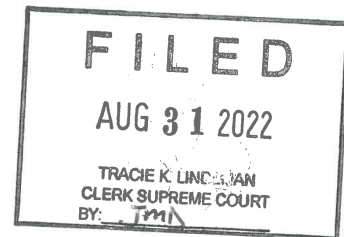


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CLERK SUPREME COURT

Daniel Wood, *pro se*
Brian Steiner, *pro se*
Paul Rice, *pro se*
P.O. Box 50631
Phoenix, AZ 85076

Prepared with Assistance of Counsel:
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ARIZONA SUPREME COURT

**DANIEL WOOD, BRIAN STEINER
and PAUL RICE,**

Plaintiffs,

v.

**MARK BRNOVICH, in his official
capacity as the Attorney General for
the State of Arizona, KATIE HOBBS,
in her official capacity as the Arizona
Secretary of State, DOUG DUCEY, in
his official capacity as the Governor of
the State of Arizona, ROBERT M.
BRUTINEL, in his official capacity as
the Chief Justice for the Arizona
Supreme Court,**

Defendants.

CASE NO. :

CV-22-0217-SA

**VERIFIED PETITION FOR
WRIT OF MANDAMUS**

(Election Matter)

(TRO Requested)

COME NOW Plaintiffs, Daniel Wood, Brian Steiner, and Paul Rice hereby file

1 this Verified Petition for Writ of Mandamus and in support thereof, would show unto
2 this Court as follows:

3
4 **I. JURISDICTION AND VENUE**

5 1. This verified petition is for a writ of mandamus. Jurisdiction¹ is proper
6 in this Court pursuant to A.R.S. § 12-2021 *et al.* The duty to certify Arizona's 2020
7 presidential election results is a ministerial duty to which the statute specifically
8 describes the manner of performance. The Defendants must certify a lawful election
9 and they may not certify an illegal/unlawful election.
10

11
12 2. Venue is proper pursuant to A.R.S. § 12-401.

13
14 **II. PARTIES**

15 3. Plaintiff Daniel Wood is an Arizona resident who voted in Arizona's
16 statewide 2020 presidential election.

17
18 4. Plaintiff Brian Steiner is an Arizona resident who voted in Arizona's
19 statewide 2020 presidential election.

20
21 5. Plaintiff Paul Rice is an Arizona resident who voted in Arizona's
22 statewide 2020 presidential election.

23
24
25
26
27 ¹ The 2020 presidential election is/was a **statewide** election. The writ seeks to compel **state** officials to
28 discharge a duty owed by **state** law. The Supreme Court of Arizona is a **statewide** court. It only stands to reason that
a **state** branch of government should be the proper entity to compel a co-equal **state** branch of government to discharge
a duty owed by a **state** statute. This Court has jurisdiction and jurisdiction is proper.

1 6. Plaintiffs are citizens of The United States of America and they are over
2 the age of eighteen (18).

3
4 7. Plaintiffs have a constitutional right to participate in the 2020 presidential
5 election. *See* U.S. Const. Amend. 26.

6 8. Plaintiffs suffered a distinct and palpable injury when the State of Arizona
7 conducted an unlawful presidential election on November 3, 2020.

9 9. Plaintiffs suffered another distinct and palpable injury when unlawful
10 2020 presidential election results were unlawfully certified on November 24, 2020.

11
12 10. On November 30, 2020, Defendant Katie Hobbs was the Secretary of
13 State and she unlawfully certified the 2020 presidential election.

14
15 11. On November 30, 2020, Defendant Doug Ducey was the Governor of
16 Arizona and he unlawfully certified the 2020 presidential election.

17
18 12. On November 30, 2020, Defendant Mark Brnovich was Arizona's
19 Attorney General and he unlawfully certified the 2020 presidential election.

20
21 13. On November 30, 2020, Defendant Robert M. Brutinel was the Chief
22 Justice of the Arizona Supreme Court and he unlawfully certified the 2020 presidential
23 election.

24 14. "All elections shall be free and equal, and no power, civil or military,
25 shall at any time interfere to prevent the free exercise of the right of suffrage." Ariz.
26 Const. Art. II, § 21.
27
28

III. FACTUAL ALLEGATIONS

A. Introduction.

15. On November 3, 2020, the State of Arizona attempted to conduct an election for President of the United States of America.

16. However, the Defendants purported certification of the Arizona 2020 presidential election did not comply with either Arizona law or federal law.

17. Pursuant to Constitution of the United States, “Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.” U.S. Const. art. II, § 1, cl. 2 (emphasis added).

