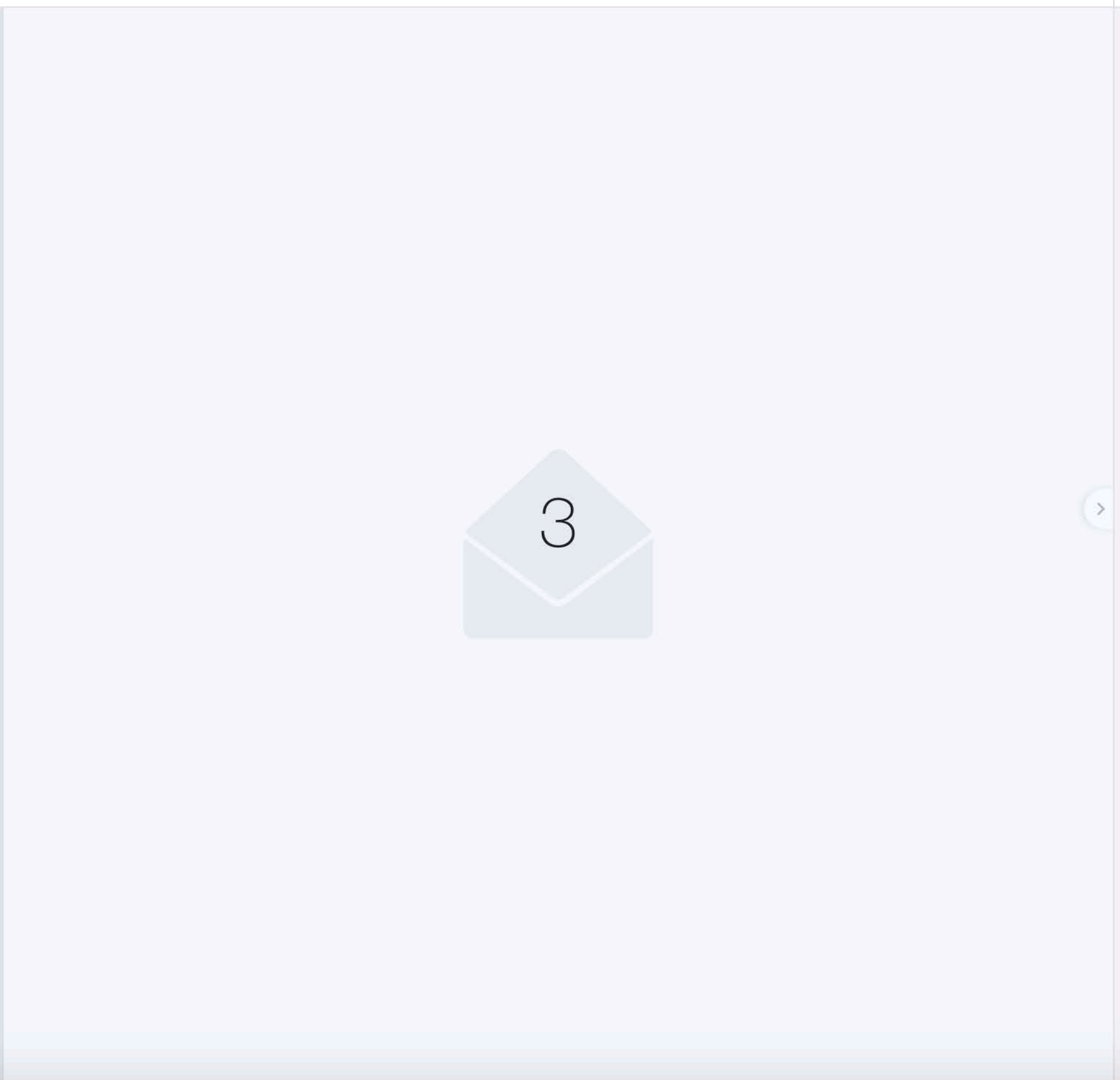
- Views Hide
- Photos
- Documents
- Subscriptions
- Shopping
- Receipts
- Travel

- Folders Hide
- + New Folder
- Deleted Messages
- Farm Stores
- Herzing
- HOUSE DOCS
- IMPORTANT
- Junk 80
- MERCHANDISE SUPPLIER

Sort

Restore to Inbox Move Delete Not Spam

- FastLenderServices** Feb 1
  - ☆ **Action Requested; Funds Ready for Im...**
  - Please take a moment to complete the foll...
- Fatjo, Marbelys** 1/25/2022
  - ☆ **Florida Elections Commission - G3 ...**
  - Good afternoon Ms. Pacheco. The Cit...
- Fatjo, Marbelys** 1/24/2022
  - ☆ **Florida Elections Commission - R2 ...**
  - Good afternoon Ms. Pacheco. The Cit...
- Fatjo, Marbelys** 12/28/2021
  - ☆ **FW: Reminder - Termination Campaign ...**
  - Ms. Pacheco, The email below is being co...
- Fatjo, Marbelys** 12/28/2021
  - ☆ **Reminder - Termination Campaign Tre...**
  - Good afternoon Ms. Pacheco. This is a re...
- Fatjo, Marbelys** 12/27/2021
  - ☆ **Notice of Fine for R2 Report 19 days...**
  - Ms. Pacheco, Please see the attached ...
- Fatjo, Marbelys** 10/22/2021
  - ☆ **Pending Payment of Fine**
  - Good morning Ms. Pacheco. On Octo...
- Fatjo, Marbelys** 8/12/2021
  - ☆ **Virtual Clean Campaign Class**
  - Ms. Xenex-Pacheco, Attached please ...
- Fatjo, Marbelys** 8/3/2021
  - ☆ **Notice of Incomplete Campaign Tre...**
  - Good afternoon. Please see the attach...
- Fatjo, Marbelys** 7/20/2021





# Email Us - Domestic Tracking & Shipping

[Email Us](#)

- 1. Tracking
- 2. Mailpiece
- 3. Contact
- 4. Recipient/Sen...
- 5. Review
- 6. Confirmation

\*Indicates a required field

## Step 5: Review Your Information

Please review the information below to make sure it is correct and complete. If you need to make any changes, use the "Previous" and "Next" buttons to navigate to the appropriate steps.

### Tracking Information

#### Tracking Number

70142870000127951572

#### Type of Mailpiece

Envelope

#### Class of Mail

Unknown

#### Special Services

Certified Mail®

Feedback

### Mailpiece Information

#### Where was the item mailed from?

Business

#### Where was the item supposed to be delivered?

Residence

#### Content Details

Documents

#### Dollar Value of Item Mailed

N/A

#### Package Status

Scanned Delivered but Not Received

### Mail Theft Details?

N/A

### Police Report Number

N/A

### Other Tracking Issue Details

Multiple pieces of certified mail from different senders appear as delivered, left with individual yet the mail was never received and no person from my address signed for it or picked it up from the post office. A notice regarding the delivery attempt was not received either. I went to the post office to report the ongoing issue. I spoke with the supervisor Mr. Vargas who instructed me to fill out this form.

