



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2834

DATE SCANNED 3/18/15

SCANNER NO. 2

SCAN OPERATOR ΣΣΣ



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2014 OCT -6 PM 3:02  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

October 3, 2014

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickeral *KDR*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2014 12 Day Pre-Primary  
Report (Florida) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to timely file the 2014 12 Day Pre-Primary Report for the Florida Primary Election in accordance with 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). The 12 Day Pre-Primary Report was due on August 14, 2014, and the Primary Election was held on August 26, 2014.

The committees listed on the attached RTB Circulation Report either failed to file the report or failed to file the election sensitive report by the required due date. Election sensitive reports filed more than four days prior to the election are considered late, and reports not filed more than four days prior to the election are considered not filed. In accordance with the schedule of civil money penalties for reports at 11 CFR § 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

An explanation of the civil money penalties calculation for the committees that failed to file the report is outlined below:

The committee (AF 2833) represents a candidate that participated in the 2014 Primary in Florida's House Race. The committee was required to file a 2014 12 Day Pre-Primary Report (12P) covering July 1, 2014 through August 6, 2014 (37 days). In order to determine the civil money penalty, an estimated level of activity was calculated using a per diem average by multiplying the previous activity reported for the 2013-2014 election cycle (\$112,962) by 16.67% (the number of days required in 12P (37) divided by the number of days included in the Committee's 2013-2014 election cycle reports (222)).

The committee (AF 2834) represents a candidate that participated in the 2014 Primary in Florida's House Race. The committee was required to file a 2014 12 Day Pre-Primary Report (12P) covering July 15, 2014 through August 6, 2014 (23 days). In order to determine the civil money penalty, an estimated level of activity was calculated using a per diem average by multiplying the previous activity reported for the 2013-2014 election cycle (\$323,776) by 8.01% (the number of days required in 12P (23) divided by the number of days included in the Committee's 2013-2014 election cycle reports (287)).

The committee (AF 2835) represents a candidate that participated in the 2014 Primary in Florida's House Race. The committee was required to file a 2014 12 Day Pre-Primary Report (12P) covering July 1, 2014 through August 6, 2014 (37 days). In order to determine the civil money penalty, an estimated level of activity was calculated using a per diem average by multiplying the previous activity reported for the 2013-2014 election cycle (\$131,554) by 20.44% (the number of days required in 12P (37) divided by the number of days included in the Committee's 2013-2014 election cycle reports (181)).

The committee (AF 2837) represents a candidate that participated in the 2014 Primary in Florida's House Race. The committee was required to file a 2014 12 Day Pre-Primary Report (12P) covering July 1, 2014 through August 6, 2014 (37 days). In order to determine the civil money penalty, an estimated level of activity was calculated using a per diem average by multiplying the previous activity reported for the 2013-2014 election cycle (\$270,955) by 8.11% (the number of days required in 12P (37) divided by the number of days included in the Committee's 2013-2014 election cycle reports (456)).

The committee (AF 2838) represents a candidate that participated in the 2014 Primary in Florida's House Race. The committee was required to file a 2014 12 Day Pre-Primary Report (12P) covering July 1, 2014 through August 6, 2014 (37 days). In order to determine the civil money penalty, an estimated level of activity was calculated using a per diem average by multiplying the previous activity reported for the 2013-2014 election cycle (\$439,500) by 10.14% (the number of days required in 12P (37) divided by the number of days included in the Committee's 2013-2014 election cycle reports (365)).

### **Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a))

and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.

2. Send the appropriate letters.

15002701870

Federal Election Commission  
Reason to Believe Circulation Report  
2014 PRE-PRIMARY Election Sensitive 08/14/2014 AUTH (FL)

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2833	C00550129	CALVIN D TURNQUEST FOR CONGRESS	TURNQUEST, CALVIN DEON	OLIVIA OUTMEZGUINE	\$112,962	0		Not Filed	\$18,827 (est)	\$1,090
2834	C00541359	ELECT APRIL FREEMAN	FREEMAN, APRIL JUNE	BETTY KOSTRACH	\$323,776	0		Not Filed	\$25,947 (est)	\$1,400
2835	C00555631	HIRES FOR CONGRESS	HIRES, BEVERLY JOY	ROY WILEY	\$131,554	0		Not Filed	\$26,892 (est)	\$1,400
2836	C00550764	JOE MARTINEZ FOR CONGRESS	MARTINEZ, JOE A	SUSANA TACORONTE	\$194,276	0	8/21/2014	7	\$55,681	\$1,142
2837	C00545715	JORGE BONILLA FOR US CONGRESS INC	BONILLA, JORGE L JR	MAGDALENA BONILLA	\$270,955	0		Not Filed	\$21,985 (est)	\$1,090
2838	C00548024	LORENZO 'LARRY' PALOMARES-STARBUCK FOR CONGRESS	PALOMARES-STARBUCK, LORENZO 'LARRY'	ELY CESAR	\$439,500	0		Not Filed	\$44,552 (est)	\$1,400
2839	C00539973	MOREL FOR CONGRESS INC	MOREL, EMMANUEL G	CHARON WILLIAMS	\$116,651	0	8/20/2014	6	\$4,072	\$115

