



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

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

RECEIVED/FILED
MICHIGAN DEPT OF STATE

2022 AUG 31 PM 1:45

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 Charles Blackwell		Daytime Telephone Number 313-	
Mailing Address 22655 Fairmont Dr Apt 102			
City Farmington Hills	State MI	Zip 48335	
Email (optional)			

Section 2. Alleged Violator			
Name Carlton Clyburn Jr.			
Mailing Address 59 Rhode Island			
City Highland Park	State MI	Zip 48203	
Email (optional) ClyburnForHPMayor@gmail.com			

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

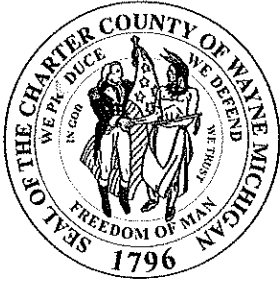
Section(s) of the MCFA alleged to be violated: MCL 169.233(1)

Explain how those sections were violated:

Carlton Clyburn Jr. is running for Highland Park mayor. Mr. Clyburn's Candidate Committee is (Friends of Carlton Clyburn Jr.) Mr. Clyburn failed to file a July 2022 Quarterly Campaign Statement as required by MCL 169.233(1)

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

Wayne County Clerk's office notice of failure to file.



Office of the County Clerk

Elections Division

Cathy M. Garrett

Wayne County Clerk

Date: July 27, 2022

I.D #82-157924
Friends of Carlton Clyburn Jr. - Disqualified 6/2/2022
59 Rhode Island,
Highland Park, MI 48203

NOTICE OF FAILURE TO FILE **JULY 2022 QUARTERLY CAMPAIGN STATEMENT**

Dear Committee:

According to our records, you were required to file the reported indicated above. **The last day to file this report was July 25, 2022 by 5:00 pm.** Reporting Period Name **07/20/2022 Quarterly** Our web site www.wccampaignfinance.com.

In accordance with the provisions of Act 388 of the Public Acts of 1976, you are hereby assessed a late filing fee for each business day that the report remains unfiled. The fee is **\$25.00** per business day. If the report due is not filed within 20 business days, the maximum fine of **\$500.00** will be assessed.

We are also required to notify the Attorney General of any filing not received within nine (9) business days of the date it was due, see enclosed Campaign Finance Act, **MCL Act 169.233.**

Please be aware that this nine-day period in **NOT A GRACE PERIOD.** It does not obviate the assessment of fines. Fines will be assessed from the date of the due date in accordance with the law.

If you have any questions, please contact this office at (313) 224-2380, (313) 224-0169 or email at wccampaignfinance@waynecounty.com.

Very truly yours,

Gil Flowers

Gil Flowers

Campaign Finance Manager

**PAYMENTS MUST BE MADE BY CERTIFIED CHECK, MONEY ORDER, CREDIT CARD OR COMMITTEE CHECK
-NO PERSONAL CHECK WILL BE ACCEPTED.**

**Make Check Payable To: Wayne County Clerk
Election Division
502 Coleman A. Young Municipal Center
Detroit, MI 48226**



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

September 14, 2022

Carlton Clyburn, Jr.
59 Rhode Island
Highland Park, MI 48203

Re: *Blackwell v. Clyburn*
Campaign Finance Complaint No. 2022 – 08 – 89 – 233

Dear Mr. Clyburn:

The Department of State (Department) has received a formal complaint filed against you by Charles Blackwell alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that you have not yet filed your July 2022 quarterly campaign statement. A copy of the complaint is included with this notice.

The MCFA requires committees file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The Act requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the act. MCL 16.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

The Department has independently verified that, as of September 15, 2022, your July 2022 quarterly campaign statement, which was due July 25, 2022 by 5pm, was not posted on the Wayne County campaign finance website.

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true. The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the process is included in the enclosed guidebook.

If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Your response may include any written statement or additional documentary evidence you wish to submit. Materials may be emailed to BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you

Carlton Clyburn, Jr.

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fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your answer will be provided to Mr. Blackwell, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing the statements and materials provided by the parties, the Department will determine whether “there may be reason to believe that a violation of [the MCFA] has occurred [.]” MCL 169.215(10). Note that the Department’s enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement of the penalty provided in section 33(11) of the Act.

If you have any questions concerning this matter, you may contact the Regulatory Section of the Bureau of Elections at BOERegulatory@michigan.gov.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State



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

October 20, 2022

SECOND NOTICE

Carlton Clyburn, Jr.
59 Rhode Island St
Highland Park, MI 48203

P.O. Box 3033
Highland Park, MI 48203

Re: *Blackwell v. Clyburn*
Campaign Finance Complaint No. 2022 – 08 – 89 – 233

Dear Mr. Clyburn:

The Department of State (Department) has received a formal complaint filed against you by Charles Blackwell alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). Specifically, the complaint alleges that you have not yet filed your July 2022 quarterly campaign statement. A copy of the complaint is included with this notice.