## Contact

### Contact Information

Angelica Xenes-Pacheco

Contact me by Email

(786) 970-1914

a\_xenes@yahoo.com

### Address

1571 W 76TH ST

HIALEAH, FL 33014-3314

## Delivery/Sender Addresses

### Delivery Address (Use my address)

1571 W 76TH ST

HIALEAH, FL 33014-3314

### Sender Address

PO BOX 110040

HIALEAH, FL 33011-0040

Feedback

Previous

Submit

## Related Articles

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[USPS® Premium Tracking™ - The Basics](https://faq.usps.com/s/article/USPS-Premium-Tracking-The-Basics) (https://faq.usps.com/s/article/USPS-Premium-Tracking-The-Basics)

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[Where is my package?](https://faq.usps.com/s/article/Where-is-my-package) (https://faq.usps.com/s/article/Where-is-my-package)

[Delayed mail and packages?](https://faq.usps.com/s/article/Delayed-Mail-and-Packages) (https://faq.usps.com/s/article/Delayed-Mail-and-Packages)

[Missing Mail - The Basics](https://faq.usps.com/s/article/Missing-Mail-The-Basics) (https://faq.usps.com/s/article/Missing-Mail-The-Basics)

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# Email Us - Domestic Tracking & Shipping

[Email Us](#)

- 1. Tracking
- 2. Mailpiece
- 3. Contact
- 4. Recipient/Sen...
- 5. Review
- 6. Confirmation

\*Indicates a required field

## Step 5: Review Your Information

Please review the information below to make sure it is correct and complete. If you need to make any changes, use the "Previous" and "Next" buttons to navigate to the appropriate steps.

### Tracking Information

#### Tracking Number

70142870000127951251

#### Type of Mailpiece

Envelope

#### Class of Mail

Unknown

#### Special Services

Certified Mail®

Feedback

### Mailpiece Information

#### Where was the item mailed from?

Business

#### Where was the item supposed to be delivered?

Residence

#### Content Details

Documents

#### Dollar Value of Item Mailed

N/A

#### Package Status

Scanned Delivered but Not Received

### Mail Theft Details?

N/A

### Police Report Number

N/A

### Other Tracking Issue Details

Tracking shows Delivered, Front Desk/Reception/Mail Room but the recipients address is a residence with no reception or front desk. The mail was not received. This is an ongoing issue with different senders.

## Contact

### Contact Information

Angelica Xenos-Pacheco

Contact me by Email

(786) 970-1914

a\_xenos@yahoo.com

### Address

1571 W 76TH ST

HIALEAH, FL 33014-3314

## Delivery/Sender Addresses

### Delivery Address (Use my address)

1571 W 76TH ST

HIALEAH, FL 33014-3314

### Sender Address

PO BOX 110040

HIALEAH, FL 33011-0040

Feedback

Previous

Submit

## Related Articles

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[The Basics](#)).

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[Delayed mail and packages?](https://faq.usps.com/s/article/Delayed-Mail-and-Packages) (<https://faq.usps.com/s/article/Delayed-Mail-and-Packages>).

[Missing Mail - The Basics](https://faq.usps.com/s/article/Missing-Mail-The-Basics) (<https://faq.usps.com/s/article/Missing-Mail-The-Basics>).

[USPS Tracking<sup>®</sup> - The Basics](https://faq.usps.com/s/article/USPS-Tracking-The-Basics) (<https://faq.usps.com/s/article/USPS-Tracking-The-Basics>).

[Informed Delivery<sup>®</sup> - The Basics](https://faq.usps.com/s/article/Informed-Delivery-The-Basics) (<https://faq.usps.com/s/article/Informed-Delivery-The-Basics>).

[Change of Address - The Basics](https://faq.usps.com/s/article/Change-of-Address-The-Basics) (<https://faq.usps.com/s/article/Change-of-Address-The-Basics>).

[View All](https://faq.usps.com/s/)(<https://faq.usps.com/s/>).

Feedback

## USPS - Search Request Received

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From: auto-reply@usps.gov

To: a\_xenes@yahoo.com

Date: Tuesday, February 7, 2023, 11:46 AM EST

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Search ID #MRC 23 1584 1612

Dear Angelica Xenex-Pacheco,

Thank you for using USPS.com.

Thank you for your inquiry. We apologize for any inconvenience you may have experienced. Items that meet the US Postal Service's® search guidelines will be searched for, and if found, forwarded to the address you provided.

**Search Request Details:**

Request Date: 02/07/2023

Reference: Search ID #MRC 23 1584 1612

Tracking Number: 70142870000127951572

Thank you for your patience.

Thank you for using the U.S. Postal Service®.

Download USPS Mobile®



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Delivered  
2/17/22

**Fatjo, Marbelys**

---

**From:** Fatjo, Marbelys  
**Sent:** Tuesday, February 15, 2022 12:00 PM  
**To:** 'Angelica Caballero'  
**Subject:** Notice of Late Termination Report  
**Attachments:** Notice of Late TR 2-15-22.pdf

Good afternoon. Please see the attached elections related correspondence.

Thank you,

*Marbelys L. Rubio-Fatjo, Esq., CMC*

City Clerk

Office of the City Clerk

City of Hialeah

501 Palm Avenue, 3<sup>rd</sup> Floor

Hialeah, Florida 33010

(305) 883-5820



**Esteban Bovo, Jr.**  
Mayor

**Carl Zogby**  
Council President

**Monica Perez**  
Council Vice-President



Council Members  
**Bryan Calvo**  
**Vivian Casás-Muñoz**  
**Jacqueline Garcia-Roves**  
**Luis Rodriguez**  
**Jesus Tundidor**

## City of Hialeah

February 15, 2022

SENT VIA CERTIFIED MAIL NO. 7014-2870-0001-2795-1589 and sent via email at  
[a\\_xenes@yahoo.com](mailto:a_xenes@yahoo.com)

Ms. Angelica Pacheco  
Candidate and Campaign Treasurer  
1571 West 76 Street  
Hialeah, FL 33014

Dear Ms. Pacheco,

You have failed to file a campaign treasurer's report (Termination Report) due on February 14, 2022, for the reporting period of November 12, 2021 to February 14, 2022, and a fine is being assessed for each late day.