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Reason To Believe Recommendation - 2014 )  
12 Day Pre-Primary Report (Florida) for the )  
Administrative Fine Program: )  
CALVIN D TURNQUEST FOR ) AF# 2833  
CONGRESS, and OLIVIA )  
OUTMEZGUINE as treasurer; )  
ELECT APRIL FREEMAN, and ) AF# 2834  
KOSTRACH, BETTY MS. as treasurer; )  
HIRES FOR CONGRESS, and ROY ) AF# 2835  
WILEY as treasurer; )  
JOE MARTINEZ FOR CONGRESS, and ) AF# 2836  
SUSANA TACORONTE as treasurer; )  
JORGE BONILLA FOR US CONGRESS ) AF# 2837  
INC, and MAGDALENA BONILLA as )  
treasurer; )  
LORENZO 'LARRY' PALOMARES- ) AF# 2838  
STARBUCK FOR CONGRESS, and ELY )  
CESAR as treasurer; )  
MOREL FOR CONGRESS INC, and ) AF# 2839  
CHARON WILLIAMS as treasurer; )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on October 07, 2014 the Commission took the following actions on the Reason To Believe Recommendation - 2014 12 Day Pre-Primary Report (Florida) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated October 03, 2014, on the following committees:

AF#2833 Decided by a vote of 6-0 to: (1) find reason to believe that CALVIN D TURNQUEST FOR CONGRESS, and OLIVIA OUTMEZGUINE as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2834 Decided by a vote of 6-0 to: (1) find reason to believe that ELECT APRIL FREEMAN, and KOSTRACH, BETTY MS. as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2835 Decided by a vote of 6-0 to: (1) find reason to believe that HIRES FOR CONGRESS, and ROY WILEY as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2836 Decided by a vote of 6-0 to: (1) find reason to believe that JOE MARTINEZ FOR CONGRESS, and SUSANA TACORONTE as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2837 Decided by a vote of 6-0 to: (1) find reason to believe that JORGE BONILLA FOR US CONGRESS INC, and MAGDALENA BONILLA as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2838 Decided by a vote of 6-0 to: (1) find reason to believe that LORENZO 'LARRY' PALOMARES-STARBUCK FOR CONGRESS, and ELY CESAR as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.


15062701873

AF#2839 Decided by a vote of 6-0 to: (1) find reason to believe that MOREL FOR CONGRESS INC, and CHARON WILLIAMS as treasurer violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

**Attest:**

October 8, 2014  
Date

Date \_\_\_\_\_

  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission

**Shawn Woodhead Werth**  
**Secretary and Clerk of the Commission**

1-1500-N-0-100/4





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 8, 2014

Betty Kostrach, in official capacity as Treasurer  
Elect April Freeman  
10051 McGregor Blvd., Suite 204  
Fort Myers, FL 33919

C00541359  
AF#: 2834

Dear Ms. Kostrach:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a 12 Day Pre-Primary Report of Receipts and Disbursements in any calendar year during which there is a regularly scheduled election for which the candidate is seeking election or nomination for election. This report, covering the period July 15, 2014 through August 6, 2014, shall be filed no later than August 14, 2014. 52 U.S.C. § 30104(a) (formerly 2 U.S.C. 434(a)). Records at the Commission indicate that this report was not filed prior to four (4) days before the election. You should file the report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)). 52 U.S.C. § 30109(a)(4) (formerly 2 U.S.C. § 437g(a)(4)). On October 7, 2014, the FEC found that there is reason to believe ("RTB") that Elect April Freeman and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) by failing to file timely this report on or before August 14, 2014. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$1,400. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$1,400 is due within forty (40) days of the finding, or by November 16, 2014, and is based on these factors:

Sensitivity of Report: Election Sensitive  
Level of Activity: \$25,947  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

