



**Federal Election Commission
Washington, DC 20463**

November 28, 2012

Sheila Smoot
Smoot For Congress
P.O. Box 176
Shannon, AL 35142

Re: ADR 618 AR 12-01)

Dear Ms. Smoot:

On June 11, 2012, the Federal Election Commission ("FEC" or "Commission") notified Smoot For Congress of a matter alleging apparent 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 take no further action against the Respondents Smoot For Congress and Adrienne Ellison, Treasurer. In its memorandum to the Commission, dated October 9, 2012, this office stated:

Summary and Analysis of Case: The Audit Division (Audit) referred Smoot for Congress and Adrienne Ellison, Treasurer (Respondents or the Committee) for a misstatement of receipts and disbursements during the 2010 election cycle (calendar years 2009 and 2010). In addition, Audit identified fifteen (15) contributions totaling \$9,994 that appear to be from prohibited sources, specifically twelve LLCs, two corporations and one national bank. Audit requested that Respondents file amended reports to correct the misstatement of financial activity, and provide documentation reflecting that the sources of the apparent illegal contributions were not, in fact, prohibited. Audit asserted that no amended reports or documentation were provided.

Respondents contend that their first time campaign had virtually no paid staff. The former candidate asserted that no records beyond those provided to the auditors could be located as the Treasurer had health issues arise during her service. Damage done due to tornadoes in the region further exacerbated the inability to locate records. The former candidate contends that the bank account was closed more than one year ago, that she has no intention of running for federal office again, or of continuing the campaign committee.

Accordingly, the Commission closed its file in this matter on November 28, 2012.

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 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, Director,
Alternative Dispute Resolution Office

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