



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 686

DATE: 11/8/78

FILMED BY: J.A.D.



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Joe Felmet) MUR 686 (78)
David Proctor McKnight)
McKnight for Senate Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on October 4, 1978, the Commission determined by a vote of 4 - 0 to adopt the recommendation of the General Counsel to take the following actions in the above-captioned matter:

1. Take no further action at this time against Joe Felmet and close the file.
2. Take no further action at this time against David Proctor McKnight and the McKnight for Senate Committee and close the file.

Voting for this determination were Commissioners Springer, Aikens, Tiernan, and Harris.

Attest:

10/4/78

Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Report dated: 9-20-78 Report signed: 9-28-78
Received in Office of Commission Secretary: 9-29-78, 12:25
Circulated on 48 hour vote basis: 10-2-78, 11:30

September 29, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 686

Please have the attached General Counsel's Report on MUR 686 distributed to the Commission on a 48 hour tally basis.

Thank you.

78040073647

RECEIVED
OFFICE OF THE
COMMISSIONER

BEFORE THE FEDERAL ELECTION COMMISSION
September 20, 1978

78 SEP 29 12:25

In the Matter of)
Joe Felmet) MUR 686 (78)
David Proctor McKnight)
McKnight for Senate Committee)

GENERAL COUNSEL'S REPORT

BACKGROUND

On August 21, 1978 the Reports Analysis Division referred candidates Joe Felmet and David Proctor McKnight and the McKnight for Senate Committee ("Respondents") to the Office of the General Counsel for their failure to file a thirty day post-primary report as required by 2 U.S.C. 434(a)(1)(A)(ii).

The Commission found reason to believe on June 13, 1978, and reasonable cause to believe on June 30, 1978, that the respondents were in violation of §434(a)(1)(A)(ii). The respondents' names appeared as non-filers in the press office publication of July 31, 1978. (Attachment I)

EVIDENCE

The respondents are required by 2 U.S.C. 434(a)(1)(A)(ii) to file a thirty day post-primary report. The North Carolina Democratic Primary Election was held on May 2, 1978, and 650,942 total votes were cast in the Senate primary election. Both candidates were defeated with Felmet receiving 4,464 votes and McKnight 9,422 votes.

Felmet dated both his thirty day post-primary report and his termination report May 11, 1978. The Commission received his termination report on May 15, but did not receive his thirty day post-primary report until June 29. Both reports showed financial activity of \$3,435.20 in receipts and \$11,985.58 in expenditures.^{1/}

As a candidate, Joe Felmet lost the primary election and will not appear on the general election ballot. The Office of the General Counsel recommends, in accordance with the Commission's non-filing procedures dated May 23, 1978, to take no further action at this time against Joe Felmet.

Neither McKnight, nor his committee, has filed a thirty day post-primary report. McKnight is subject to the thirty day post-primary reporting obligation as he did not file a waiver request. Previous reports filed by the McKnight for Senate Committee showed financial activity of \$6,832 in receipts and \$6,737 in expenditures.

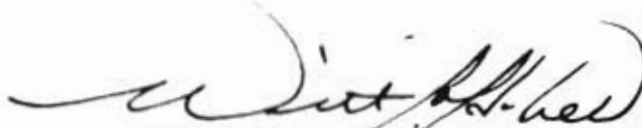
As a candidate David Proctor McKnight lost the primary election and will not appear on the general election ballot. The Office of the General Counsel recommends, in accordance with the Commission's non-filing procedures dated May 23, 1978, to take no further action at this time against David Proctor McKnight and the McKnight for Senate Committee.

^{1/} The Committee for Joe Felmet registered with the Commission on February 18, 1977. According to Reports Analysis it was Mr. Felmet's misunderstanding, throughout his candidacy, that since he did not file a waiver request it was his responsibility to file reports of receipts and expenditures, not the Committee's. Consequently Mr. Felmet's own reports, and those of his Committee are duplicates.

