

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 8035  
 Jim Banks for Congress, Inc., and Steve )  
 Martin, Jr., in his official capacity as )  
 treasurer; Thomas W. Kelley: EPS )  
 Dismissal Report )

CERTIFICATION

I, Vicktoria J. Allen, Acting Deputy Secretary of the Federal Election Commission, do hereby certify that on January 11, 2023, the Commission decided by a vote of 6-0 to take the following actions in MUR 8035:

1. 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), as recommended in the EPS Dismissal Report dated December 29, 2022.
2. Close the file as to all Respondents.
3. Send the appropriate letters.

Commissioners Broussard, Cooksey, Dickerson, Lindenbaum, Trainor, and Weintraub voted affirmatively for the decision.

Attest:



**Vicktoria J Allen** Digitally signed by Vicktoria J Allen  
 Date: 2023.01.12 19:03:03 -05'00'

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Vicktoria J. Allen  
 Acting Deputy Secretary of the  
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