The Department sent you notice of this complaint in a letter dated September 20, 2022. That letter informed you that you had 15 business days from that date to provide a response to the complaint. **As a courtesy, the Department is extending you an opportunity to submit a response within 15 business days of the date of this second notice.** If you do not submit a response within 15 business days of the date of this notice, the Department will have no choice but to adjudicate the complaint based on the facts and allegations included in the complaint alone.

The MCFA requires committees file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The Act requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the act. MCL 16.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

Carlton Clyburn, Jr.

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The Department has independently verified that, as of October 18, 2022, your July 2022 quarterly campaign statement, which was due July 25, 2022 by 5pm, was not posted on the Wayne County campaign finance website.

The purpose of this letter is to inform you of the Department's examination of these matters and your right to respond to the allegations before the Department proceeds further. It is important to understand that the Department is neither making this complaint nor accepting the allegations as true. The investigation and resolution of this complaint is governed by section 15 of the Act and the corresponding administrative rules, R 169.51 *et seq.* An explanation of the process is available on the Department's [website](#).

If you wish to file a written response to this complaint, you are required to do so within 15 business days of the date of this letter. Your response may include any written statement or additional documentary evidence you wish to submit. Materials may be emailed to BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918. If you fail to submit a response, the Department will render a decision based on the evidence furnished by the complainant.

A copy of your answer will be provided to Mr. Blackwell, who will have an opportunity to submit a rebuttal statement to the Department. After reviewing the statements and materials provided by the parties, the Department will determine whether "there may be reason to believe that a violation of [the MCFA] has occurred [.]" MCL 169.215(10). Note that the Department's enforcement powers include the possibility of entering a conciliation agreement, conducting an administrative hearing, or referring this matter to the Attorney General for enforcement.

If you have any questions concerning this matter, you may contact the Regulatory Section of the Bureau of Elections at BOERegulatory@michigan.gov.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State

From: MDOS-BOERegulatory
Sent: Friday, October 28, 2022 9:54 AM
To: Carlton D. Clyburn Jr.
Subject: RE: Friends of Carlton D. Clyburn Jr.

Thank you, we have received your email.

Regulatory Section
[Bureau of Elections](#)
Michigan Department of State
Main: 517-335-3234
BOERegulatory@michigan.gov

From: Carlton D. Clyburn Jr. <clyburnforhpmayor@gmail.com>
Sent: Thursday, October 27, 2022 12:18 PM
To: MDOS-BOERegulatory <MDOS-BOERegulatory@michigan.gov>
Subject: Friends of Carlton D. Clyburn Jr.

CAUTION: This is an External email. Please send suspicious emails to abuse@michigan.gov

Greetings

Please find attached the written response to the filed complaint against my campaign committee.

Please confirm receipt of this email. Thank you

Best Regards

Carlton D. Clyburn

Friends of Carlton D. Clyburn Jr
59 Rhode Island
Highland Park, MI 48203

Regulatory Section
Bureau of Elections
Michigan Department of the State

Greetings:

Enclosed please find confirmation of our campaign finance statements filed with the Wayne County clerk's office.

First, as a new campaign committee we acknowledge our mistakes, delays, and misunderstandings of some of the requirements, rules, and regulations for campaign finance reporting. We have and will continue to improve upon our learning curve and our time for filing.

Please know that our delayed filing and response was not intended to be malicious, irresponsible or in bad faith. In no way would we purposefully act contrary to well established campaign finance rules, regulations, and practices.

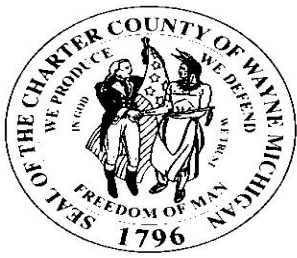
Our campaign has undergone some unforeseen changes that were outside of our control. As a result, our campaign manager, finance director and treasurer had to quickly learn new rules and make quick adjustments. Even though we realized the need to adjust, we didn't want to make hasty, reckless, or harmful mistakes on our campaign statements. What's more, we wanted to provide your office with a substantive response that included proof that we filed of our most accurate campaign finance statements.

We thank your office for your oversight. If you require more information or clarification, please do not hesitate to contact me at your convenience.

