



Federal Election Commission
Washington, DC 20463

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

October 11, 2006

Mark Paul Low
2142 East Hale Street
Mesa, AZ 85213

Re: ADR 338 (MUR 5737)

Dear Mr. Low

On May 1, 2006, the Federal Election Commission ("FEC" or "Commission") received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Respondents, Aloisi for U.S. Senate, Gene Carr, Treasurer ("the Committee") and Mike Aloisi (collectively the "Respondents") In its memorandum to the Commission, dated September 20, 2006, this office stated:

Summary: The complaint alleges that Aloisi for U.S. Senate, Gene Carr, Treasurer, (the "Committee") and Mike Aloisi (collectively the "Respondents") violated the FECA when the candidate deposited a contribution into his personal account. Specifically, the Complainant alleges that he presented a \$1,000 check to Aloisi for Senate Committee on September 15, 2005, designated as a "donation" on the memo line. However, the candidate cashed the check the following day, and did not deposit the check into a committee account as is required.

Respondents contend that the \$1,000 check was deposited into the "Aloisi for U.S. Senate" account as soon as the account was opened.

Accordingly, the Commission closed its file in this matter on September 27, 2006.

The FEC is obligated by federal regulations to make a finding to terminate its proceedings public, as well as the basis therefore. 11 C.F.R. § 111.20(b). In addition, the Commission will also place on the record copies of the complaint, correspondence exchanged between Respondents and the Commission, and reports prepared for the

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Commission by this office to assist in its consideration of this matter. Accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

A handwritten signature in cursive script, appearing to read "Lynn M. Fraser". The signature is written in black ink and is positioned above the printed name.

Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office

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