Pursuant to § 106.07 (8)(b) of the Florida Statutes, I must impose a fine of \$50.00 per day for the first three (3) days late, and, thereafter, \$500.00 per day for each late day, not to exceed twenty-five percent (25%) of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

Upon receipt of the late report, I shall determine the amount of the fine which is due. The fine is not **an allowable campaign expenditure, and must be paid only from your personal funds.**

You may appeal the fine to the Florida Elections Commission based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date. In order to request an appeal, you must notify me **in writing, within twenty (20) days after receipt of notice of payment due**, of your intention to bring the matter before the Florida Elections Commission.

Please submit your 2021-TR report that was due on February 14, 2022 to the Office of the City Clerk.

Respectfully,

CITY OF HIALEAH, FLORIDA

Marbelys Fatjo, Esq.  
City Clerk

[Track Another Package +](#)

**Tracking Number:** 70142870000127951589

[Remove X](#)

Your item was delivered to an individual at the address at 2:04 pm on February 17, 2022 in HIALEAH, FL 33014.

**USPS Tracking Plus<sup>®</sup> Available** [v](#)

## **Delivered, Left with Individual**

February 17, 2022 at 2:04 pm  
HIALEAH, FL 33014

Feedback

**Get Updates** [v](#)

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**Text & Email Updates**



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**Tracking History**



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**USPS Tracking Plus<sup>®</sup>**



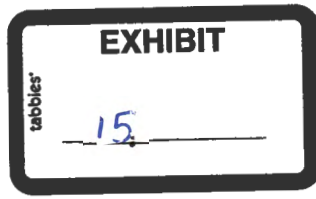
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**Product Information**



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**See Less** [^](#)



Received  
2/22/22

**Fatjo, Marbelys**

---

**From:** Fatjo, Marbelys  
**Sent:** Friday, February 18, 2022 9:03 AM  
**To:** 'Angelica Caballero'  
**Subject:** Notice of Fine for Termination Report  
**Attachments:** TR Fine Notice 2-18-22.pdf

Good morning Ms. Xenos-Pacheco.

Please see the attached notice.

Thank you,

*Marbelys L. Rubio-Fatjo, Esq., CMC*

City Clerk

Office of the City Clerk

City of Hialeah

501 Palm Avenue, 3<sup>rd</sup> Floor

Hialeah, Florida 33010

(305) 883-5820

Esteban Bovo, Jr.  
Mayor

Carl Zogby  
Council President

Monica Perez  
Council Vice-President



Council Members  
Bryan Calvo  
Vivian Casáls-Muñoz  
Jacqueline Garcia-Roves  
Luis Rodriguez  
Jesus Tundidor

# City of Hialeah

SENT VIA CERTIFIED MAIL NO. 7014-2870-0001-2795-1596 and sent via email at a\_xenes@yahoo.com

February 18, 2022

Ms. Angelica Pacheco  
Candidate and Campaign Treasurer  
1571 West 76 Street  
Hialeah, FL 33014

Dear Ms. Pacheco.

You have failed to file the Termination Campaign Treasurer's Report by the due of February 14, 2022, for the reporting period of November 12, 2021 to February 14, 2022, and a fine is being assessed for each late day. You have been provided with the City of Hialeah 2021 Election Important Dates and deadlines, which include the dates all Campaign Treasurer's Reports are due.

The Termination Campaign Treasurer's Report was delivered to our office on February 16, 2022, at 2:41 p.m.

Pursuant to § 106.07 (8)(b) of the Florida Statutes, I must impose a fine of \$50.00 per day for the first three (3) days late, and, thereafter, \$500.00 per day for each late day, not to exceed twenty-five percent (25%) of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

**The fine is not an allowable campaign expenditure and must be paid only from your personal funds.**

Per Florida law, the filing officer shall determine the amount of the fine due based upon **the earliest of the following**: (1) when the report is actually received by such officer, (2) when the report is postmarked, (3) when the certificate of mailing is dated, (4) when the receipt from an established courier company is dated, and (5) when the electronic receipt issued pursuant to Section 106.0705 of the Florida Statutes or other electronic filing system authorized in this section is dated.

<u>Day Late</u>	<u>Amount of Fine</u>
Tuesday, February 15, 2022	\$50.00
Wednesday, February 16, 2022	\$50.00
<b><u>TOTAL =</u></b>	<b>\$100.00</b>

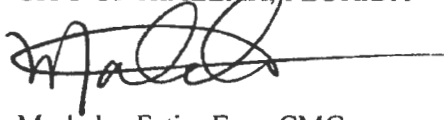
You may appeal the fine to the Florida Elections Commission based upon, but not limited to, unusual circumstances surrounding the failure to file on the designated due date. In order to request an

appeal, you must notify me **in writing, within twenty (20) days after receipt of notice of payment due**, of your intention to bring the matter before the Florida Elections Commission.

The Florida Division of Elections has opined that the calculation of late days begins on the day after the Campaign Treasurer's Report is due, including weekends and holidays, and continues and includes the date of the postmark, courier receipt, or certificate of mailing, whichever is earlier.

Respectfully,

CITY OF HIALEAH, FLORIDA

A handwritten signature in black ink, appearing to read 'Marbelys', written over a horizontal line.

Marbelys Fatjo, Esq., CMC  
City Clerk

[Track Another Package +](#)

**Tracking Number:** 70142870000127951596

[Remove X](#)

Your item was delivered to an individual at the address at 12:28 pm on February 22, 2022 in HIALEAH, FL 33014.

**USPS Tracking Plus® Available** [v](#)

## **Delivered, Left with Individual**

February 22, 2022 at 12:28 pm  
HIALEAH, FL 33014

Feedback

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**Product Information** [v](#)

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**See Less** [^](#)



FEB16'22 2:41PM

### CAMPAIGN TREASURER'S REPORT SUMMARY

(1) Angelica Xenos Pacheco  
 Name  
 (2) 1571 W 76 St  
 Address (number and street)  
Hialeah, FL 33014  
 City, State, Zip Code

OFFICE USE ONLY

Check here if address has changed

(3) ID Number: \_\_\_\_\_

(4) Check appropriate box(es):  
 Candidate Office Sought: City Council Group 6  
 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 11 / 12 / 21 To 2 / 14 / 22 Report Type: TR

Original  Amendment  Special Election Report

(6) Contributions This Report

Cash & Checks \$ \_\_\_\_\_, \_\_\_\_\_, 0 . 00

Loans  Independent \$ \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ . \_\_\_\_\_

Total Monetary \$ \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ . \_\_\_\_\_

In-Kind \$ \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ . \_\_\_\_\_

(7) Expenditures This Report

Monetary Expenditures \$ \_\_\_\_\_, 2, 435 . 32

Transfers to Office Account \$ \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ . \_\_\_\_\_