U.S.C.A. Const. Art. II § 1, cl. 2

Section 1, Clause 2. Presidential Electors

Currentness

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

18. Pursuant to Arizona law, “Machines or devices used at any election for federal, state or county offices may only be certified for use in this state and may only be used in this state IF they comply with the help America vote act of 2002 and if those machines or devices have been tested and approved by a laboratory that is

1 accredited pursuant to the help America vote act of 2002.” A.R.S. § 16-442(B)
2 (emphasis added).
3

4 Effective: August 3, 2018

5 A.R.S. § 16-442

6 **§ 16-442. Committee approval; adoption of vote tabulating equipment; experimental use; emergency**

7 Currentness

8 A. The secretary of state shall appoint a committee of three persons, to consist of a member of the engineering college at one of the universities, a member of the state bar
9 of Arizona and one person familiar with voting processes in the state, no more than two of whom shall be of the same political party, and at least one of whom shall have at
10 least five years of experience with and shall be able to render an opinion based on knowledge of, training in or education in electronic voting systems, procedures and
11 security. The committee shall investigate and test the various types of vote recording or tabulating machines or devices that may be used under this article. The committee
shall submit its recommendations to the secretary of state who shall make final adoption of the type or types, make or makes, model or models to be certified for use in
this state. The committee shall serve without compensation.

12 B. Machines or devices used at any election for federal, state or county offices may only be certified for use in this state and may only be used in this state if they comply
13 with the help America vote act of 2002 and if those machines or devices have been tested and approved by a laboratory that is accredited pursuant to the help America
14 vote act of 2002.

15 19. If voting hardware and/or software has not been lawfully certified
16 pursuant to the help America vote act of 2002, then said voting machine may not be
17 used in an Arizona election. *See id.*

18 20. If a voting hardware and/or software has not been tested and approved by
19 a laboratory that is accredited pursuant to the help America vote act of 2002, then said
20 voting hardware or software may not be used in an Arizona election. *See id.*

21 21. If voting hardware and/or software were used in violation of Arizona law,
22 then said election is void *ab initio* and said election cannot be lawfully certified by any
23 Defendant. *See id.*

24 22. Void *ab initio* is defined as “Having no legal effect from inception.”
25 Thompson Reuters Practical Law, definition of “*Void ab initio*” last visited June 21,
26 2022
27
28

([https://1.next.westlaw.com/Glossary/PracticalLaw/I41334c8d07ef11ebbea4f0dc9fb69570?contextData=\(sc.Default\)&firstPage=true&transitionType=Default](https://1.next.westlaw.com/Glossary/PracticalLaw/I41334c8d07ef11ebbea4f0dc9fb69570?contextData=(sc.Default)&firstPage=true&transitionType=Default))

23. Void *ab initio* means that the action taken is **void**; it is **not voidable**. *See id.*

24. Void *ab initio* means that the action taken “has no legal effect.” *Id.*

25. “A void action cannot be ratified or validated [or certified].” *Id.*

26. “An action that is void *ab initio* **never had any legal effect.**” *Id.* (emphasis added).

Glossary

Void ab initio

Having no legal effect from inception.

A law, agreement, sale, or other action that is void has no legal effect. A void action cannot be ratified or validated. An action that is void *ab initio* never had any legal effect. *Ab initio* is usually italicized because it is a Latin term that means from the beginning.

Void and void *ab initio* have the same technical definition, but void *ab initio* is a stronger term that is less likely to be improperly confused with voidable.

END OF DOCUMENT

RESOURCE ID W-027-8278

DOCUMENT TYPE GLOSSARY

PRODUCTS

PLC Arbitration - International, PLC US Antitrust, PLC US Bankruptcy & Restructuring, PLC US Capital Markets & Corporate Governance, PLC US Commercial Litigation, PLC US Commercial Transactions, PLC US Corporate and M&A, PLC US Corporate and Securities, PLC US Employee Benefits and Executive Compensation, PLC US Federal Litigation, PLC US Finance, PLC US Glossary, PLC US Government Practice: Federal, PLC US Government Practice: State & Local, PLC US Health Care, PLC US Intellectual Property and Technology, PLC US Labor and Employment, PLC US Law Department, PLC US Legal Operations & Professional Development, PLC US Life Sciences & FDA Regulatory, PLC US Real Estate, PLC US Securities Litigation & Enforcement, PLC US Tax, PLC US Trusts & Estates

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27. In order for Arizona to conduct a valid election, the Arizona Secretary of State must comply with the requirements contained in A.R.S. § 16-442 *et seq.* *See* A.R.S. § 16-442.

1 28. If the legal requirements contained in A.R.S. § 16-442 were not met, then
2 the Arizona Secretary of State had **no authority to use** any voting machine or device
3 in violation of said statute.
4

5 29. If the legal requirements contained in A.R.S. § 16-442 were not met, then
6 the Defendants had **no authority to certify the results** of Arizona's 2020 presidential
7 election and all 2020 presidential election signatures are void *ab initio*.
8

STATE OF ARIZONA OFFICIAL CANVASS
2020 General Election - Nov 03, 2020
Compiled and Issued by the Arizona Secretary of State

Report Date/Time: 11/24/2020 1:35:33 PM

2020 GENERAL ELECTION OFFICIAL CANVASS CERTIFICATION

I, Katie Hobbs, Arizona Secretary of State, do hereby certify that the foregoing canvass is a true, correct and complete tabulation of the votes cast at the 2020 General Election held in the State of Arizona on the 3rd day of November, 2020. This canvass displays the name of each person who appeared on the ballot for a federal and state office in the election and the number of votes received for each person, as shown by the tabulations received from the Boards of Supervisors of each county in the State of Arizona.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Arizona, this 30th day of November, 2020, at the Capitol in Phoenix.




