State of Wisconsin
Before the Wisconsin Elections Commission

The Verified Complaint of

1. Jay Stone
   10501 82nd St.
   Pleasant Prairie, WI 53158
   JayJoelStone@gmail.com

2. Sandra Morris
   908 Belmont Ave
   Racine WI 53405
   sandra.kay.888@gmail.com

3. Jim Spodick
   5440 River Hills Road
   Calendonia, WI 53402
   hotgovernment@gmail.com

Against Complaint Respondent

1. Meagan Wolfe
   212 East Washington Avenue, Third Floor
   P.O. Box 7984
   Madison, Wisconsin 53707-7984

2. Robert Kehoe
   212 East Washington Avenue, Third Floor
   P.O. Box 7984
   Madison, Wisconsin 53707-7984

3. Wisconsin Elections Commission
   212 East Washington Avenue, Third Floor
   P.O. Box 7984
   Madison, Wisconsin 53707-7984

This complaint is made under Wis. Statute § 5.06(1) and Wis. Stat. § 12.11(2)(b)(7).

MyVote Absentee Ballot Applications are Unlawful

According to <u>Wis. Stat. § 5.05(3g)</u>, WEC Administrator Meagan Wolfe is Wisconsin's chief election official. When Wolfe was <u>WEC's Deputy Administrator and IT Director</u>, she was a team leader who helped develop the current <u>MyVote</u> system. As Wisconsin's chief election official, Wolfe is ultimately responsible for the present version and operation of MyVote's website.

Robert Kehoe is WEC's Technology Director who oversees MyVote's day to day operations. Though Kehoe's expertise is in technology, Kehoe is also responsible for making sure MyVote's policies and practices are lawful.

<u>Wis. Statute § 6.86(1)(a)</u> describes the methods for obtaining an absentee ballot as follows: "Any elector of a municipality who is registered to vote whenever required and who qualifies under ss. 6.20 and 6.85 as an absent elector may make written application to the municipal clerk of that municipality for an official ballot by one of the following methods:" In plain and clear language, Wis. Statute § 6.86(1)(a) requires electors to make their written applications to their municipal clerks, not MyVote.

Wis. Statute § 6.86(1)(a) does not permit WEC or MyVote to act as an interloper, intermediary, or to intervene between the electors and municipal clerks when the electors are applying for absentee ballots. The law only allows electors to request their absentee ballots from their appropriate municipal clerks or not at all. The MyVote form for voters to submit their written online absentee ballot applications to WEC is a violation of Wis. Statute § 6.86(1)(a).

<u>In Kehoe's February 16, 2021 testimony to the Assembly Committee on Campaigns and Elections</u>, Kehoe explained MyVote Wisconsin's procedures, including the Fourth, Fifth and Sixth procedures listed below.

"Fourth, we need to get each record a ballot, so we have to create an absentee ballot request. That's another record in the system."

"Fifth, each absentee ballot request has to have a photo ID associated with it. So you either have to use voter records that already have a photo ID on file, or you have to provide a photo ID. If

you choose the second option the system retains an image of the ID, which must be reviewed and validated by the local clerk's office."

"Sixth, your absentee ballot request just generated yet another alert to the local clerk's office because they're the ones that have to print, stuff, and mail the ballot. The state doesn't issue ballots in Wisconsin."

The Fourth procedure acknowledges that WEC and MyVote receives and records absentee ballot applications. The Fifth procedure states WEC is responsible for checking electors voting records for photo IDs on file. If voters submit new photo IDs, then the local clerks' offices validate the photo IDs.

Kehoe's testimony described how MyVote unlawfully intervenes between the voters and municipal clerks when voters submit their written absentee ballot applications. The Sixth procedure is an admission that MyVote receives absentee ballot requests and alerts local clerks' offices to print and mail the ballot. Wis. Statute § 6.86(1)(a) requires electors to submit their absentee ballot applications directly to their local municipal clerk, not to MyVote or WEC who subsequently alert local clerks that their electors requested absentee ballots.