### 3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

## **NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

### 4. Partial Payments

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

### 5. Settlement Offers

If you make a payment in an amount less than the calculated civil money penalty as an offer to settle or compromise a debt owed to the Commission, the offer is herewith rejected despite any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109g(a)(2) (formerly 2 U.S.C. § 437g(a)(2)). It will remain confidential in accordance with 52 U.S.C. § 30109g(a)(4)(B) (formerly 2 U.S.C. § 437g(a)(4)(B)) and 30109g(a)(12)(A) (formerly 437g(a)(12)(A)) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Lee E. Goodman  
Chairman

110002/01007

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**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$1,400 for the 2014 Pre-Primary Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by November 16, 2014. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: Elect April Freeman

FEC ID#: C00541359

AF#: 2834

PAYMENT DUE DATE: November 16, 2014

PAYMENT AMOUNT DUE: \$1,400



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2015 FEB 26 PM 5: 22  
FEDERAL ELECTION COMMISSION  
SECRETARIAT

February 24, 2015

MEMORANDUM

**SENSITIVE**

TO: The Commission

THROUGH: Alec Palmer *call for*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Sari Pickerall *KDR* *SP*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Administrative Fine Program – Final Determination Recommendation for the  
2014 12 Day Pre-Primary Report (Florida)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2014 12 Day Pre-Primary Report (Florida). The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, three (3) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. Of these, two (2) committees will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the

RTB finding, and one (1) committee will be assessed a civil money penalty of \$0 at FD. An overview of each of these cases has been provided below.

Elect April Freeman (AF 2834) filed the 2014 12 Day Pre-Primary Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$12,979 (previously estimated to be \$25,947), thus the fine would be lowered from \$1,400 to \$1,090.

Hires for Congress (AF 2835) filed the 2014 12 Day Pre-Primary Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$10,600 (previously estimated to be \$26,892), thus the fine would be lowered from \$1,400 to \$1,090.

Lorenzo 'Larry ' Palomares-Starbuck for Congress (AF 2838) filed the 2014 12 Day Pre-Primary Report after the RTB finding and disclosed no activity (previously estimated to be \$44,552), which would result in no civil money penalty (fine previously assessed to be \$1,400).

#### **RAD Recommendation**

- (1) Make a final determination that the political committees and their treasurers listed on the attached reports violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assess the final civil money penalties so indicated.
- (2) Make a final determination that the political committee and its treasurer listed on the attached report with no activity, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and will not be assessed a civil money penalty.
- (3) Send the appropriate letters.

XXXXXXXXXXXX

2/24/2015 3:33 PM

Federal Election Commission  
FD Circulation Report Fine Paid  
2014 PRE-PRIMARY Election Sensitive 08/14/2014 AUTH (FL)

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2836	JOE MARTINEZ FOR CONGRESS	MARTINEZ, JOE A	C00550764	SUSANA TACORONTE	08/21/2014	7	\$56,641	0	10/07/2014	\$1,142	\$1,142	11/18/2014	\$1,142

Federal Election Commission  
FD Circulation Report Fine Not Paid  
2014 PRE-PRIMARY Election Sensitive 08/14/2014 AUTH (FL)

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
2833	CALVIN D TURNQUEST FOR CONGRESS	TURNQUEST, CALVIN DEON	C00550129	OLIVIA OUTMEZGUINE		Not Filed	\$18,827 (est)	0	10/07/2014	\$1,090	140	\$1,090
2834	ELECT APRIL FREEMAN	FREEMAN, APRIL JUNE	C00541359	BETTY KOSTRACH	10/15/2014	Not Filed	\$12,979	0	10/07/2014	\$1,400	140	\$1,090
2835	HIRES FOR CONGRESS	HIRES, BEVERLY JOY	C00555631	ROY WILEY	11/08/2014	Not Filed	\$10,600	0	10/07/2014	\$1,400	140	\$1,090
2837	JORGE BONILLA FOR US CONGRESS INC	BONILLA, JORGE L JR	C00545715	MAGDALENA BONILLA	01/28/2015	Not Filed	\$72,478	0	10/07/2014	\$1,090	140	\$1,090
2838	LORENZO 'LARRY' PALOMARES-STARBUCK FOR CONGRESS	PALOMARES-STARBUCK, LORENZO 'LARRY'	C00548024	ELY CESAR	11/13/2014	Not Filed	\$0	0	10/07/2014	\$1,400	140	NONE
2839	MOREL FOR CONGRESS INC	MOREL, EMMANUEL G	C00539973	CHARON WILLIAMS	08/20/2014	6	\$4,072	0	10/07/2014	\$115	140	\$115