Total Monetary \$ \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ . \_\_\_\_\_

(8) Other Distributions \$ \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ . \_\_\_\_\_

(9) TOTAL Monetary Contributions To Date \$ \_\_\_\_\_, 44, 490 . 00

(10) TOTAL Monetary Expenditures To Date \$ \_\_\_\_\_, 44, 490 . 00

#### (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) Angelica Xenos Pacheco  
 Individual (only for IE or electioneering comm.)  Treasurer  Deputy Treasurer  
 X \_\_\_\_\_  
 Signature

(Type name) Angelica Xenos Pacheco  
 Candidate  Chairperson (only for PC and PTY)  
 X \_\_\_\_\_  
 Signature

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

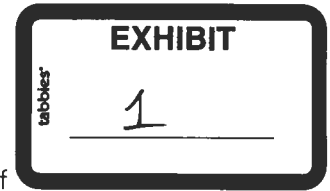
(1) Name Angelica Pacheco (2) I.D. Number \_\_\_\_\_  
 (3) Cover Period 11/12/2021 / \_\_\_\_\_ through 2/14/2022 / \_\_\_\_\_ (4) Page 1 of 1

(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					
11/15/2021/ 062	El Vocero News 1169 SW 85 CT MIAMI, FL 33144	Advertising	MON		1,500.00
11/19/2021 Date	Angelica Xenes-Pacheco 1571 W 76 St Hialeah, Fl 33014	Reimbursement to self	MON		920.32
11/30/2021 064	Apollo Bank 1255 W 49th ST Hialeah, FL 33012	Bank Fees	MON		15.00
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## Fatjo, Marbelys

**From:** Fatjo, Marbelys  
**Sent:** Thursday, January 28, 2021 3:55 PM  
**To:** 'Angelica Caballero'  
**Subject:** Hialeah 2021 Election  
**Attachments:** Important Dates and Reporting Dates - 2021 City Election.pdf



Good afternoon Ms. Xenes-Pacheco.

Through this email I would like to confirm that on today's date, you visited the Office of the City Clerk and filed form DS-DE 9 announcing you intent to run for City Council Group 6, as well as the Statement of Candidate form (DS-DE 84). I provided you with a printed version of the attached Important Dates and Deadlines.

Per Section 5.05 of the Charter of the City of Hialeah, candidates for any particular councilmember group seat shall be electors of the City for one year prior to the primary or election to which that person intends to seek election and shall qualify for election by filing such person's qualification papers and pay the qualifying fee of \$100.00 required pursuant to Section 5.05 of the Charter and pay the assessment according to state law to the city Clerk at any time during business hours after 12:00 noon on the first day of qualifying but no later than the last day of qualifying. The qualifying period is listed in the important dates and deadlines form.

You may access the Candidate & Campaign Treasurer Handbook published by the Florida Division of Elections using the following link: <https://dos.myflorida.com/media/702477/candidate-campaign-treasurer-handbook-2020.pdf>. This handbook serves only as a quick reference guide for candidates and campaign treasurers. This handbook is not a substitute for the Florida Election Code or applicable constitutional and rule provisions, the text of which controls. I suggest you read the Florida Election Code, which you may access using the following link: [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Index&Title\\_Request=IX#TitleIX](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Index&Title_Request=IX#TitleIX). In addition, Chapters 97-106 of the Florida Statutes, the Constitution of the State of Florida, Division of Elections' opinions and rules, Attorney General opinions, county charter, city charter and ordinances, and other sources should be reviewed in their entirety for complete information regarding campaign financing and qualifying. Below I have provided you with the links to these said sources:

[http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Index&Title\\_Request=IX#TitleIX](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Index&Title_Request=IX#TitleIX) (Chapters 97-106 of the Florida Statutes)  
<http://www.leg.state.fl.us/Statutes/index.cfm?Mode=Constitution&Submenu=3&Tab=statutes&CFID=167991000&CFTOKEN=e6f7dd8a6c4814b6-3DEF1D3E-9C67-3689-D4B53F43E5288957> (Constitution of the State of Florida)  
<https://dos.myflorida.com/elections/laws-rules/advisory-opinions/> (Advisory Opinions published by the Florida Division of Elections)  
<https://dos.myflorida.com/elections/laws-rules/rules/> (Adopted Rules of the Florida Division of Elections)  
<http://www.myfloridalegal.com/opinions> (Attorney General opinions)  
<https://library.municode.com/fl/miami-dade-county/codes/code-of-ordinances> (County Charter)  
<https://library.municode.com/fl/hialeah/codes/code-of-ordinances> (City of Hialeah Charter)

The Florida Division of Elections has made several publications made available on their website which should also be reviewed for further information. All applicable forms and publications are publicly available on the Division's website at <https://dos.myflorida.com/elections/forms-publications>.

A campaign treasurer must file regular reports of all contributions received and expenditures made by or on behalf of the candidate. The important dates and deadlines for the 2021 City of Hialeah Primary Election are attached hereto for your reference. It provides important dates and deadlines, including the date each campaign treasurer report is

due. **Per our conversation today, your first campaign treasurer's report is due on February 10, 2021.** In any reporting period in which there has been no activity in the campaign account (no funds expended or received) the filing of the required report is waived. However, the filing officer must be notified in writing using the Waiver of Report form (Form DS-DE 87) <https://dos.myflorida.com/media/693282/dsde87.pdf> that no report is being filed. If you are reporting expenditures and or contributions, you may use forms DS-DE 12, DS-DE 13, DS-DE 13A, DS-DE 14, and DS-DE 14A to file the campaign treasurer's report. Said forms may be obtained using the following link: <https://dos.myflorida.com/elections/forms-publications/forms/>. Per Florida law, any candidate failing to file a report on the designated due date is subject to a fine for each late day, and such fine shall be paid only from personal funds of the candidate.

Should you have any questions, please do not hesitate to contact me.