RECOMMENDATION

1. In view of the fact that Joe Felmet lost the election and received less than 30% of the vote, that his aggregate receipts plus expenditures totalled under \$25,000, and that he did file a thirty day post-primary report, although late, we recommend the Commission take no further action at this time against Joe Felmet and close the file.
2. In view of the fact that David Proctor McKnight lost the election and received less than 30% of the vote, and that aggregate receipts plus expenditures of the McKnight for Senate Committee totalled under \$25,000 in their previous reports, we recommend the Commission take no further action at this time against David Proctor McKnight and the McKnight for Senate Committee and close the file.

9/28/18
Date


William C. Oldaker
General Counsel

Attachments

1. Referral from Reports Analysis Division
2. Non-Filer Chart



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20461

MUR 686

ATTACHMENT

August 21, 1978

MEMORANDUM

TO: ORLANDO B. POTTER ^{BL}

THROUGH: TOM HASELHORST ^{JH}

FROM: NON-FILER COORDINATOR ^{JP}

SUBJECT: 30 DAY POST-ELECTION NON-FILERS - REFERRAL - NORTH CAROLINA

In accordance with the Task Force of Non-filers, attached please find the referral of the candidates and committees that were published as Non-filers for the 30 Day Post-election Report for the Primary election held in North Carolina.

The first notice (reason to believe) was sent by mailgram on June 13, 1978. The second notice (reasonable cause to believe) was sent by mailgram on June 30, 1978.

On July 31, 1978, the Press Office issued a release containing the names of the candidates and committees which failed to file the 30 Day Post-election Reports.

Copies of the completed ballot chart, certified green cards and telecons are included in this packet.

Senate

Felmet, Joe

McKnight, David Proctor
McKnight for Senate Committee

Report Due-----	June 1, 1978
Publication-----	July 31, 1978
Date of Election-----	May 2, 1978
Reason to Believe-----	June 13, 1978
Reasonable Cause to Believe---	June 30, 1978

Page 1

[illegible]

Page 1

[illegible]

REPORTS ANALYSIS REFERRAL UPDATE

*ORIGIN: Reports Analysis Division

DATE 27 September 1978

ANALYST Chip Foley

TO: Office of General Counsel
ATTENTION: Gary Johansen
Mary Cummings

TEAM CHIEF Suzanne Wilson/Bobby Werfel

THROUGH: STAFF DIRECTOR A.L. 6-088

COMPLIANCE REVIEW 7/11

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

MUR No. 686

DATE OF ORIGINAL REFERRAL August 21, 1978

••PURPOSE:

On September 22, 1978, Joe Felmet (a Senate candidate in North Carolina) filed a Termination Report covering the period of January 1, 1977 through May 2, 1978. A copy of the Summary Page of this report is being forwarded for your information.

OUTCOME: (if applicable)

*Commission unit which initiated original Referral (e.g. AUDIT/RAD/OGC).

••INFORMATION, or RESULTS OF RAD ACTION, as appropriate.

REPORT OF RECEIPTS AND EXPENDITURES
FOR A CANDIDATE OR COMMITTEE
SUPPORTING CANDIDATE(S) FOR
NOMINATION OR ELECTION TO FEDERAL OFFICE

RECEIVED
FEDERAL ELECTION
COMMISSION

(Except for Candidates of Committees Receiving Federal Matching Funds)

Note: Committees authorized by a candidate to receive contributions and make expenditures in connection with more than one election must maintain separate records with respect to each election.

