



Federal Election Commission
Washington, DC 20463

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

August 2, 2005

Major R. Owens
135 Eastern Parkway, #3H
Brooklyn, NY 11238

Re: ADR 266 (MUR 5551)

Dear Representative Owens:

On October 4m 2005, the Federal Election Commission ("FEC" or "Commission") received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Respondents, Committee to Elect Gabriel Pearse for Congress 2004 and Emmanuel Roy, Treasurer. In its memorandum to the Commission, dated July 26, 2005, this office stated:

Complainant Major Owens alleges that the Committee to Elect Gabriel Pearse for Congress 2004 and Emmanuel Roy, Treasurer ("Respondents" or the "Committee") failed to file any reports of receipts or disbursements. The Complainant stated that even though Respondents filed a Statement of Candidacy and a Statement of Organization, there were no reports filed disclosing the Committee's financial activities. As alleged in the complaint, the Commission index does not reflect any reports filed by the Committee. Given the difficulty of determining the extent, if any, of the violation and the apparent *de minimis* nature of the matter, it is recommended that no further Commission resources be expended.

Accordingly, the Commission closed its file in this matter on August 1, 2005.

The FEC is obligated by federal regulations to make a finding to terminate its proceedings public, as well as the basis therefore. 11 C.F.R. § 111.20(b). In addition, the Commission will also place on the record copies of the complaint, correspondence

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exchanged between Respondents and the Commission, and reports prepared for the Commission by this office to assist in its consideration of this matter. Accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Lynn M. Fraser
Assistant Director, ADR Office

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