



**Michigan Department of State**  
**Campaign Finance Complaint Form**

BUREAU OF ELECTIONS • RICHARD H. AUSTIN BUILDING - 1<sup>st</sup> Floor  
 430 W. ALLEGAN STREET • LANSING, MICHIGAN 48918

RECEIVED/FILED  
 MICHIGAN DEPT OF STATE

2022 MAY -3 AM 9:58

ELECTIONS/GREAT SEAL

This complaint form may be used to file a complaint alleging that someone violated the Michigan Campaign Finance Act (MCFA). For instructions on how to complete this form, see the Campaign Finance Complaint Guidebook & Procedures document. All spaces are required unless otherwise indicated.

Section 1. Complainant			
Your Name <i>Eric Welshy</i>		Daytime Telephone Number <i>310-130-5711</i>	
Mailing Address <i>4664 Brockham Way</i>			
City <i>Stirling Heights</i>	State <i>MI</i>	Zip <i>48310</i>	
Email (optional) <i>ewelshy@gmail.com</i>			

Section 2. Alleged Violator			
Name <i>Committee to Elect Giovanni Ndreca</i>			
Mailing Address <i>8251 McClellan St.</i>			
City <i>Utica</i>	State <i>MI</i>	Zip <i>48317</i>	
Email (optional) <i>hrc11c66@gmail.com</i>			

**Section 3. Allegations** (Use additional sheets if more space is needed.)

Section(s) of the MCFA alleged to be violated: *47 + 18 USC 1725 of federal law*

Explain how those sections were violated:

*A flier was found inside my mailbox without postage and with NO "paid for by" statement on it, only an email & phone number. The flier was on top of mail that had been delivered by USPS on 4/23/22. The flier was placed inside the mailbox sometime between mail delivery on 4/23/22 and 3pm on 4/24/22*

Evidence included with the submission of the complaint that supports the allegations:

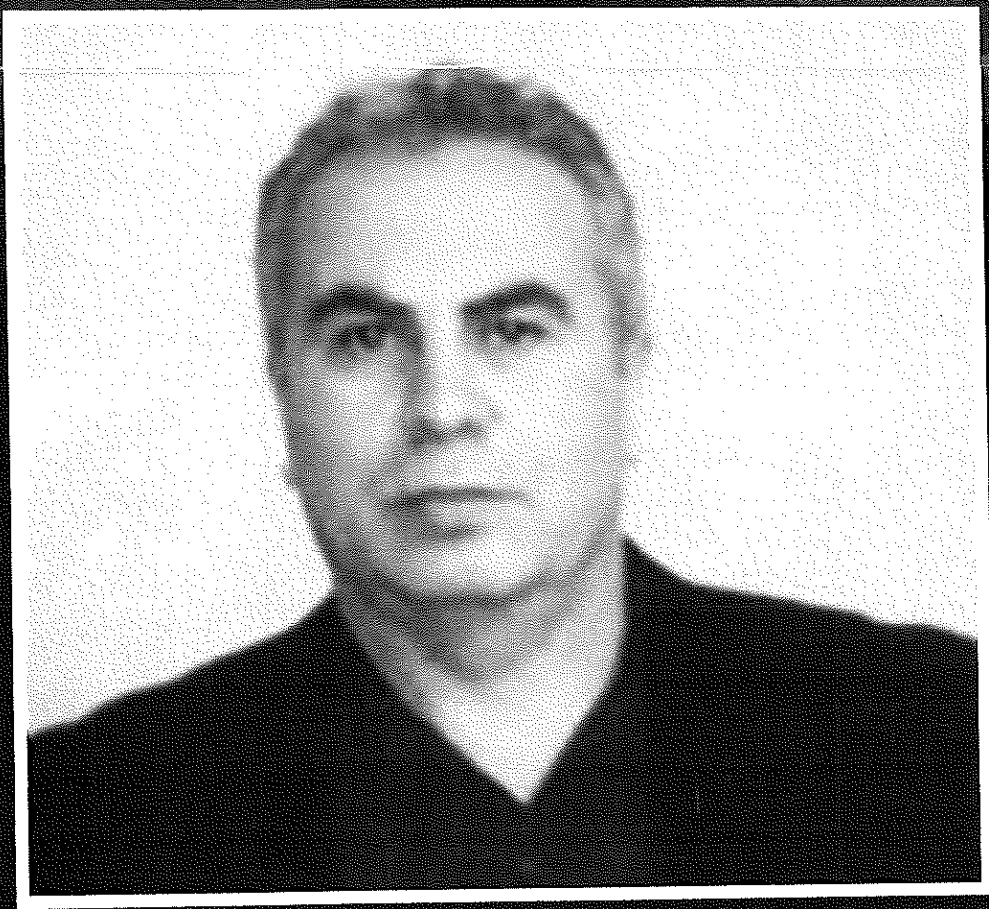
*A copy of the flier is attached. It is one-sided with the back being completely white.*