Katie Hobbs
Secretary of State

A.R.S. § 16-648 requires that this canvass be conducted in the presence of the Governor and Attorney General whose affirming signatures follow.


Doug Ducey
Governor


Mark Brnovich
Attorney General

Page 17

STATE OF ARIZONA OFFICIAL CANVASS
2020 General Election - Nov 03, 2020
Compiled and Issued by the Arizona Secretary of State

Report Date/Time: 11/24/2020 1:35:33 PM

2020 GENERAL ELECTION OFFICIAL CANVASS CERTIFICATION

I, Katie Hobbs, Arizona Secretary of State, do hereby certify that the foregoing canvass of election returns is a true, correct and complete tabulation of the votes cast for and against Propositions at the 2020 General Election held in the State of Arizona on the 3rd day of November, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Arizona, this 30th day of November, 2020, at the Capitol in Phoenix.




Katie Hobbs
Secretary of State

A.R.S. § 16-648 requires that this canvass be conducted in the presence of the Governor and Chief Justice of the Supreme Court whose affirming signatures follow.


Doug Ducey
Governor



Robert M. Brutinel
Chief Justice
Arizona Supreme Court

1 Arizona Secretary of State, 2020 Election State Canvass, https://azsos.gov/sites/default/files/2020_General_State_Canvass.pdf (last visited June 30, 2022).

2
3
4 30. If none of the Defendants had the legal authority to certify Arizona's 2020
5 presidential election results, then this Court must issue a peremptory writ of mandamus
6 against each named Defendant compelling the Defendants to decertify Arizona's 2020
7 presidential election and to rerun Arizona's 2020 presidential election in accordance
8 with Arizona law.
9

10
11 **B. The Dominion electronic voting machines that were used in the 2020**
12 **presidential election were not certified by an accredited Voting**
13 **System Test Laboratory.**

14 31. **"Machines or devices used at any election** for federal, state or county
15 offices may only be certified for use in this state and **may only be used** in this state **IF**
16 they comply with the help America vote act of 2002 **AND** if those machines or devices
17 have been **tested and approved by a laboratory that is accredited** pursuant to the
18 help America vote act of 2002." A.R.S. § 16-442(B) (emphasis added).
19

20  Proposed Legislation

21 Effective: August 3, 2018

22 A.R.S. § 16-442

23 **§ 16-442. Committee approval; adoption of vote tabulating equipment;**
experimental use; emergency

24 Currentness

25 A. The secretary of state shall appoint a committee of three persons, to consist of a member of the
26 engineering college at one of the universities, a member of the state bar of Arizona and one person familiar
27 with voting processes in the state, no more than two of whom shall be of the same political party, and at least
28 one of whom shall have at least five years of experience with and shall be able to render an opinion based on
knowledge of, training in or education in electronic voting systems, procedures and security. The committee
shall investigate and test the various types of vote recording or tabulating machines or devices that may be
used under this article. The committee shall submit its recommendations to the secretary of state who shall
make final adoption of the type or types, make or makes, model or models to be certified for use in this state.
The committee shall serve without compensation.

**B. Machines or devices used at any election for federal, state or county offices may only be certified for use in
this state and may only be used in this state if they comply with the help America vote act of 2002 and if those
machines or devices have been tested and approved by a laboratory that is accredited pursuant to the help
America vote act of 2002.**

1 32. Arizona law requires that its voting machines be certified by a Voting
2 System Test Laboratory that “**is accredited** pursuant to the help America vote act of
3 2002.” *Id* (emphasis added).
4

5 **B. Machines or devices used at any election for federal, state or county offices may only be certified for use in**
6 **this state and may only be used in this state if they comply with the help America vote act of 2002 and if those**
7 **machines or devices have been tested and approved by a laboratory that **is accredited** pursuant to the help**
8 **America vote act of 2002.**

9 33. The Help America Vote Act of 2002 created “the Election Assistance
10 Commission” and the Election Assistance Commission (EAC) is referred to in the
11 Act as the “Commission.” 52 U.S.C. § 20921 (formerly cited as 42 U.S.C. § 15321).
12

13 52 U.S.C.A. § 20921

14 Formerly cited as 42 USCA § 15321

15 § 20921. Establishment

16 Currentness

17 **There is hereby established** as an independent entity **the Election Assistance Commission** (hereafter in this
18 subchapter referred to as the “Commission”), consisting of the members appointed under this subpart.
19 Additionally, there is established the Election Assistance Commission Standards Board (including the
20 Executive Board of such Board) and the Election Assistance Commission Board of Advisors under subpart 2 of
21 this part (hereafter in this subpart referred to as the “Standards Board” and the “Board of Advisors”,
22 respectively) and the Technical Guidelines Development Committee under subpart 3 of this part.
23
24
25
26
27
28

29 34. The Election Assistance Commission “shall serve as a national
30 clearinghouse and resource for the compilation of information and review of
31 procedures with respect to the administration of Federal elections by -- ... (2) carrying
32 out the duties described in part B of this subchapter (relating to the testing, certification,
33
34

1 decertification, and recertification of voting system hardware and software)....” 52
2 U.S.C. § 20922 (formerly cited as 42 U.S.C. § 15322).