1. JOE FELMET 2. ID No. 58NC00023
Name of Candidate or Committee (in full) Candidate Committee
Box 5847 NCDEMCRS V.S. SENATOR
Address (number and street) Office Sought, State/District (if applicable)
WINSTON-SALEM, N.C. 27103
City, State and ZIP Code ☐ Check if address is different than previously reported Year of Election 1978

4. Type of Report (check appropriate boxes)

- ☐ April 10 Quarterly Report ☐ Tenth day report preceding _____ election
(primary, general, or convention)
☐ June 10 Quarterly Report on _____ in the State of _____
(date)
☐ October 10 Quarterly Report ☒ Termination Report
☐ January 31 Annual Report ☐ Thirtieth day report following _____ election
(primary, general, or convention) (which report?)
☐ Monthly Report _____ on _____ in the State of _____
(month) (date)
This is a report for: ☒ Primary Election ☐ General Election ☐ Primary and General ☐ Other (specify runoff, etc.)

SUMMARY OF RECEIPTS AND EXPENDITURES

(Figures may be rounded to nearest dollar)

5. Covering Period	Column A This Period	Column B Calendar Year To Date
<u>1/1/77</u> Through <u>5/2/78</u>		
6. Cash on hand January 1, 19 <u>77</u>		\$ <u>10,000.00</u>
7. Cash on hand at beginning of reporting period	\$ <u>10,000.00</u>	
8. Total receipts (from line 19)	\$ <u>3435.20</u>	
(a) Subtotal: Add lines 7 and 8 for Column A and lines 6 and 8 for Column B	\$ <u>13435.20</u>	\$ <u>13,435.20</u>
9. Total expenditures (from line 25)	\$ <u>11985.58</u>	
10. Cash on hand at close of reporting period (Subtract line 9 from line 8a)	\$	\$ <u>1449.62</u>
11. Value of contributed items on hand to be liquidated (Attach itemized list)	\$	
12. Debts and obligations owed to the Committee (Candidate itemize on Schedule C)	\$	
13. Debts and obligations owed by the Committee (Candidate itemize on Schedule C)	\$	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

5/11/78
(Date)

JOE FELMET
(Typed name of Treasurer or Candidate)

Joe Felmet
(Signature of Treasurer or Candidate)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. Section 437g, or Sect. on 44; see reverse side of form.

For further
information,
Contact:



Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Or call 800 424 9533

Approved by GAO
8-167622-40506
Expires 3-31-81

All previous versions of FEC FORM 3 are obsolete and should no longer be used.

Any information reported herein may not be copied for sale or use by any person for purposes of soliciting contributions or for any commercial purpose.

CHIP FOLLEY TOLD ME TO FILE THIS IN CONNECTION
WITH THE FINAL REPORT OF MY CAMPAIGN COMMITTEE.

MUR 686



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, D.C. 20461

August 21, 1978

MEMORANDUM

TO: ORLANDO B. POTTER *b.l.*
THROUGH: TOM HASELHORST *TH*
FROM: NCN-FILER COORDINATOR *TH*
SUBJECT: 30 DAY POST-ELECTION NON-FILERS - REFERRAL - NORTH CAROLINA

In accordance with the Task Force of Non-filers, attached please find the referral of the candidates and committees that were published as Non-filers for the 30 Day Post-election Report for the Primary election held in North Carolina.

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Copies of the completed ballot chart, certified green cards and telecons are included in this packet.

Senate

Felmet, Joe

McKnight, David Proctor
McKnight for Senate Committee

7 FEDERAL ELECTION COMMISSION 5 7
30 DAY POST ELECTION STATUS REPORT
NORTH CAROLINA BALLOT

ELECTION: NC300

ELECTION DATE: MAY 2 1978

DUE DATE: JUN 1 1978

CANDIDATE/PCC/ID	COMMENTS	* CANDIDACY * * REGISTERED *	RTB	RCTB	PUR	OGC	DATE SATISFIED
FELMET, JOE S8NC00023		12/27/76	6/13/78	6/30/78	7/31/78	8/21/78	
COMMITTEE FOR JOE FELMET FOR U. S. SENATE C00074831	Y		6/13/78		7/31/78	8/21/78 *	Filed 7/29
<hr/>							
MCKNIGHT, DAVID PROCTOR S8NC00049		02/23/78	6/13/78	6/30/78	7/31/78	8/21/78	
MCKNIGHT FOR SENATE COMMITTEE C00075622	Y		6/13/78	6/30/78	7/31/78	8/21/78	
<hr/>							

* Committee filed before RCTB and was not sent mailgram--only candidate should have been published.