Thank you,

*Marbelys L. Rubio-Fajó, Esq., CMC*

**City Clerk**

**Office of the City Clerk**

**City of Hialeah**

**501 Palm Avenue, 3<sup>rd</sup> Floor**

**Hialeah, Florida 33010**

**(305) 883-5820**



## CITY OF HIALEAH 2021 ELECTION

### IMPORTANT DATES AND DEADLINES

Primary Election: November 2, 2021  
General Election (Run-Off), if necessary: November 16, 2021

Primary Election:	11/02/2021	Voter Registration Book Closing:	10/04/2021
General Election, if necessary:	11/16/2021	Voter Registration Book Closing:	10/18/2021

#### **Election for:**

- (1) Mayor
- (2) Council Member Group V
- (3) Council Member Group VI
- (4) Council Member Group VII

#### **Qualifying Period:**

Dates: Beginning on Monday, July 5, 2021 during business hours after 12:00 noon through Monday, July 26, 2021 ending at 5:00 p.m. **City Hall is closed on Monday, July 5, 2021 in observance of Independence Day, and therefore, City Hall will be open for qualifying on an appointment basis only.**

Hours: After 12:00 noon on Monday July 5, 2021 and ending at 5:00 p.m., and 8:30 a.m. to 5:00 p.m., on the following dates:

- Tuesday, July 6, 2021
- Wednesday, July 7, 2021
- Thursday, July 8, 2021
- Friday, July 9, 2021
- Monday, July 12, 2021
- Tuesday, July 13, 2021
- Wednesday, July 14, 2021
- Thursday, July 15, 2021
- Friday, July 16, 2021
- Monday, July 19, 2021
- Tuesday, July 20, 2021
- Wednesday, July 21, 2021

- Thursday, July 22, 2021
- Friday, July 23, 2021
- Monday, July 26, 2021

Location: City of Hialeah City Hall  
 Office of the City Clerk  
 501 Palm Avenue  
 Third Floor  
 Hialeah, FL 33010

**\*We request that all prospective candidates contact the Office of the City Clerk at (305) 883-5820, in advance, in order to schedule an appointment to file the qualifying papers. An appointment will ensure that appropriate personnel is available to process the qualifying papers.**

DUE DATE	Campaign Treasurer's Report, and if applicable Paid Campaign Workers Participation in Absentee Ballot Activities Report (MD-ED 26)	REPORTING PERIOD COVERED (FROM/TO)
	CODE/TYPE	
02/10/2020	2020-M1 (monthly report)	01/01/2020 to 01/31/2020
03/10/2020	2020-M2 (monthly report)	02/01/2020 to 02/29/2020
04/10/2020	2020-M3 (monthly report)	03/01/2020 to 03/31/2020
05/11/2020	2020-M4 (monthly report)	04/01/2020 to 04/30/2020
06/10/2020	2020-M5 (monthly report)	05/01/2020 to 05/31/2020
07/10/2020	2020-M6 (monthly report)	06/01/2020 to 06/30/2020
08/10/2020	2020-M7 (monthly report)	07/01/2020 to 07/31/2020
09/10/2020	2020-M8 (monthly report)	08/01/2020 to 08/31/2020
10/13/2020	2020-M9 (monthly report)	09/01/2020 to 09/30/2020
11/10/2020	2020-M10(monthly report)	10/01/2020 to 10/31/2020
12/10/2020	2020-M11(monthly report)	11/01/2020 to 11/30/2020
01/11/2021	2020-M12 (monthly report)	12/01/2020 to 12/31/2020
02/10/2021	2021-M1(monthly report)	01/01/2021 to 01/31/2021
03/10/2021	2021-M2 (monthly report)	02/01/2021 to 02/28/2021
04/12/2021	2021-M3 (monthly report)	03/01/2021 to 03/31/2021
05/10/2021	2021-M4 (monthly report)	04/01/2021 to 04/30/2021
06/10/2021	2021-M5 (monthly report)	05/01/2021 to 05/31/2021
07/12/2021	2021-M6 (monthly report)	06/01/2021 to 06/30/2021

08/10/2021	2021-M7 (monthly report)	07/01/2021 to 07/31/2021
09/10/2021	2021-M8 (monthly report)	08/01/2021 to 08/31/2021
10/08/2021	2021-G1 (25 days prior to Primary Election)	09/01/2021 to 10/01/2021
10/11/2021 COLUMBUS DAY	Last day to designate poll watcher(s) for Early Voting for the Primary Election. <i>Due before noon to the City Clerk.</i> Candidates may have one watcher in each early voting area at any time. Must utilize DS-DE 125 for poll watcher designations.	
10/19/2021	Last day to designate poll watcher(s) for Election Day for the Primary Election. <i>Due before noon to the City Clerk.</i> Candidates may have one watcher in each early voting area at any time. Must utilize DS-DE 125 for poll watcher designations.	
10/22/2021	2021-G2 (11 days prior to Primary Election)	10/02/2021 to 10/15/2021
10/25/2021	TR – 90 Days Termination Report After Qualifying.  For candidates who are unopposed or do not qualify, following the last day of qualifying for office. (See Florida Statutes § 106.07(1)(c))	07/01/2021 to 10/25/2021
10/28/2021	Last day to accept contributions prior to the Primary Election – <i>midnight of the fifth day prior to an election.</i> (See Florida Statutes § 103.08(3)(a))	
10/29/2021	2021-G3 (4 days prior to Primary Election)	10/16/2021 to 10/28/2021
10/29/2021	Last day to designate poll watcher(s) for Early Voting for the General Election (if necessary). <i>Due before noon to the City Clerk.</i> Candidate may have one watcher in each early voting area at any time. Must utilize the DS-DE 125 form for poll watcher designations.	
11/02/2021	Last day to designate poll watcher(s) for Election Day – General Election (if necessary). <i>Due before noon to the City Clerk.</i> Candidates may have one watcher in each early voting area at any time. Must utilize the DS-DE 125 form for poll watcher designations.	
11/02/2021	Primary Election	
11/05/2021	2021-R1 (11 days prior to the General Election)	10/29/2021 to 10/29/2021
11/11/2021	Last day to accept contributions prior to the General Election – <i>midnight of the fifth day prior to an election.</i> (See Florida Statutes § 106.08(3)(a))	
11/12/2021	2021-R2 (4 days prior to the General Election)	10/30/2021 to 11/11/2021
11/16/2021	General Election (if necessary)	
01/31/2022	TR - 90 Days After Primary Election.  For candidates elected or eliminated on the Primary Election. (See Florida Statutes § 106.141 (1))	10/29/2021 to 01/31/2022
02/14/2022	TR - 90 Days After General Election.  For candidates elected or eliminated on the General Election. (See Florida Statutes § 106.141 (1))	11/12/2022 to 02/14/2022

Dates are subject to change. Please contact the Office of the City Clerk for possible updates.

\*Denotes a change

Updated on November 4, 2020

# Important Information about Filing Campaign Treasurer's Reports

## CANDIDATES MUST ALSO REFER TO THE 2019 CANDIDATE AND CAMPAIGN TREASURER HANDBOOK AND FLORIDA STATUTES CHAPTER 106 FOR ADDITIONAL CAMPAIGN FINANCE GUIDELINES

Florida Statutes § 106.07 and § 106.141

### Filing Campaign Treasurer's Reports

Candidates shall file all campaign treasurer's reports with the City Clerk. Candidates must report all contributions and expenditures on required campaign finance reporting forms. The City Clerk shall provide each candidate and campaign treasurer with the appropriate reporting forms.