3
4 52 U.S.C.A. § 20922
Formerly cited as 42 USCA § 15322

5 § 20922. Duties

6 Currentness

7
8 The Commission shall serve as a national clearinghouse and resource for the compilation of information and
review of procedures with respect to the administration of Federal elections by--

9 (1) carrying out the duties described in subpart 3 of this part (relating to the adoption of voluntary voting
10 system guidelines), including the maintenance of a clearinghouse of information on the experiences of State
and local governments in implementing the guidelines and in operating voting systems in general;

11 (2) carrying out the duties described in part B of this subchapter (relating to the testing, certification,
12 decertification, and recertification of voting system hardware and software);

13
14 35. The Election Assistance Commission “shall provide for the testing,
15 certification, decertification, and recertification of voting system hardware and
16 software by accredited laboratories.” 52 U.S.C. § 20971(a)(1) (formerly cited as 42
17 U.S.C. § 15371) (emphasis added).
18

19 52 U.S.C.A. § 20971
Formerly cited as 42 USCA § 15371

20 § 20971. Certification and testing of voting systems

21 Currentness

22 (a) Certification and testing

23 (1) In general

24 The Commission shall provide for the testing, certification, decertification, and recertification of voting
25 system hardware and software by accredited laboratories.

26 (2) Optional use by States

27 At the option of a State, the State may provide for the testing, certification, decertification, or recertification
28 of its voting system hardware and software by the laboratories accredited by the Commission under this
section.

36. Additionally, at “the option of a State, the State may provide for the testing, certification, decertification, or recertification of its voting system hardware and software by the laboratories accredited by the Commission under this section.” 52 U.S.C. § 20971(a)(2) (formerly cited as 42 U.S.C. § 15371) (emphasis added).

37. Pursuant to the U.S. Election Assistance Commission, there are only two Voting System Test Laboratories (VSTL) that are accredited by the Election Assistance Commission: (1) Pro V&V; and (2) SLI Compliance. U.S. Election Assistance Commission, VOTING SYSTEM TEST LABORATORIES (VSTL), <https://www.eac.gov/voting-equipment/voting-system-test-laboratories-vstl> (last visited June 21, 2022) (emphasis added).

U.S. ELECTION ASSISTANCE COMMISSION

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Home > Voting System Test Laboratories (VSTL)

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VOTING SYSTEM TEST LABORATORIES (VSTL)

Section 231(b) of the **Help America Vote Act (HAVA) of 2002** (42 U.S.C. §15371(b)) requires that the EAC provide for the accreditation and revocation of accreditation of independent, non-federal laboratories qualified to test voting systems to Federal standards. Generally, the EAC considers for accreditation those laboratories evaluated and recommend by the **National Institute of Standards and Technology (NIST)** pursuant to HAVA Section 231(b)(1). However, consistent with HAVA Section 231(b)(2)(B), the Commission may also vote to accredit laboratories outside of those recommended by NIST upon publication of an explanation of the reason for any such accreditation.

Pro V&V

6705 Odyssey Dr NW Suite C,
Huntsville, Alabama 35806
Status: Accredited
Program Manager: , President
Phone: 256-713-1111

[Learn More >](#)


SLI Compliance, a Division of Gaming Laboratories International, LLC

4720 Independence Street
Wheat Ridge, Colorado 80033
Status: Accredited
Program Manager: , Director of Operations
Phone: 303-422-1566

[Learn More >](#)

2 results found.
page 1 of 1

38. Pursuant to the Arizona Secretary of State, the Dominion voting machines used in the 2020 presidential election were certified on November 5, 2019, with an EAC System ID # as follows: DVS-DemSuite5.5-B. Arizona Secretary of State, Certified Vote Tabulating Equipment, https://azsos.gov/sites/default/files/2020.07.22_Official_List.pdf (last visited June 21, 2022).