MyVote is Not Included in the Six Methods for Electors to Apply for Absentee Ballots

Wis. Stat. § 6.86(1)(a) lists six methods for voters to write and submit written applications to their municipal clerks in order to obtain absentee ballots. The six methods are as follows:

1. By mail.
2. In person at the office of the municipal clerk or at an alternate site under s. 6.855, if applicable.
3. By signing a statement and filing a request to receive absentee ballots under sub. (2) or (2m) (a) or s. 6.22 (4), 6.24 (4), or 6.25 (1) (c).
4. By agent as provided in sub. (3).
5. By delivering an application to a special voting deputy under s. 6.875 (6).
6. By electronic mail or facsimile transmission as provided in par. (ac).

Completing a MyVote online form to obtain absentee ballots is clearly not one of the six methods listed in Wis. Stat. § 6.86(1)(a). The Respondents may argue that their form produces an email that is sent to clerk's offices who then processes the absentee ballots applications. However, when Kehoe testified about the Sixth procedure, he said an alert is sent to the local clerk's office; he did not say an email is sent to the clerk's office. Furthermore, MyVote's website doesn't inform users that WEC's alerts their local clerk's office when they submit their MyVote absentee ballot applications.

Recall the Teigen case in which the Wisconsin State Supreme Court ruled ballot drop boxes are illegal. The Teigen case set a legal precedent as to why the MyVote absentee ballot applications are also illegal. As with the return of an *absentee ballot,* the return of an *absentee ballot application* requires a person to person exchange between an elector and the clerk or clerk's representative. The Court said "Rather, this statute specifies return of absentee ballots through two and only two means: mailing by the voter to the municipal clerk, or personal delivery by the voter to the municipal clerk. And personal delivery to the clerk contemplates a person-to-person exchange between the voter and the clerk or the clerk's authorized representative at either the clerk's office or a designated alternate site. Wis. Stat. §§ 5.02(10), 6.855, 6.87(4)(b)1., 6.88(1). The two [Wolfe] memos advising otherwise therefore conflict with the law and are properly void" (Click here and see page 89).

As with the preceding quote from the Teigen decision, Wis. Stat. § 6.86(1)(a) requires a person to person email between the elector who is submitting an absentee ballot application and the municipal clerk or the municipal clerk's official representative who receives the elector's email. MyVote or WEC's absentee ballot request alert is not a voter to clerk email delivery of the voter's absentee ballot application as Wis. Stat. § 6.86(1)(a) demands.

The Alleged Violations of Wis. Fraud Stat. §12.13(2)(b)(7)

The Wisconsin Supreme Court justices explained that it is the job of the legislature, not WEC Administrator Wolfe, to write Wisconsin election laws. "A majority of this court permits Administrator Megan Wolfe's unilateral declarations regarding election procedures to have the force of law, subject only to judicial review (if the court even bothers to take the case). 'No one man should have all that power.' Kanye West, Power (2010). It is not the province [or the prerogative] of a state executive official to re-write the state's election code." (Click here and see page 16). As with Wolfe rewriting the law to allow the use of absentee ballot drop boxes, Wolfe

has once again rewritten a law. This time Wolfe's "law" allows MyVote to receive absentee ballot applications so voters may obtain absentee ballots though there is no such state statute that permits it.

The method in which Wolfe mismanaged MyVote accepting *absentee ballot applications* and the manner in which Wolfe mismanaged drop boxes accepting *absentee ballots* are analogous. In the Teigen case the court said, "In regard to whom may return an absentee ballot, the circuit court explained that "[it did not] see any language in the statute that provides a basis for having agents, somebody other than the elector, actually deliver the ballot. Further, in quoting the portion of the [Wolfe] memo that purported to allow family members or other persons to return a ballot on behalf of the voter, the court concluded that it did not "see anything in the statute that says that" (Click here and see page 57).

Wis. Stat. § 6.86(1)(a) does not provide for MyVote to act as voters' agents when voters submit their absentee ballot applications to municipal clerks. As a matter of fact, if you searched the entire Wisconsin state statutes, you will not find a single reference to MyVote (Click here and type in MyVote in the search bar). There is no Wisconsin state statute that authorizes the existence of MyVote, let alone the existence of MyVote receiving absent ballot applications.