Campaign treasurer's reports must be filed no later than 5:00 p.m., Eastern Standard Time, on or by the report's designated due date. A United States postmark bearing the due date or an earlier date is acceptable. Campaign treasurer's reports must be filed at designated intervals (*see the reporting calendar*). Depending upon when a candidate files his/her "Form DS-DE 9 – *Appointment of Campaign Treasurer and Designation of Campaign Depository*" with the City Clerk, reports will be filed monthly, then on the 25<sup>th</sup>, 11<sup>th</sup> and 4<sup>th</sup> days preceding the City of Hialeah Primary Election. The candidate and campaign treasurer or deputy treasurer shall collectively certify the accuracy and truthfulness of each report filed with the City Clerk.

### Waiver of Campaign Treasurer's Report

During a reporting period with no campaign finance activity, i.e., no contributions received and funds expended or received, the filing of the report may be waived by notifying the City Clerk that no activity has occurred. The notification shall be made by filing a Waiver of Campaign Treasurer's Report form on or before the report's designated due date. A candidate may mail or file the form in person. A United States postmark bearing the due date or an earlier date is acceptable. The Waiver of Report must be signed by both the candidate and treasurer or deputy treasurer.

### Penalties for Filing a Late Report

A late report is subject to a fine of \$50 per day for the first 3 days late, and thereafter, \$500.00 per day for each late day, not to exceed 25 percent (25%) of the total receipts or expenditures, whichever is greater, for the period covered by the late report. For a report that is due immediately preceding the municipal regular election, the fine shall be \$500.00 per day for each late day, not to exceed 25 percent (25%) of the total receipts or expenditures, whichever is greater, for the period covered by the late report.

The City Clerk has no statutory authority to waive a fine. Only the Florida Elections Commission may waive a fine based on a timely appeal filed by the candidate. The Florida Elections Commission shall meet and hold a hearing to determine if a fine shall be waived.

**Deadline to Accept Campaign Contributions**

Florida Statutes § 106.08

The deadline for candidates with opposition in the November 2, 2021 City of Hialeah Primary Election to accept campaign contributions is THURSDAY, October 28, 2021. Contributions received after October 28, 2021 must be returned to the contributor.

**Form DS DE 2 – Contributions Returned** is required for disclosing contributions that are not deposited in the campaign account and are returned to the contributor. Form DS-DE 2 will be provided to the candidate and campaign treasurer by the City Clerk.



JAN 28 21 9:34 AM

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

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

(PLEASE PRINT OR TYPE)

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

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)

Angelica De Jesus Xenes-Pacheco

**3. Address** (include post office box or street, city, state, zip code)1571 W 76 ST  
Hiadeah FL. 33014**4. Telephone**

(786) 553-5374

**5. E-mail address**

a\_xenes@yahoo.com

**6. Office sought** (include district, circuit, group number)Hiadeah City Council Group 7<sup>th</sup> 6**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**

Angelica D. Xenes Pacheco

**11. Mailing Address**

1571 W 76 ST Hiadeah FL. 33014

**12. Telephone**

(786) 553-5374

**13. City**

Hiadeah

**14. County**

Miami Dade

**15. State**

FL

**16. Zip Code**

33014

**17. E-mail address**

a\_xenes@yahoo.com

**18. I have designated the following bank as my** Primary Depository     Secondary Depository**19. Name of Bank**

Wells Fargo

**20. Address**

1950 W 49 ST

**21. City**

Hiadeah

**22. County**

Miami Dade

**23. State**

FL.


**24. Zip Code**

33012

**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**

1/28/21

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

I, Angelica D Xenes Pacheco, do hereby accept the appointment  
(Please Print or Type Name)

designated above as:

 Campaign Treasurer     Deputy Treasurer.

1/28/21  
Date

X

  
Signature of Campaign Treasurer or Deputy Treasurer

**CANDIDATE OATH -  
NONPARTISAN OFFICE**

(Do not use this form if a Judicial or School Board Candidate)

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

Write-in candidate

OFFICE USE ONLY

**Candidate Oath**

(Section 99.021(1)(a), Florida Statutes)

I, Angelica Pacheco,

(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 nonpartisan office of Hialeah City Council Group #6, (Office) (District #)

6 (Circuit #) ; I am a qualified elector of Miami Dade County, Florida; (Group or Seat #)

I am qualified under the Constitution and the Laws of Florida to hold the office to which I desire to be nominated or elected; 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 from 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.

Candidate's Florida Voter Registration Number (located on your voter information card): \_\_\_\_\_

**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.]

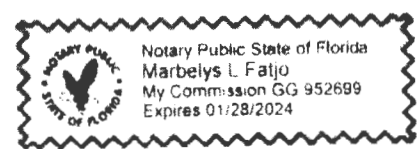
An-je-li-ka Pa-che-ko

**X** [Signature] 1786 553-5374 a-xenes@yahoo.com  
Signature of Candidate Telephone Number Email Address  
1571 W 76 ST Hialeah FL 33014  
Address City State ZIP Code

STATE OF FLORIDA  
COUNTY OF Miami Dade

[Signature]  
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  
online notarization  OR physical presence   
this 26<sup>th</sup> day of July, 2021.  
Personally Known  OR Produced Identification   
Type of Identification Produced: FL Driver License



**AFFIDAVIT OF CANDIDATE**  
**CITY OF HIALEAH, FLORIDA**

STATE OF FLORIDA            )  
COUNTY OF MIAMI-DADE    )  
CITY OF HIALEAH            )

Angelica Xenes Pacheco (hereinafter "Affiant"), being first duly sworn,  
deposes and says:

1. My name is Angelica Xenes Pacheco

2. For those candidates seeking the office of Mayor, please check the appropriate subsection (a) below. For those candidates seeking the office of Council Member, please check and fill in the blank in subsection (b) below:

(a) I am offering myself as a candidate for the office of Mayor of the City of Hialeah, Florida. If elected, I fully understand that I must maintain an actual and real residence within the City of Hialeah for the duration of my term of office.

(b) I am offering myself as a candidate for the office of Councilmember, Group Number 6 of the City of Hialeah, Florida. If elected, I fully understand that I must maintain an actual and real residence within the City of Hialeah for the duration of my term of office.