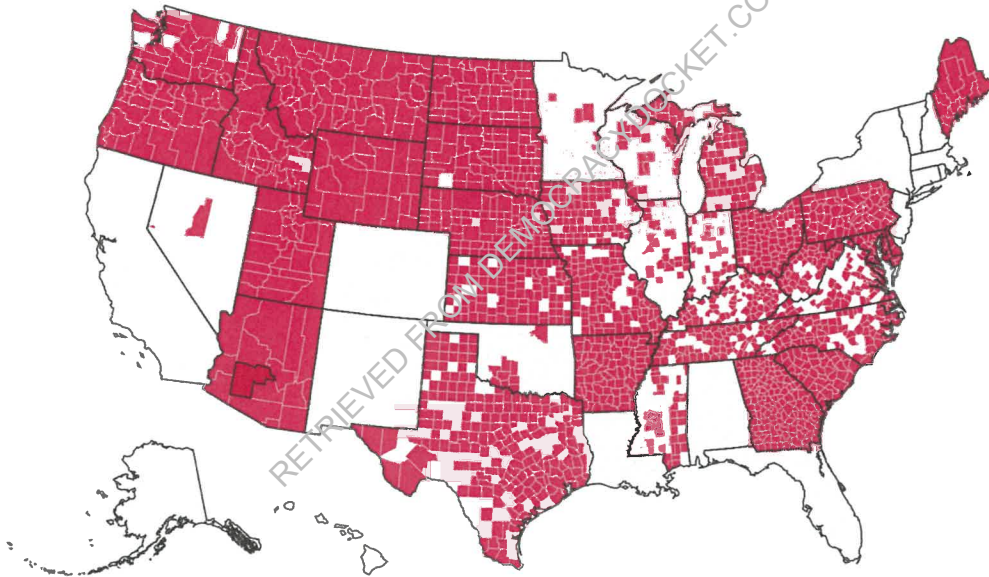
 Arizona Secretary of State Certified Vote Tabulating Equipment Pursuant to A.R.S. § 16-442 Updated 07/22/2020					
Company	Voting System/System Component	Software	Hardware/Firmware	EAC System ID #	Date of Certification
Diebold	GEMS 1-18-24 Voting System *See original certification 11/2005	EMP Model D software (4.6.2)	AccuVote-TSX DRE Model D (4.6.4) ExpressPoll 5000 Electronic Poll Book (CardWriter (1.0) component only) Election Media Processor (EMP) Model D software (4.6.2)	N-1-06-22-22-003 N-1-06-22-22-004 N-1-06-22-22-005	6/15/2007
Dominion	EMS 5.5.32.4	EMS-Election Event Designer (5.5.32.4) EMS- Results Tally & Reporting (5.5.32.4) EMS-Audio Studio (5.5.32.4) EMS-Data Center Manager (5.5.32.4) EMS-Application Server (5.5.32.4) EMS-Network Attached Storage (5.5.32.4) EMS-Database Server (5.5.32.4) EMS-Election Data Translator (5.5.32.4) EMS-Adjudication (5.5.32.1) ImageCast Voter Activation (ICVA) (5.5.32.4) ImageCast Central (ICC) (5.5.32.5) ImageCast Precinct2 (ICP2) (5.5.1.8) ImageCast X (ICX) (5.5.13.2)	ICVA Smart Card Reader (ACR39U) ICC Scanner (Canon Dr-G1130) ICC Scanner (InoTec HiPro 821) ICP2 Hardware (PCOS-330A) Ballot Box-Stacking (ICP2) (PCOS-350A) ICX Classic Hardware (Avalue SID-21V-Z37) ICX BMD Printer (HP M402dne) ICX BMD UPS (APC SMT1500C) Accessible Tactile Interface USB (ATI for ICP2 & ICX) (Rev.A)	DVS-DemSuite5.5-B	11/05/2019

39. During the 2020 presidential election Dominion voting machines with DVS-DemSuite5.5-B were used in Maricopa County, Arizona. U.S. Election Assistance Commission System Certification Process, <https://www.eac.gov/voting-equipment/system-certification-process>.

Map of EAC certified Voting Systems by County

Counties shown in red in the map below use voting systems that have been certified by the EAC. For details on a specific county, point over the county on the map.

Maricopa County, Arizona | Dominion, D-Suite 5.5-B



40. Pursuant to the Arizona Secretary of State's website and hyperlink in the above PDF, DVS-DemSuite5.5-B is manufactured by Dominion Voting Systems Corp and the Testing Laboratory was Pro V&V. U.S. Election Assistance Commission, <https://www.eac.gov/voting-equipment/democracy-suite-55b-modification> (last visited June 21, 2022).

Home > Democracy Suite 5.5B (Modification) PRINT SHARE

DEMOCRACY SUITE 5.5B (MODIFICATION)

Manufacturer

Dominion Voting Systems Corp


Testing standard

VVSG 1.0 (2005)

Testing Lab

Pro V&V

41. Pursuant to the U.S. Election Assistance Commission's website, Pro V&V received a Certificate of Accreditation on **February 24, 2015**. U.S. Election Assistance Commission, Voting System Test Laboratories, <https://www.eac.gov/voting-equipment/voting-system-test-laboratories-vstl/pro-vv> (last visited August 11, 2022).

