

# TEXAS ETHICS COMMISSION

P.O. Box 12070, Capitol Station  
Austin, Texas 78711-2070

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Chair

Mary K. "Katie" Kennedy  
Vice Chair

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Executive Director



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November 16, 2020

It is Our Time  
5535 Memorial Drive  
Houston, Texas 77007-8021

**CERTIFIED MAIL NO. 9236 0901 9403 8325 4223 70,  
RETURN RECEIPT REQUESTED**

**Re: Notice of Complaint, SC-32011246**

To It is Our Time or its representative:

We received sworn complaint SC-32011246 on November 9, 2020. The complaint meets the legal and technical form requirements for a complaint filed with the Texas Ethics Commission (Commission), and the executive director has determined that the Commission has jurisdiction over the matters alleged in the sworn complaint.

The complaint alleges that you: 1) knowingly caused to be published, distributed, or broadcast political advertising containing express advocacy that did not include an accurate political advertising disclosure statement in violation of Section 255.001 of the Election Code; 2) with the intent to injure a candidate or influence the result of an election, knowingly represented in a campaign communication or political advertising that the communication emanated from a source other than its true source in violation of Section 255.004 of the Election Code; and 3) with the intent to influence the result of an election or injure a candidate, misrepresented your identity in political advertising or a campaign communication in violation of Section 255.005 of the Election Code. **The Commission accepts jurisdiction over these allegations.**

***The sworn complaint allegations will be processed as Category Two violations. Under the law you are required to respond to the allegations not later than 25 business days from the date you receive this notice. Failure to respond will constitute a separate violation for which a separate civil penalty may be assessed.***

The response must be in writing, admit or deny the allegations, and be signed by you. If you deny the allegations, then you should provide evidence supporting the denial. The response must include any challenge you seek to raise to the Commission's exercise of jurisdiction. The response should be under oath. We have enclosed an affidavit form that you may wish to use for the response. You may by writing submitted to the Commission designate an agent with whom the Commission staff may communicate regarding the complaint. If you have any information

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relevant to the complaint, please provide it at this time. Also, please be advised that you should preserve all documents and evidence related to the allegations in this complaint.

To comply with legal requirements regarding the initial notice of a sworn complaint, I have also included a copy of the sworn complaint, the Commission's sworn complaint rules, a Statement of Respondent's Rights, and copy of the relevant statutes of the Election Code. More information about the complaint process is available on the Commission's website at [www.ethics.state.tx.us](http://www.ethics.state.tx.us).

Please note that at this stage in the process, Commission members and staff are required by law to keep the complaint and all documents relating to it strictly confidential.

Please contact me if you have any questions.

Sincerely,

*/s/ James Tinley*

James Tinley  
Deputy Director of Enforcement General Counsel

Jurisdiction accepted  
For the Texas Ethics Commission

*/s/ Anne Temple Peters*

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Anne Temple Peters  
Executive Director

JT:mc

Enclosures: Copy of Sworn Complaint  
Commission Rules Concerning Sworn Complaints  
Statement of Respondent's Rights  
Relevant Statutes  
Affidavit (for respondent only)

c: Mr. James Nunn

**SENT BY EMAIL**