3. I am a registered voter and a duly qualified elector of the City of Hialeah, Florida, presently registered to vote in precinct number 310. (Hialeah Code § 5.05)

4. I have resided in the City of Hialeah for a minimum of one year prior to the primary election or election to which I intend to seek election. (Hialeah Code § 5.05 and §5.01)

I presently reside at the following address (must include zip code):

1571 W 76 ST Hialeah, FL 33014

which is my legal address, and I have resided continually at said address from the

1<sup>st</sup> day of December, 2010 to the present.  
Month Year

5. Immediately prior to residing at the above stated address, I have resided at the herein below listed addresses for the cited periods of time:

**INSTRUCTIONS: Please list all addresses at which you have resided at during the year prior to the primary election or election to which you intend to seek election.**

Prior Addresses

Period of Time

N/A  
\_\_\_\_\_

N/A  
\_\_\_\_\_

6. At the present time, Affiant

is  
 is not

registered to vote in any city, county or state other than as stipulated in subparagraph 3 above.

**INSTRUCTIONS: Please check "is" or "is not"**

7. Affiant represents that he/she

is  
 is not

currently holding another elective or appointive office, whether state, district, county, or municipal public office, the term of which or any part thereof runs concurrently with that of the office he/she seeks, and that he/she has resigned from any office from which he/she is required to resign pursuant to Florida Statutes § 99.012.

**INSTRUCTIONS: Please check "is" or "is not"**

8. The address to the Affiant's campaign headquarters is:

NONE

9. The telephone number to the Affiant's campaign headquarters is none

10. Affiant's telephone number is: 786-553-5374

11. Affiant's e-mail address is: axpnes@yahoo.com

12. Affiant represents that, if elected, he/she shall serve in the elective office to which he/she seeks election.

SIGNED THIS 26<sup>th</sup> DAY OF July, 2021.  
Month

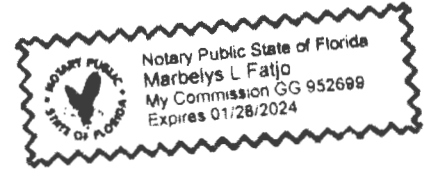
[Signature]  
SIGNATURE OF THE AFFIANT

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 26<sup>th</sup> day of July, 2021, by Angelica De Jesus Venes Pacheco

[Signature]  
Signature of Notary Public - State of Florida

- Personally Known
- OR
- Produced Identification



Type of Identification Produced

Print, Type, or Stamp Commissioned Name of Notary Public

7/26/21

**ACKNOWLEDGMENT BY CANDIDATES COVERED BY  
THE MANDATORY PROVISION  
OF THE  
ETHICAL CAMPAIGN PRACTICES ORDINANCE**

The Mandatory Fair Campaign Practices of the Ethical Campaign Practices Ordinance automatically extend to candidates and their respective campaign staffs for the Miami-Dade County Commission or Mayor; candidates and their respective campaign staffs for Miami-Dade Community Councils, candidates and their respective campaign staffs for any municipal elective office within Miami-Dade County; candidates and their respective campaign staffs for the Property Appraiser of Miami-Dade County; and any candidate and his or her campaign staff for elective office with a constituency in whole or in part in Miami-Dade County.

As provided in the Miami-Dade County Code at Sec. 2-11.1.1 (C), I shall not—

- (a) With actual malice make or cause to be made any untrue oral statement about another candidate or a member of his or her family or staff which exposes said person to hatred, contempt, or ridicule or causes said person to be shunned, avoided, or injured in his or her business or occupation;
- (b) With actual malice publish or cause to be published by writing, printing, picture, effigy, sign, or otherwise than by mere speech any untrue statement about another candidate or a member of his or her family or staff which exposes said person to hatred, contempt, or ridicule or causes said person to be shunned or avoided, or injured in his or her business or occupation;
- (c) Willfully injure, deface, or damage or cause to be injured, defaced, or damaged by any means any campaign poster, sign, leaflet, handbill, literature, or other campaign material of another candidate;
- (d) Knowingly obtain, or cause to be obtained, the campaign property of another candidate with the intent to, temporarily or permanently, deprive the candidate of a right to the property or a benefit thereof; or
- (e) Knowingly file with the Ethics Commission a groundless or frivolous complaint against another candidate.

I, Angelica Xerxes Pacheco, a candidate for the office of  
please print your name  
Hialeah City Council Group 6 in Hialeah, Fl.  
elective office sought county, municipality, or other jurisdiction

acknowledge that the Mandatory Fair Campaign Practices as provided in the Miami-Dade County Code at Sec. 2-11.1.1 (C)(1) applies to me throughout this campaign period, regardless of when I sign this acknowledgment. I recognize as compulsory the jurisdiction of the Ethics Commission. The Ethics Commission has the authority to decide whether I have violated the Mandatory Fair Campaign Practices of the Ethical Campaign Practices Ordinance and, if a violation is found, the Ethics Commission has the authority to impose the appropriate penalty, if any.

x   
Signature

7/26/21  
Date

*Candidates for county office file with the Miami-Dade County Elections Department. Candidates for municipal office file with their respective municipal clerks. For further information, please contact the Miami-Dade County Office of Governmental Affairs at 305 499-8410.*

**Miami Dade County Elections Dept.**  
2700 NW 87<sup>th</sup> Ave. or P.O. Box 521550  
Miami, FL 33172 Miami, FL 33152-1550

7-21-2010 10:10 AM

**DECLARATION AND FIRST AMENDMENT WAIVER**  
FOR CANDIDATES WHO AGREE TO COMPLY WITH  
THE *VOLUNTARY* STATEMENT OF FAIR CAMPAIGN PRACTICES

**AN EXPLANATION REGARDING YOUR RIGHTS**

Section 2-11.1.1(D)(2) of the Code of Miami-Dade County, Florida, provides that any candidate for public office in Miami-Dade County may at any time *voluntarily* declare that he or she agrees to abide by the *voluntary* Statement of Fair Campaign Practices. In agreeing to abide by the *voluntary* Statement of Fair Campaign Practices, the candidate recognizes, as compulsory, the authority of the Miami-Dade County Commission on Ethics and Public Trust to decide whether the candidate has violated the *voluntary* Statement of Fair Campaign Practices and, if so, to impose the appropriate penalty, if any.

Before agreeing to abide by the *voluntary* Statement of Fair Campaign Practices, you should carefully read the *voluntary* Statement of Fair Campaign Practices included with this DECLARATION AND FIRST AMENDMENT WAIVER as well as the following information regarding your rights.

The Statement of Fair Campaign Practices is *voluntary*. You are under no obligation to agree to the *voluntary* Statement of Fair Campaign Practices. If you decide not to agree to the *voluntary* Statement of Fair Campaign Practices, you may still run for elective office in Miami-Dade County if you are qualified. There is NO PENALTY if you decide not to sign the *voluntary* Statement of Fair Campaign Practices.