 U.S. ELECTION ASSISTANCE COMMISSION Q

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Home > Voting System Test Laboratories (VSTL) > Pro V&V PRINT SHARE

Voting System Test Laboratories (VSTL)

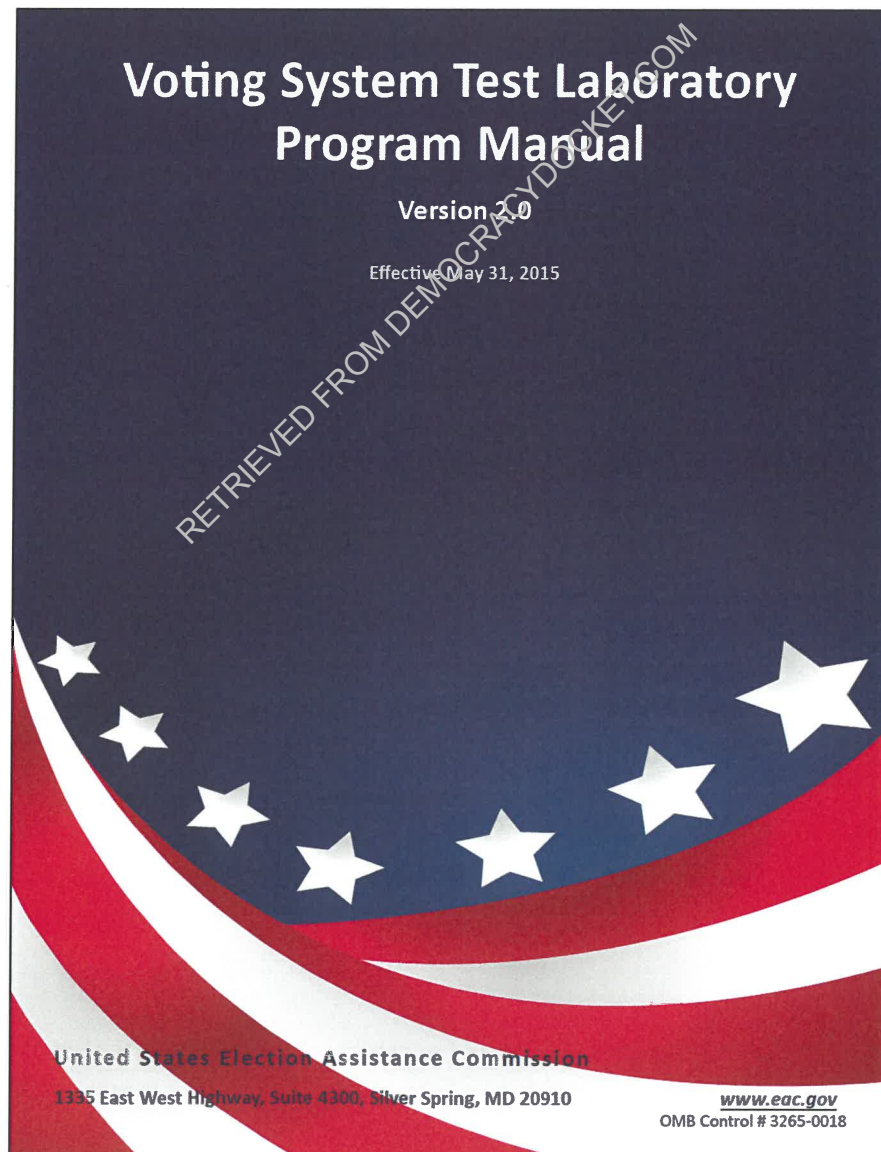
PRO V&V

[BACK TO VOTING SEARCH](#)

Pro V&V

Pro V&V was accredited by the EAC on February 24, 2015. Federal law provides that EAC accreditation of a voting system test laboratory cannot be revoked unless the EAC Commissioners vote to revoke the accreditation: "The accreditation of a laboratory for purposes of this section may not be revoked unless the revocation is approved by a vote of the Commission." 52 U.S. Code § 20971(c)(2). The EAC has never voted to revoke the accreditation of Pro V&V. Pro V&V has undergone continuing accreditation assessments and had new accreditation certificate issued on February 1, 2021.

42. Pursuant to Version 2.0 of the Voting System Test Laboratory Program Manual, which was effective May 31, 2015, "A grant of accreditation is valid for a period **not to exceed two years.**" Voting System Test Laboratory Program Manual, p. 39, § 3.8.



Voting System Test Laboratory Program Manual, Version 2.0

3.7.4. Accreditation Logo. A VSTL may display the EAC laboratory accreditation logo. Only the EAC authorized logo may be used. The display must be used in a manner consistent Sections 3.7.1. - 3.7.3., above. Specifications for the reproduction and use of the EAC logo are found in Appendix D.

3.8. Expiration and Renewal of Accreditation. A grant of accreditation is valid for a period not to exceed two years. A VSTL's accreditation expires on the date annotated on the Certificate of Accreditation. VSTLs in good standing shall renew their accreditation by submitting an application package to the Program Director, consistent with the procedures of Section 3.4 of this Chapter, no earlier than 60 days before the accreditation expiration date and no later than 30 days before that date. Laboratories that timely file the renewal application package shall retain their accreditation while the review and processing of their application is pending. VSTLs in good standing shall also retain their accreditation should circumstances leave the EAC without a quorum to conduct the vote required under Section 3.5.5.

