



**Federal Election Commission
Washington, DC 20463**

August 2, 2005

Emmanuel Roy, Esq.
Agbayewa & Roy, PC
67 Wall Street, Suite 2211
New York, NY 10005

Re: ADR 266 (MUR 5551)
Committee to Elect Gabriel Pease for Congress 2004 and Emmanuel Roy,
Treasurer

Dear Mr. Roy:

On October 8, 2004, the Federal Election Commission ("FEC" or "Commission") notified the Committee to Elect Gabriel Pease for Congress 2004 and Emmanuel Roy, Treasurer, ("Respondents") of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with the notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Respondents. In its memorandum to the Commission, dated July 26, 2005, this office stated:

Complainant Major Owens alleges that the Committee to Elect Gabriel Pease 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 exchanged between Respondents and the Commission, and reports prepared for the

**FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE
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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.

If you have any questions regarding this matter please be in touch. My telephone number is 202-694-1665.

Sincerely,

Lynn M. Fraser
Assistant Director, ADR Office

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