**★ AMERICA FIRST**

**★★★★★ VOTE ★★★★★**

**GIOVANNI NDREA**

**FOR STATE REPRESENTATIVE**



**STOP GOVERNMENT OVER REACH  
RESTORE THE POWER  
TO WE THE PEOPLE**

[hrc11c66@gmail.com](mailto:hrc11c66@gmail.com)

(248) 214-8471



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

July 29, 2022

*Via Email at hrllc66@gmail.com*

Committee to Elect Giovanni Ndra  
8251 McClellan Street  
Utica, MI 48317

Re: *Welsby v Committee to Elect Giovanni Ndra*  
Campaign Finance Complaint No. 2022-05-12-47

Dear Sir/Madam:

The Department of State (Department) has received a formal complaint alleging you have violated MCL 169.247 of the Michigan Campaign Finance Act (MCFA) by failing to include campaign identifiers on flyers; a copy of the complaint is enclosed.

The MCFA and corresponding administrative rules require a person who produces printed material that relates to an election include the phrase "Paid for by [name and address of the person who paid for the item]." MCL 169.247(1), R 169.36(2). A knowing violation constitutes a misdemeanor offense punishable by a fine of up to \$1,000.00, imprisonment for up to 93 days, or both. MCL 169.247(6).

Upon review, the evidence submitted supports the conclusion that a potential violation of the Act has occurred. From the outset, the Department must consider whether the materials fall within the ambit of the MCFA. Because the materials explicitly advocate for the election or defeat of a candidate, or for the passage or defeat of a ballot proposal, the materials contain express advocacy as defined by the Act. MCL 169.206(2)(j). As explained above, such materials must contain a "paid for by" statement listing the name and address of the committee purchasing the materials. However, the evidence shows that the materials at issue here omit part or all of that required statement. That absence supports the conclusion that a potential violation of the MCFA has occurred.

After reaching this conclusion, the Act requires the Department to "endeavor to correct the violation or prevent a further violation by using informal methods" if it finds that "there may be reason to believe that a violation ... has occurred [.]" MCL 169.215(10). The objective of an informal resolution is "to correct the violation or prevent a further violation." *Id.*

Given this, the Department concludes that a formal warning is a sufficient resolution to the complaint and is hereby advising you that MCL 169.247(1) and R 169.36(2) require you to print

a complete and accurate identification statement on all campaign materials, consisting of the phrase “paid for by” followed by the full name and address of your committee.

Note that all printed materials referencing you or your candidacy produced in the future must include this identification statement. For all materials currently in circulation, the paid for by statement must be corrected. If this information has been included in your materials and you wish to rebut the Department’s conclusion, you must respond in writing to the Department within 15 business days of the date of this letter otherwise the Department will treat the complaint as resolved.

Please be advised that this notice has served to remind you of your obligation under the Act to identify your printed matter and may be used in future proceedings as evidence that tends to establish a knowing violation of the Act. A knowing violation is a misdemeanor offense and may merit referral to the Attorney General for enforcement action. MCL 169.247(6), 215(10).

Sincerely,

Regulatory Section  
Bureau of Elections  
Michigan Department of State

Attachment

c: Mr. Eric Welsby – Via Email at ewelsby@gmail.com