WEC, Wolfe, and Kehoe created and maintain MyVote with the intent of having voters obtain absentee ballots by submitting written applications to the MyVote website. Wis. Stat. §12.13(2)(b)(7) states, "In the course of the person's official duties or on account of the person's official position, intentionally violate or intentionally cause any other person to violate any provision of chs. 5 to 12 for which no other penalty is expressly prescribed."

There are no penalties for violations of Wis. Stat. § 6.86(1)(a). Since there are no penalties associated with Wis. Stat. § 6.86(1)(a), WEC, MyVote, Wolfe, and Kehoe violated Wis. Fraud Stat. §12.13(2)(b)(7) by intentionally providing voters with an unsanctioned method to obtain absentee ballots; WEC, MyVote, Wolfe, and Kehoe's chosen method was not one of six prescribed methods to obtain an absentee ballot authorized in Wis. Stat. § 6.86(1)(a).

The Real Crime is the Mailing Harry Wait Absentee Ballots Without Proof of Identification

On July 26, 2022 Hot Government President Harry Wait requested absentee ballots for Wisconsin House Speaker Robin Vos, Racine Mayor Corey Mason, and several other registered

Wisconsin voters. Harry ordered absentee ballots to expose how easy it was for one person to obtain absentee ballots by using the names of other Wisconsin voters. Harry had no intention of using the absentee ballots to vote. Harry quickly and publicly confessed to requesting absentee ballots in the name of others in his emails that he sent to Racine County Sheriff Christopher Schmaling, Racine Clerk Tara Coolidge, Racine County Clerk Patricia Hanson, etc.

Administrator Wolfe sent out a July 28, 2022 press release with a headline that said, "No Indication of MyVote Vulnerability." If what Wolfe said about MyVote security was true, why was it so easy for Harry to order and receive other people's absentee ballots? Indeed, Harry proved MyVote is vulnerable to fraudulent absentee ballot requests, but MyVotes vulnerabilities are self-inflicted. Kehoe described the biggest MyVote weakness when he testified about the Fifth Procedure, proof of identification. MyVote unlawfully acting as an intermediary between electors who apply for absentee ballots and the clerks who provide them is the main source of MyVote's vulnerabilities—some times WEC is responsible for proof of identification and other times clerks are responsible for proof of identification.

The Wisconsin Department of Justice investigators already interviewed Harry, and he has received a subpoena. Harry would not have been able to provide proof of identification for the other voters he requested absentee ballots for had he been asked. This means proof of identification would have stopped other people's absentee ballots from being mailed to Harry. Because of Harry the public is learning why proof of identification is such an important safeguard to preventing vote fraud. Moreover, the real crime committed is the mailing of absentee ballots without first asking Harry to provide proof of identification.

Harry did more than just expose how someone can use MyVotes to receive absentee ballots in the name of other voters. Harry's actions revealed that MyVote acting as an intermediary between the electors who apply for absentee ballots and the clerks who mail the absentee ballots has no foundation in law.

The Wisconsin Supreme Court ruled that there are only two ways to return absentee ballots—1. by mail or 2. by the electors delivering their absentee ballots directly to their clerks. Wis. Stat. § 6.86(1)(a) provides six ways for voters to obtain absentee ballots. Submitting a MyVote absentee ballot application is not one of the six methods to obtain an absentee ballot. Since Wis. Stat. § 6.86(1)(a) has no provisions to allow MyVote to intervene between electors' absentee ballot applications and their local clerks, all of the absentee ballot applications that Harry completed were null and void at the time he was filling out his absentee ballot applications.

In Wolfe's press release she alluded to three potential charges against Harry. However, Harry can't be charged with any crimes because the absentee ballot applications he submitted had no legal basis for which to exist. As stated in the last section, the real fraud was Wolfe inserting MyVote between the electors and municipal clerks in the absentee ballot application process for which she had no legal authority to do so.

Prayer for Relief

1. Suspend MyVote's involvement in absentee ballot applications because this method is not one of the six methods prescribed by Wis. Stat. § 6.86(1)(a).

2. Stop the persecution of Harry Wait because none of the absentee ballot applications Harry submitted had the force of law behind it.