If you decide to agree to the *voluntary* Statement of Fair Campaign Practices, you should know that you will be WAIVING YOUR FIRST AMENDMENT RIGHTS TO FREE SPEECH because certain speech prohibited by the *voluntary* Statement of Campaign Practices is protected by the First Amendment to the U.S. Constitution and Article I, Section 4, of the Florida Constitution. Prior to agreeing to comply with the *voluntary* Statement of Fair Campaign Practices, you should consider consulting an attorney to ensure that you understand the consequences of signing the DECLARATION AND FIRST AMENDMENT WAIVER.

Before signing this DECLARATION AND FIRST AMENDMENT WAIVER, you have the right to request and receive from the Ethics Commission an advisory opinion as to whether your planned campaign activities (*e.g.*, campaign advertisement or statements) are likely to violate the *voluntary* Statement of Fair Campaign Practices. In the event that you sign the DECLARATION AND FIRST AMENDMENT WAIVER, you will continue to have the right to request and receive from the Ethics Commission an advisory opinion regarding any future campaign activities that you may be considering.

A determination by a candidate not to execute the DECLARATION AND FIRST AMENDMENT WAIVER shall not be construed by Miami-Dade County or the Ethics Commission to mean that the candidate is unethical in any way. Further, a determination by a candidate not to execute the DECLARATION AND FIRST AMENDMENT WAIVER should not be construed by any candidate or any other person or entity to mean that the candidate is unethical in any way.

**INSTRUCTIONS**

The DECLARATION AND FIRST AMENDMENT WAIVER, which includes the *voluntary* Statement of Fair Campaign Practices, can be found on page 2 of this form. If you are a candidate for county office and agree to abide by the *voluntary* Statement of Fair Campaign Practices, please sign the DECLARATION AND FIRST AMENDMENT WAIVER and file with the Miami-Dade Commission on Ethics and the Miami-Dade Elections Department. If you are a candidate for municipal office and agree to abide by the *voluntary* Statement of Fair Campaign Practices, please sign and file with the Miami-Dade Commission on Ethics and your respective municipal clerk. For further information, contact the Miami-Dade Office of Governmental Affairs at 305 499-8410.

**Miami-Dade Commission on Ethics**  
19 W. Flagler St., Suite 820  
Miami, FL 33130

**Miami-Dade Elections Department**  
2700 NW 87<sup>th</sup> Ave. or P.O. Box 521550  
Doral, FL 33172 Miami, FL 33152-1550

**DECLARATION AND FIRST AMENDMENT WAIVER  
FOR CANDIDATES WHO AGREE TO COMPLY WITH  
THE VOLUNTARY STATEMENT OF FAIR CAMPAIGN PRACTICES**

**VOLUNTARY STATEMENT OF FAIR CAMPAIGN PRACTICES**

As a candidate for public office in Miami-Dade County, I believe that political issues can be freely debated without appealing to racial, ethnic, religious, sexual, or other prejudices. I recognize that such negative appeals serve only to divide this community and create long-term moral, social, and economic problems. Therefore,

1. I shall not make my race, religion, national origin, gender, physical disability, or sexual orientation an issue in my campaign.
2. I shall not make my opponent's race, religion, national origin, gender, physical disability, or sexual orientation an issue in my campaign.
3. I will condemn any appeal to prejudice based on race, creed, national origin, religion, gender, physical disability, or sexual orientation.
4. I shall not, without just cause, attack or question my opponent's patriotism.
5. I shall not publish, display, or circulate any anonymous campaign literature or political advertisement.
6. I shall not tolerate my supporters engaging in these activities that I condemn, nor shall I accept their continued support if they engage in such activities. I will not permit any member of my campaign organization to engage in these activities and will immediately and publicly repudiate the support of any other individual or group that resorts to the methods and tactics I condemn.
7. I shall run a positive campaign emphasizing my qualifications for office and positions on issues of public concern.
8. I will limit my attacks on an opponent to legitimate challenges to that person's record, qualifications, and positions.
9. I will neither use nor permit the use of malicious untruths or innuendoes about an opponent's personal life, nor will I make or condone unfounded accusations discrediting that person's credibility.
10. I will take personal responsibility for approving or disavowing the substance of attacks on my opponent that may come from third parties supporting my candidacy.
11. I will not use or permit the use of campaign material that falsifies, distorts, or misrepresents facts.

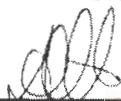
**BY SIGNING THIS DECLARATION AND FIRST AMENDMENT WAIVER, I AGREE TO**

- **ABIDE BY THE VOLUNTARY STATEMENT OF FAIR CAMPAIGN PRACTICES,**
- **SUBMIT TO THE COMPULSORY JURISDICTION OF THE ETHICS COMMISSION, AND**
- **WAIVE MY FIRST AMENDMENT RIGHTS.**

I, Angelica Xenos Pacheco, a candidate for the office of  
please print your name  
city council group 6 in Hialeah, FL,  
elective office sought county, municipality, or other jurisdiction

agree to abide by the *voluntary* Statement of Fair Campaign Practices as provided in Section 2-11.1.1(D)(1) of the Code of Miami-Dade County, Florida, and to recognize as compulsory the jurisdiction of the Ethics Commission. I further agree that the Ethics Commission will have the authority to decide whether I have violated the *voluntary* Statement of Fair Campaign Practices and, if a violation is found, the Ethics Commission has the authority to impose the appropriate penalty, if any, which may include an admonition or public reprimand. I recognize that I have the right before signing this DECLARATION AND FIRST AMENDMENT WAIVER to consult my own legal counsel and to request and receive from the Ethics Commission an advisory opinion as to whether my planned campaign activities are likely to violate the *voluntary* Statement of Fair Campaign Practices. I also recognize that after signing this agreement, I will continue to have the right to request and receive from the Ethics Commission an advisory opinion regarding any future campaign activities that I may be considering. I hereby proclaim (1) that my agreement to abide by the Statement of Fair Campaign Practices is *voluntary*, knowing, and intelligent; (2) that I have not been forced, pressured, or otherwise coerced into making this agreement; and (3) that I am aware of the *voluntary* nature of this agreement. I recognize that there is no penalty for refusing to agree to abide by the *voluntary* Statement of Fair Campaign Practices. I also recognize that in signing this agreement, I will be forfeiting rights to which I would otherwise be entitled under the First Amendment to the U.S. Constitution and Article I, Section 4, of the Constitution of the State of Florida. Once the DECLARATION AND FIRST AMENDMENT WAIVER is signed, it is deemed irrevocable for the duration of the campaign.

x



Signature

7/26/21

Date