



FEDERAL ELECTION COMMISSION
Washington, DC

September 1, 2021

VIA CERTIFIED AND ELECTRONIC MAIL
RETURN RECEIPT REQUESTED

webb43138@frontier.com

Richard Webb
32998 Poling Rd.
Logan, OH 43138

RE: MUR 7823
Andy Good

Dear Mr. Webb:

The Federal Election Commission reviewed the allegations in your complaint received on October 20, 2020. On August 26, 2021, based upon the information provided in the complaint, and information provided by the respondents, the Commission decided to exercise its prosecutorial discretion to dismiss the allegations as to Andy Good, and close its file in this matter. Accordingly, the Commission closed its file in this matter on August 26, 2021. A copy of the General Counsel's Report, 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

Roy Q. Lockett

BY: Roy Q. Lockett
Acting Assistant General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION
ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT

MUR: 7823

Respondent: Andy Good

Complaint Receipt Date: October 20, 2020

Response Date: October 28, 2020

**Alleged Statutory
Regulatory Violations:**

**52 U.S.C. § 30120(a)
11 C.F.R. § 110.11**

The Complaint alleges that billboards in Hocking County, Ohio, lacked appropriate disclaimers.¹ The billboards stated “Paid for by Hocking County Business Owners” and included “care of Andy Good” in small letters.² The Response asserts that 25 business owners in Hocking County, Ohio pooled \$1,780 to purchase four billboards and the purchase was coordinated by Good.³

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that low rating and the

¹ Compl. at 1 (Oct. 20, 2020).

² *Id.*

³ Resp. at 1-2 (Oct. 28, 2020).

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modest amount spent on the billboards, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all respondents and send the appropriate letters.

Lisa J. Stevenson
Acting General Counsel

Charles Kitcher
Acting Associate General Counsel

06.17.21

Date

BY:

Stephen Gura

Stephen Gura

Deputy Associate General Counsel

Kristina Portner

Kristina M. Portner

Attorney