7 8 0 4 0 0 7 3 6 5 8

RCTB

unaccounted for

FELMET, JOE

RTB

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1325-1012015

58754-00001

INSURED NO.

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

JUN 2 1978

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

NC

FELMET

Joe Felmet
Box 5849 -- 1831 1st St.
Winston-Salem, N.C.

DATE OF PRIOR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

PERSON CONTACTED

TITLE

TELEPHONE #

(919) 722-4555

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: _____ RIB _____ RCTB _____ PUBLICATION: _____

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: 3/21 10:15 10:20 WHO CALLED: Joe Felmet ^{Felmet} INITIALS: BFM

COMMENTS: Mr. Felmet said he had spoken with someone else concerning his reports and he was in the process of completing it. He filed a nomination for his name but not candidate status.

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

6125-WA12915

INSURED NO.

2-5181-0002

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

7-1-78

SHOW WHERE & DELIVERED (Only if requested, and include ZIP Code)

RCTB

RTB

unaccounted for

MCKNIGHT, DAVID PROCTOR

David Proctor McKnight
4620 Fern Court
Fayetteville, N.C. 28304

DATE OF PRIOR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

PERSON CONTACTED

TITLE

TELEPHONE #

(919) 876-9318

~~867-5496~~

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: _____ RTB _____ RCTB _____ PUBLICATION: _____

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

30 Day Post Primary

DATE/TIME: 3/21 9:45 WHO CALLED: _____ INITIALS: BSM

COMMENTS:

number is disconnected and is only one
available for candidate and his cmte

7 8 0 4 0 7 3 6 6 2

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show to whom, date and address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

5125-0912215

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

NC

MCKNIGHT

RTB

MCKNIGHT FOR SENATE COMMITTEE

CLAIM CHECK NO.

665994

☐ HOLD

DATE

JUL 03 1978

1ST NOTICE

2ND NOTICE

RETURN

Delivered from
PS Form 3840-A
July 1977

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show to whom, date and address where delivered

☐ Deliver ONLY to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

5125-0912215

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)



RTB

RTB - unclaimed

THIS MAIL

MCKNIGHT FOR SENATE COMMITTEE

RCTB - resent

Mcknight for Senate 300 RCTB NF33

PS Form 3811, Apr. 1972

● **SENDER** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):
☐ Show to whom and date delivered.
☒ Show to whom, date, and address of delivery.
☐ **RESTRICTED DELIVERY**
 Show to whom and date delivered.
☐ **RESTRICTED DELIVERY**
 Show to whom, date, and address of delivery.
 (CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**

3. **ARTICLE DESCRIPTION:**
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 943786
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent

4. **DATE OF DELIVERY** **POSTMARK**
 5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:** **CLERK'S INITIALS**

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

7804073663



McKnight for Senate
4620 Fen Court
Fayetteville, N.C.
28304

DATE OF PRIOR NOTICE _____

PRIOR NOTICE FOLLOW-UP _____

PERSON CONTACTED

TITLE

TELEPHONE #

(919) 876-9318

COMMENTS

REPORTS ANALYSIS DIVISION - REASON TO BELIEVE CALLS

REPORT DUE: _____ RTB _____ RCTB _____ PUBLICATION: _____

DATE/TIME: _____ WHO CALLED: _____ INITIALS: _____

COMMENTS:

REPORTS ANALYSIS DIVISION - POST PUBLICATION CALL

DATE/TIME: 8/21 9:45 WHO CALLED: _____ INITIALS: BSM

COMMENTS: number has been disconnected.



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 686

