

**BEFORE THE
FEDERAL ELECTION COMMISSION**

Irmalyn Thomas

2235 Lela Street

Beaumont, TX 77705,

Complainant,

v.

Randy Weber
1100 Gulf Freeway
Suite 100
League City, TX 77573

Weber for Congress
1100 Gulf Freeway
Suite 100
League City, TX 77573

Robert Nolen
1100 Gulf Freeway
Suite 100
League City, TX 77573

Respondents.

Complainant Irmalyn Thomas hereby submits this Complaint to the Federal Election Commission ("Commission") pursuant to 2 U.S.C. § 437g(a)(1) and, in support, avers as follows:

FACTS

Complainant Irmalyn Thomas is an individual and registered voter who resides in Jefferson County, in the State of Texas. Complainant is legally entitled to information regarding the financing of federal campaigns under the Federal Election Campaign Act, as

amended, 2 U.S.C. § 431 et seq. ("the Act"). Complainant has relied and will rely in the future on such information when, inter alia, making voting decisions and engaging in political advocacy.

Respondent Randy Weber is a candidate for the United States House of Representatives from the 14th District of Texas. Respondent Weber for Congress is his principal campaign committee, and Respondent Robert Nolen is its treasurer. Hereinafter, Weber, Weber for Congress, and Robert Nolen shall be referred to collectively as "Respondents."

On July 31, 2012, Randy Weber defeated his opponent in the Republican primary election to become the Republican nominee for the United States House of Representatives for the 14th district of Texas.

According to Weber for Congress's publicly available October Quarterly Federal Election Commission report, Weber for Congress accepted the following contributions after the date of the primary. Weber for Congress designated each of these contributions in its entirety for the general election.

1. A \$5,000 contribution from Charles Medlin on August 31, 2012.
2. Three \$2,500 contributions from Michael Ramsey on September 11, 2012.
3. Three \$2,500 contributions from Myla Ramsey on September 11, 2012.
4. A \$5,000 contribution from Carl Davis on September 13, 2012.
5. Two \$2,500 contributions from Richard Hawkins on September 26, 2012.
6. A \$5,000 contribution from Kevin Lilly on September 21, 2012.
7. A \$5,000 contribution from Kent Watts on September 15, 2012.

The facially excessive portions of these contributions totalled \$22,500. Copies of the relevant pages from Weber's Commission reports are attached hereto and incorporated as Exhibit A.

LEGAL ARGUMENT

Under the Act, no person other than a multicandidate committee shall make contributions to any candidate or candidate committee that, in the aggregate, exceed \$2,500 per election. 2 U.S.C. § 441a(a); 11 C.F.R. § 110.1(a)–(b). Similarly, no candidate or candidate committee shall accept contributions in excess of this limit. *Id.* Although there are specific rules surrounding the election to which a contribution is designated, *e.g.* 11 C.F.R. § 110.1(b)(4), contributions are presumed to count against the limit for the candidate's next upcoming election, *id.* § 110.1(b)(2)(ii).

Candidates and candidate committees must keep specific records of the date a contribution is received and the election to which a contribution is designated. *Id.* § 102.9(a)(1), (f). If a contribution is designated for an election other than the next upcoming election, the candidate committee must so indicate on its report. *See id.* § 103.3(b)(5).

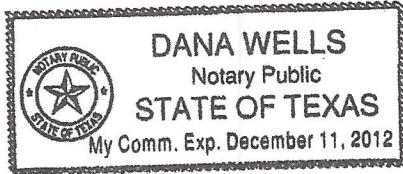
Here, Weber for Congress accepted contributions from seven people in excess of the \$2,500 limit. According to Weber for Congress's own publicly available Federal Election Commission report, therefore, Respondents violated the \$2,500 limit on seven occasions. For the bulk of these contributions, the report shows no reason why Weber would have accepted these excessive amounts, but for a willful disregard of the law. While Weber may think he is running his own "super PAC," he remains bound by the contribution limits that apply to federal candidates.

Accordingly, the Commission should act immediately to correct and punish these blatant violations of the Act.

Sincerely,

Kimberly Thomas

SUBSCRIBED AND SWORN to before me this 22nd day of October, 2012.



Dana Wells
Notary Public

My Commission Expires:

12/11/12