Regards,



Carlton D. Clyburn Jr
Candidate for Mayor, Highland Park MI



Office of the County Clerk

Elections Division

Cathy M. Garrett
Wayne County Clerk

October 26, 2022

ID #82-157924
Friends of Carlton Clyburn Jr.
59 Rhode Island
Highland Park, MI 48203

Dear Candidate Carlton Clyburn Jr,

We have received your filed amended **July 2022 Quarterly Campaign Statement** that was filed by the committee in response to our Notice of Error or Omission dated October 7, 2022. Please be advised that the amended campaign statement will satisfy the above referenced Notice of Error or Omission.

If you have any questions, please give contact our office at (313) 224-2380, (313) 224-0169 or email at wccampaignfinance@waynecounty.com.

Very truly yours,

Gil Flowers

Gil Flowers
Campaign Finance Manager
Wayne County Clerk's Office

cc: file, scan, mail, email & treasurer
Rev: 2/2021



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

October 28, 2022

Charles Blackwell
22655 Fairmont Dr, Apt. 102
Farmington Hills, MI 48335

Re: *Blackwell v. Clyburn*
Campaign Finance Complaint No. 2022 – 08 – 89 – 233

Dear Mr. Blackwell:

The Department of State received a response from Carlton Clyburn, Jr. to the complaint you filed against him alleging a violation of the Michigan Campaign Finance Act, 1976 P.A. 388, MCL 169.201 *et seq.* A copy of the response is provided as an enclosure with this letter.

You may file a rebuttal statement after reviewing the enclosed response. If you elect to file a rebuttal statement, you are required to do so within 10 business days of the date of this letter. The rebuttal statement may be emailed to BOERegulatory@michigan.gov or mailed to the Department of State, Bureau of Elections, Richard H. Austin Building, 1st Floor, 430 West Allegan Street, Lansing, Michigan 48918.

Sincerely,

Regulatory Section
Bureau of Elections
Michigan Department of State



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

December 29, 2022

Carlton Clyburn, Jr.
59 Rhode Island
Highland Park, MI 48203

Re: *Blackwell v. Clyburn*
Campaign Finance Complaint No. 2022 – 08 – 89 – 233

Dear Mr. Clyburn:

The Department of State (Department) has finished investigating the campaign finance complaint filed against you by Charles Blackwell alleging that you violated the Michigan Campaign Finance Act (MCFA or Act). This letter concerns the disposition of that complaint.

The complaint alleged that, as of the date of the complaint's submission on August 31, 2022, you had not filed your July 2022 quarterly campaign statement. Before sending you a notice of the complaint, the Department independently verified that, as of September 15, 2022, your July 2022 quarterly campaign statement, which was due July 25, 2022 by 5pm, was not posted on the Wayne County campaign finance website.

The Department sent you a second notice of the complaint in a letter dated October 21, 2022.

You responded to the complaint on October 26, 2022. In your response, you acknowledged that your campaign made mistakes because of misunderstandings of the requirements, rules, and regulations for campaign finance reporting. You pledged to work on improving your compliance with those requirements. Further, you indicated that you delayed in responding to the Department until you were able to submit "a substantive response that included proof that we filed our most accurate campaign finance statement."

In support of that statement, you also submitted a letter from the Wayne County Clerk dated October 26, 2022, indicating that they had received your filed amended July 2022 Quarterly Campaign Statement that was filed in response to their Notice of Error or Omission dated October 7, 2022.

Mr. Blackwell was given the opportunity to provide a rebuttal statement; to date, no rebuttal has been received.

Carlton D. Clyburn, Jr.

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The MCFA requires committees file contributions and expenditures with the appropriate filing official by specific dates. MCL 169.233(1) – (3). The Act requires a committee that receives or expends more than \$1,000 during any election to file campaign finance reports in compliance with the act. MCL 16.233(6). A person who knowingly omits or underreports expenditures required to be disclosed by the Act is subject to a civil fine of not more than \$1,000 or the amount of the expenditures omitted or underreported, whichever is greater. MCL 169.233(11).

The Department has reviewed the evidence submitted in this matter and finds that sufficient evidence has been presented to support a finding of a potential violation of the MCFA. However, because you have submitted evidence that your statement has been received by the Wayne County Clerk and that the submission satisfied the Notice of Error and Omission issued by the clerk, the Department is satisfied that the violation has been addressed satisfactorily.

Because the violation of the MCFA alleged in the complaint has been resolved, the Department will take no further enforcement action. If you have any questions concerning this matter, you may contact me at BOERegulatory@michigan.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jenny McInerney".

Jenny McInerney, Regulatory Attorney
Bureau of Elections
Michigan Department of State

c: Charles Blackwell