43. Pro V&V received its certification on **February 24, 2015**.

RETRIEVED FROM DEMOCRACYDOCKET.COM



United States Election Assistance Commission

Certificate of Accreditation

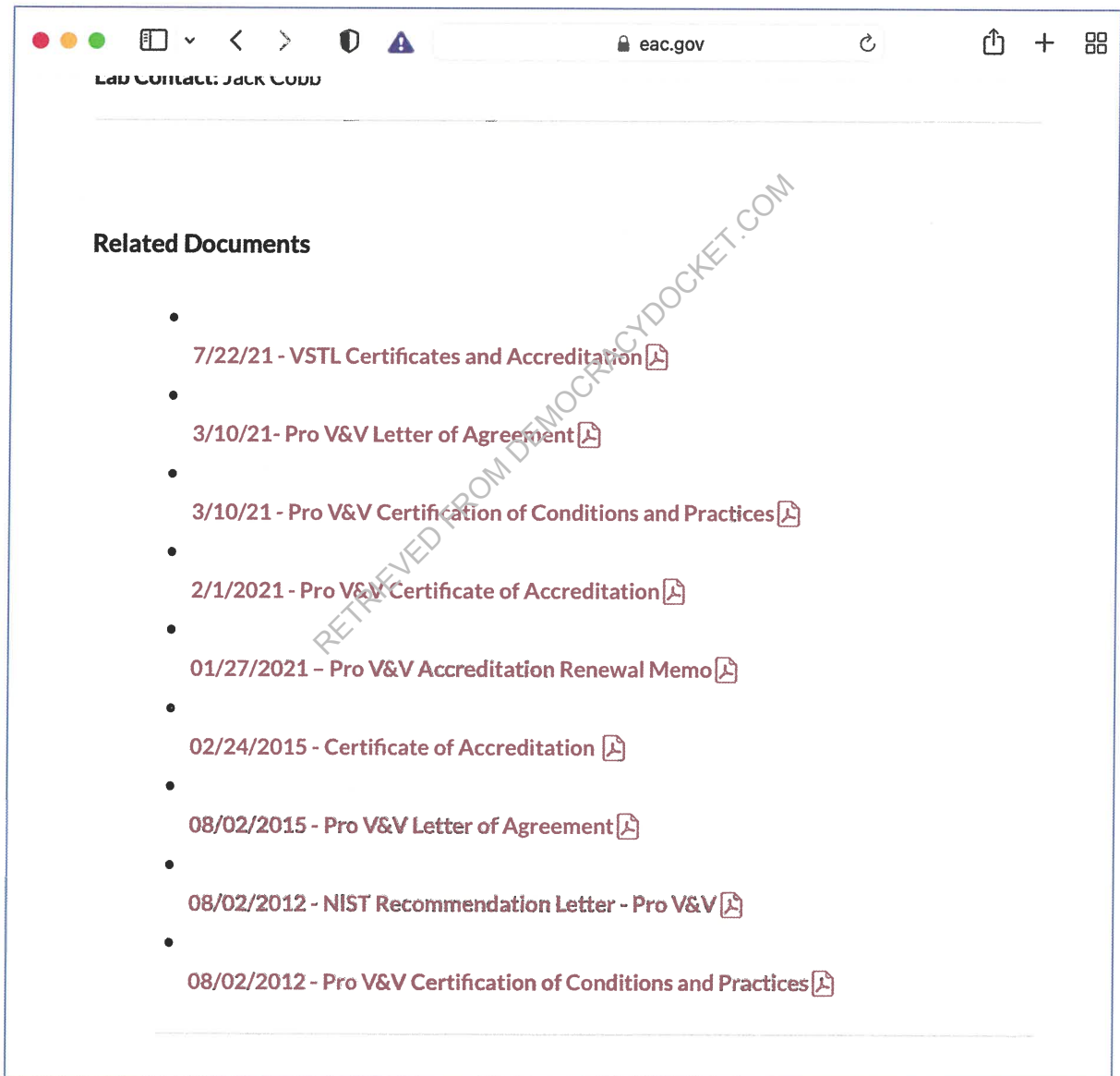
Pro V&V, Inc.
Huntsville, Alabama

is recognized by the U.S. Election Assistance Commission for the testing of voting systems to the 2005 Voluntary Voting Systems Guidelines under the criteria set forth in the EAC Voting System Testing and Certification Program and Laboratory Accreditation Program. Pro V&V is also recognized as having successfully completed assessments by the National Voluntary Laboratory Accreditation Program for conformance to the requirements of ISO/IEC 17025 and the criteria set forth in NIST Handbooks 150 and 150-22.

<i>Effective Through</i>	
February 24, 2017	Date: 2/24/15
	Acting Executive Director, U.S. Election Assistance Commission
	EAC Lab Code: 1501

44. Pro V&V's Certificate of Accreditation **expired on February 24, 2017.**

45. On November 3, 2020, Pro V&V was not accredited by the U.S. Election Assistance Commission. U.S. Election Assistance Commission, <https://www.eac.gov/voting-equipment/voting-system-test-laboratories-vstl/pro-vv> (last visited August 11, 2022).



1 46. Pro V&V did not receive another Certificate of Accreditation until
2 January 27, 2021, which was after the November 3, 2020 presidential election.

