BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MUR 7453

2019 FEB -8 AT 2: 34

CELA

AJ Kern for Congress and John Kern, as Treasurer (EPS Dismissal Report)

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election

Commission, do hereby certify that on February 07, 2019, the Commission

decided by a vote of 4-0 to take the following actions in MUR 7453:

- Dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985), as recommended in the EPS Dismissal Report dated December 21, 2018.
- 2. Close the file as to all Respondents.

3. Send the appropriate letters.

Commissioners Hunter, Petersen, Walther, and Weintraub voted

affirmatively for the decision.

Attest:

February 7,2019 Date

Dayna C. Brown Secretary and Clerk of the Commission