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Administrative Fine Program - Final )  
Determination Recommendation for the )  
2014 12 Day Pre-Primary Report (Florida): )  
CALVIN D TURNQUEST FOR ) AF# 2833  
CONGRESS, and OLIVIA )  
OUTMEZGUINE as treasurer; )  
ELECT APRIL FREEMAN, and ) AF# 2834  
KOSTRACH, BETTY MS. as treasurer; )  
HIRES FOR CONGRESS, and ROY ) AF# 2835  
WILEY as treasurer; )  
JOE MARTINEZ FOR CONGRESS, and ) AF# 2836  
SUSANA TACORONTE as treasurer; )  
JORGE BONILLA FOR US CONGRESS ) AF# 2837  
INC, and MAGDALENA BONILLA as )  
treasurer; )  
MOREL FOR CONGRESS INC, and ) AF# 2839  
CHARON WILLIAMS as treasurer; )

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election

Commission, do hereby certify that on February 26, 2015 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2014 12 Day Pre-Primary Report (Florida) as recommended in the Reports Analysis Division's Memorandum dated February 24, 2015, on the following committees:

AF#2833 Decided by a vote of 6-0 to: (1) make a final determination that CALVIN D TURNQUEST FOR CONGRESS, and OLIVIA OUTMEZGUINE as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2834 Decided by a vote of 6-0 to: (1) make a final determination that ELECT APRIL FREEMAN, and KOSTRACH, BETTY MS. as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2835 Decided by a vote of 6-0 to: (1) make a final determination that HIRES FOR CONGRESS, and ROY WILEY as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2836 Decided by a vote of 6-0 to: (1) make a final determination that JOE MARTINEZ FOR CONGRESS, and SUSANA TACORONTE as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2837 Decided by a vote of 6-0 to: (1) make a final determination that JORGE BONILLA FOR US CONGRESS INC, and MAGDALENA BONILLA as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

AF#2839 Decided by a vote of 6-0 to: (1) make a final determination that MOREL FOR CONGRESS INC, and CHARON WILLIAMS as treasurer, violated 52 U.S.C. 30104(a) (formerly 2 U.S.C. 434(a)) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Goodman, Hunter, Petersen, Ravel, Walther, and Weintraub voted affirmatively for the decision.

Attest:

February 27, 2015  
Date

Shawn Woodhead Werth  
Shawn Woodhead Werth  
Secretary and Clerk of the Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 27, 2015

Betty Kostrach, in official capacity as Treasurer  
Elect April Freeman  
10051 McGregor Blvd., Suite 204  
Fort Myers, FL 33919

C00541359  
AF#: 2834

Dear Ms. Kostrach:

On October 7, 2014, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Elect April Freeman and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) for filing late or failing to file the 2014 Pre-Primary Report. By letter dated October 8, 2014, the Commission notified you of the RTB finding and the preliminary civil money penalty calculated at the RTB stage to be \$1,400 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. Since that time, the amount of the civil money penalty has been changed to reflect the actual level of activity of the 2014 Pre-Primary Report. The FEC made a final determination on February 26, 2015 that Elect April Freeman and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) (formerly 2 U.S.C. § 434(a)) and assessed a civil money penalty in the amount of \$1,090 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Election Sensitive

Level of Activity: \$12,979

Number of Days Late: Not Filed (reports not filed prior to four (4) days before the Primary Election held on August 26, 2014 are considered not filed for the purposes of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within thirty (30) days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii) (formerly 2 U.S.C. § 437g(a)(4)(C)(iii)). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g). 11 CFR § 111.38.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within thirty (30) days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within five (5) days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation:

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

## **3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within thirty (30) days of receipt of this letter.

## **NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

### **4. Partial Payments**

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

### **5. Settlement Offers**

If you have any questions regarding the payment of the civil money penalty, please contact Sari Pickerall at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

Jon M. Ravel

**Ann M. Ravel  
Chair**

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**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$1,090 for the 2014 Pre-Primary Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
PO Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The form and payment are due within thirty (30) days of receipt of this letter.

**Payments by Personal Check**

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

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FOR: Elect April Freeman

FEC ID#: C00541359

AF#: 2834

PAYMENT AMOUNT DUE: \$1,090



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2834

DATE SCANNED

3/18/15

SCANNER NO.

2

## SCAN OPERATOR

ΣΕΣ