



FEDERAL ELECTION COMMISSION
Washington, DC

January 18, 2024

VIA ELECTRONIC MAIL

Jeremy T. Berry
Chivilis Grubman Warner & Berry LLP
1834 Independence Square
Atlanta, GA 30338
jberry@cglawfirm.com

RE: MUR 7678
Keisha Carter

Dear Mr. Berry:

On December 14, 2023, the Office of General Counsel (“OGC”) sent you a General Counsel’s Brief setting forth the factual and legal bases upon which OGC was prepared to recommend that the Federal Election Commission find probable cause to believe that your client, Keisha Carter, violated the Federal Election Campaign Act of 1971, as amended (the “Act”) and Commission regulations. Specifically, the Brief recommended that the Commission find probable cause to believe that Keisha Carter, in her personal capacity knowingly and willfully violated 52 U.S.C. 30102(h)(1) and 11 C.F.R. 103.3 by failing to deposit receipts into or make disbursements from an account at a properly designated campaign depository, and knowingly and willfully violated 52 U.S.C. § 30102(b)(3) and 11 C.F.R. § 102.15 by failing to keep campaign funds segregated from the personal funds of any individual. You did not file a Reply Brief.

Pursuant to the *Agency Procedure Following the Submission of Probable Cause Briefs by the Office of General Counsel*, 76 Fed. Reg. 63,570 (Oct. 13, 2011), OGC is notifying the Commission that it intends to proceed with the probable cause recommendation based on the factual and legal analysis set forth in the General Counsel’s Brief. I have enclosed a copy of OGC’s Notice to the Commission for your records. If you have any questions, please contact me at (202) 694-1604 or ddillenseger@fec.gov.

Sincerely,

Dominique Dillenseger

Dominique Dillenseger
Attorney

Enclosure
Office of General Counsel’s Notice to the Commission



FEDERAL ELECTION COMMISSION
Washington, DC

January 18, 2024

MEMORANDUM

TO: The Commission

FROM: Lisa J. Stevenson
Acting General Counsel

Charles Kitcher
Associate General Counsel for Enforcement

BY: Claudio J. Pavia *CP*
Deputy Associate General Counsel for Enforcement

Aaron Rabinowitz *AR*
Assistant General Counsel for Enforcement

Dominique Dillenseger *DD*
Attorney

SUBJECT: MUR 7678 (Keisha Carter)

RE: Office of General Counsel's Notice to the Commission
Following the Submission of Probable Cause Brief

On December 14, 2023, the Office of General Counsel ("OGC") notified counsel for Keisha Carter ("Respondent") that it was prepared to recommend that the Commission find probable cause to believe that Respondent in her personal capacity knowingly and willfully violated 52 U.S.C. § 30102(h)(1) and 11 C.F.R. § 103.3 by failing to deposit receipts in or make disbursements from an account at a properly designated campaign depository, and knowingly and willfully violated 52 U.S.C. § 30102(b)(3) and 11 C.F.R. § 102.15 by failing to keep campaign funds segregated from the personal funds of any individual.¹ OGC's notification included a General Counsel's Brief setting forth the factual and legal basis for the

¹ Letter from Dominique Dillenseger, FEC, to Jeremy T. Berry, Counsel (Dec. 14, 2023).

MUR 7678 (Keisha Carter)
Memorandum to the Commission
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recommendation.² Respondent was granted a 15-day extension, with tolling, until January 16, 2024, to respond to the General's Counsel Brief.³ Respondent has not submitted a Reply Brief.

Pursuant to the *Agency Procedure Following the Submission of Probable Cause Briefs by the Office of General Counsel*, 76 Fed. Reg. 63,570 (Oct. 13, 2011), OGC is hereby notifying the Commission that it intends to proceed with the recommendation to find probable cause to believe that Respondent violated the Federal Election Campaign Act of 1971, as amended, and Commission regulations, based on the factual and legal analysis set forth in the General Counsel's Brief. A copy of this Notice is being provided to Respondent at the same time that it is circulated to the Commission.

For the reasons set forth in the General Counsel's Brief, the Commission should proceed with finding probable cause to believe that Keisha Carter in her personal capacity knowingly and willfully violated 52 U.S.C. § 30102(h)(1) and 11 C.F.R. § 103.3 by failing to deposit receipts in or make disbursements from an account at a properly designated campaign depository, and knowingly and willfully violated 52 U.S.C. § 30102(b)(3) and 11 C.F.R. § 102.15 by failing to keep campaign funds segregated from the personal funds of any individual.

RECOMMENDATION

Find probable cause to believe that Keisha Carter in her personal capacity knowingly and willfully violated 52 U.S.C. § 30102(h)(1) and 11 C.F.R. § 103.3 by failing to deposit receipts in or make disbursements from an account at a properly designated campaign depository, and knowingly and willfully violated 52 U.S.C. § 30102(b)(3) and 11 C.F.R. § 102.15 by failing to keep campaign funds segregated from the personal funds of any individual.

² GC Br.

³ Third Tolling Agreement (Dec. 19, 2023).