



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**VIA CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

**JUL 25 2018**

Gary R. Hardin  
598 E. Golf Pl, Unit A  
Pagosa Springs, CO 81147

RE: MUR 7311

Dear Mr. Hardin:

The Federal Election Commission reviewed the allegations in your complaint received on January 10, 2018. On July 24, 2018, based upon the information provided in the complaint, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to David Gevry for President 2020 and Christopher Savage in his official capacity as treasurer, David C. Gevry for President 2020 and Christopher Savage in his official capacity as treasurer, and David Christopher Gevry, and close its file in this matter. Accordingly, the Commission closed its file in this matter on July 24, 2018. A copy of the Factual and Legal Analysis, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009).

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 52 U.S.C. § 30109(a)(8).

Sincerely,

Lisa J. Stevenson  
Acting General Counsel

A handwritten signature in black ink, appearing to read "Jeff S. Jordan".

BY: Jeff S. Jordan  
Assistant General Counsel

Enclosure  
Factual and Legal Analysis

**FEDERAL ELECTION COMMISSION**

**FACTUAL AND LEGAL ANALYSIS**

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2  
3 **RESPONDENTS:** David Gevry for President 2020 and MUR 7311  
4 Christopher Savage in his official capacity as treasurer,  
5 David C. Gevry for President 2020 and  
6 Christopher Savage in his official capacity as treasurer, and  
7 David Christopher Gevry  
8

9 This matter was generated by a complaint alleging violations of the Federal Election  
10 Campaign Act of 1971, as amended (“the Act”) and Commission regulations by David Gevry for  
11 President 2020 and Christopher Savage in his official capacity as treasurer, David C. Gevry for  
12 President 2020 and Christopher Savage in his official capacity as treasurer, and David  
13 Christopher Gevry. It was scored as a low-rated matter under the Enforcement Priority System,  
14 by which the Commission uses formal scoring criteria as a basis to allocate its resources and  
15 decide which matters to pursue.

16 The Complainant alleges that the Respondents fraudulently used his address on their  
17 Statements of Candidacy and Organization.<sup>1</sup> Respondents did not respond to the Reports  
18 Analysis Division’s (“RAD”) Requests for Additional Information. As a result, RAD removed  
19 Respondents’ filings from the Commission’s searchable candidate/committee filings database  
20 and placed them in the unverified filings database.

21 Within fifteen days of becoming a candidate,<sup>2</sup> the candidate must designate a principal  
22 campaign committee by filing a Statement of Candidacy (“FEC Form 2”) that includes, among  
23 other things, the individual’s address and his or her principal campaign committee’s name and

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<sup>1</sup> Comp. at 1 (Jan. 19, 2018).

<sup>2</sup> 52 U.S.C. § 30101(2); 11 C.F.R. § 100.3.

1 address.<sup>3</sup> The principal campaign committee must then file a Statement of Organization (“FEC  
2 Form 1”) no later than ten days after designation by the candidate that includes, among other  
3 things, the committee’s address.<sup>4</sup>

4 In furtherance of the Commission’s priorities relative to other matters pending on the  
5 Enforcement docket and given that the Forms 1 and 2 have been removed from the  
6 Commission’s searchable candidate/committee filings database, the Commission exercises its  
7 prosecutorial discretion and dismisses the allegations as to David Gevry for President 2020 and  
8 Christopher Savage in his official capacity as treasurer, David C. Gevry for President 2020 and  
9 Christopher Savage in his official capacity as treasurer, and David Christopher Gevry. *Heckler*  
10 *v. Chaney*, 470 U.S. 821, 831-32 (1985).

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<sup>3</sup> 52 U.S.C. § 30102(e)(1); 11 C.F.R. § 101.1(a).

<sup>4</sup> 52 U.S.C. § 30103(a); 11 C.F.R. § 102.1(a). FEC Forms 1 and 2 require the individual to “certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete” and contain the informational statement that the “[s]ubmission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 52 U.S.C. § 30109.” FEC Form 2, Statement of Candidacy, <https://www.fec.gov/resources/cms-content/documents/fecfrm2.pdf>; FEC Form 1, Statement of Organization, <https://www.fec.gov/resources/cms-content/documents/fecfrm1.pdf>; *see also* 11 C.F.R. § 104.14(d).