3
4 47. Since Arizona law expressly requires its voting “machines or devices” to
5 have been “tested and approved by a laboratory that is accredited pursuant to the help
6 America vote act of 2002” and Pro V&V was not accredited on November 5, 2019, it
7 was unlawful and illegal for the Defendants to certify Arizona’s 2020 presidential
8 election when said results included Maricopa County’s votes, which were void *ab*
9 *initio* and uncertifiable.
10

11
12 48. The Dominion voting hardware and software that was used in the 2020
13 presidential election in Maricopa County failed to comply with A.R.S. § 16-442(B);
14 said election was unlawful.
15

16 49. Election results that contain illegal and unlawful votes cannot be certified.
17

18 50. As such, the Defendants’ certification of Arizona’s 2020 presidential
19 election was/is void ab initio as the Defendants only have the authority to certify a
20 lawful election.
21

22 51. Since it was unlawful and illegal for the Defendants to certify the 2020
23 presidential election with the Maricopa County votes included, the Defendants’
24 signatures are void ab initio.
25

26 52. An election that is void *ab initio* cannot be certified.
27
28

1 **WHEREFORE**, premises considered, the Plaintiffs pray as follows:

2 1. That good and adequate service be had on all Defendants;

3
4 2. That this Court issue a peremptory Writ of Mandamus compelling the
5 Arizona Secretary of State, Governor, Attorney General and Chief Justice to decertify
6 Arizona's 2020 presidential election, recall Arizona's Joseph Robinette Biden, Jr.'s
7 presidential electors, remove the Maricopa County votes from the 2020 presidential
8 election results as they were/are void *ab initio*, order Maricopa County to rerun the
9 Arizona 2020 presidential election, in accordance with the law, as soon as possible, by
10 way of a special election, with paper ballots only, on a single **election day**, omitting
11 Zuckerboxes and "no excuse" absentee mail-in ballots, with the paper ballots being
12 counted by hand, with multiple members of all political parties present to observe, with
13 unobstructed 24/7 public livestream cameras of all vote counting so that Arizona can
14 restore voter confidence and Arizona's commitment to free and fair elections, with the
15 Defendants then adding Maricopa County's presidential election votes to the
16 remaining votes and ordering the Defendants to then certify a lawful 2020 presidential
17 election; and
18
19
20
21
22

23 3. Such other relief to which the Plaintiffs may show themselves to be
24 entitled.
25

26 Respectfully submitted this 31st day of August, 2022.
27
28

1 **PRO SE PLAINTIFFS**

2 /s/ Daniel Wood

3 /s/ Brian Steiner

4 /s/ Paul Rice

5 P.O. Box 50631

6 Phoenix, AZ 85076

7 Email: russell@thenewmanlawfirm.com

8 (615) 554-1510 (Telephone)

9 **PREPARED WITH ASSISTANCE OF COUNSEL**

10 Russell A. Newman, TN BPR # 033462

11 (Motion for Admission *Pro Hac* Forthcoming)

12 The Newman Law Firm

13 253 S. Tamiami Trail

14 Suite 120

15 Nokomis, FL 34275

16 Email: russell@thenewmanlawfirm.com

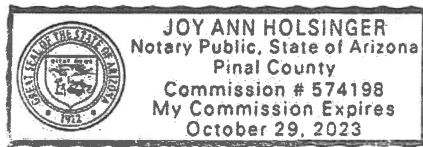
17 (615) 554-1510 (Telephone)

18 Attorney for Plaintiffs

VERIFICATION

STATE OF Arizona)
COUNTY OF Pinal)

I have read the foregoing factual allegations contained in this Verified Writ of Mandamus and do hereby certify that they are true and correct to the best of my knowledge.



Daniel Wood
Daniel Wood
Plaintiff

SWORN TO AND SUBSCRIBED before me this 24 day of August, 2022.

Joy Ann Holsinger
Notary Public

My Commission Expires:

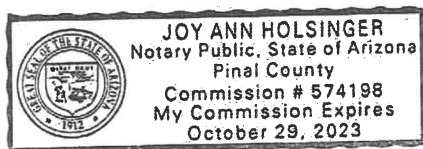
10/29/2023

VERIFICATION

STATE OF ARIZONA)

COUNTY OF PINAL)

I have read the foregoing factual allegations contained in this Verified Writ of Mandamus and do hereby certify that they are true and correct to the best of my knowledge.



Brian Steiner
Brian Steiner
Plaintiff

SWORN TO AND SUBSCRIBED before me this 24 day of August, 2022.

Joy Ann Holsinger
Notary Public

My Commission Expires:

10/29/2023

VERIFICATION

STATE OF Arizona)

COUNTY OF Maricopa)

I have read the foregoing factual allegations contained in this Verified Writ of Mandamus and do hereby certify that they are true and correct to the best of my knowledge.



Paul Rice
Plaintiff

SWORN TO AND SUBSCRIBED before me this 23rd day of August, 2022.



Notary Public

My Commission Expires:

01-04-2026

