

FILED
SEP 20 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

22-503
No. 22-_____

ORIGINAL

In the
Supreme Court of the United States

GREGORY STENSTROM AND LEAH HOOPES,
Petitioners,

v.

DELAWARE COUNTY BOARD OF ELECTIONS,
Respondent.

On Petition for a Writ of Certiorari to the
Commonwealth Court of Pennsylvania

PETITION FOR A WRIT OF CERTIORARI

GREGORY STENSTROM
LEAH HOOPES
PETITIONERS PRO SE
1541 FARMERS LANE
GLEN MILLS, PA 19342
(856) 264-5495
GSTENSTROM@XMAIL.NET

NOVEMBER 22, 2022
SUPREME COURT PRESS

◆ (888) 958-5705 ◆

BOSTON, MASSACHUSETTS

RECEIVED
NOV 29 2022
OFFICE OF THE CLERK
SUPREME COURT, U.S.

QUESTIONS PRESENTED

1. Is the spoliation of election materials and evidence, required to be maintained by federal and state law, by election officials to perfect massive election fraud, evidence of said fraud by itself, and/or sufficient to infer adverse verdict?

2. Do duly appointed, certified poll watchers, who have taken an oath to fulfill their lawful duties as intervenors for both the candidates they represent, and the citizenry, have standing to petition the Courts on their own behalf to remedy grievous violations of election law, election fraud, and associated civil law?

3. Does the Court of first remedy in considering alleged grievous election and civil violations (in this case, the Common Pleas Court of Delaware County, Pennsylvania), have a duty to have an evidentiary hearing, and be presented evidence of allegations of massive election fraud that could change the outcome of an election, before ruling there isn't a "scintilla of evidence" and otherwise ruling on facts not in evidence?

4. Does immediate notification of spoliation and destruction of election materials required to be maintained by federal and state law for 22 months (or as long as litigative controversy is pending), that proves massive election fraud that could change the outcome of an election, require the Court of first remedy to intervene to secure said evidence, as the lawful arbiter to preserve the integrity of the election system?

5. Are lawyers and “esquires” a special class that can unilaterally decide the outcome of litigative controversy without transparency, input, acknowledgement, or permission of petitioners, plaintiffs, and defendants and the citizenry, without public hearing, transcript or accountability?

6. Should both candidates for election represented by counsel, and Pro Se citizen litigants, be afforded the latitude and grace of the Supreme Court of the United States, as final arbiters of the Republic, to curate technically deficient but meritorious cases regarding the most sacred right of voting by the citizenry of the United States in their selection of their elected representatives, given the Court has repeatedly done so for other cases?

7. Is it lawful for public officials to intimidate, harass, and demand civil and criminal sanctions, and against lawful intervenors, candidates, citizens, and their attorneys for having the temerity to challenge grievous election law violations that would change the outcome of elections?

8. Should petitioners lawsuit(s), who hold hard physical evidence, sworn affidavits, whistleblower videos and audio admissions of election officials committing criminal election fraud, documentation, unreconciled returns, and a literal mountain of evidence that approximately 327,000 votes were fraudulently certified in Delaware County, PA, in a presidential election that Joseph Biden allegedly “won” by approximately 80,000 votes, and undercard statewide elections of lesser margins, be considered for public remediation by the United States Supreme Court, or returned to the Court of first remedy (Common Pleas Court of Delaware County, PA)?

9. Is it lawful for the beneficiary(ies) of alleged election fraud to unilaterally investigate and adjudicate said fraud (*i.e.*, The Pennsylvania Attorney General, Josh Shapiro and District Attorney Jack Stollsteimer).

RETRIEVED FROM DEMOCRACYDOCKET.COM

PARTIES TO THE PROCEEDINGS

Petitioners and Intervenors-Appellants Below

- Gregory Stenstrom, Certified Poll Watcher for State Senator Thomas H. Killion, and Original Petitioner and Intervenor
- Leah Hoopes, Certified Poll Watcher for President Donald J. Trump, and Original Petitioner and Intervenor

Respondent and Defendant-Appellee Below

- Delaware County Board of Elections

Respondents and Plaintiffs Below

- Dasha Pruett, Candidate for Congress, Original Petitioner and harmed candidate, exited the case after the order by the Common Pleas Court (or first remedy) to dismiss and sanction petitioners Stenstrom and Hoopes.
- The Delaware County Republican Executive Committee, GOP corporate entity that was cited as original representative with standing on behalf of Intervenors and Candidate, and named Plaintiff, was excised from CV-2020-007523 by the Commonwealth Court of Pennsylvania for not responding to any filing after the initial complaint.

LIST OF PROCEEDINGS

Direct Proceedings

Supreme Court of Pennsylvania

No. 17 MAL 2022

*Delaware County Republican Executive Committee v.
Board of Elections Petition of: Gregory Stenstrom and
Leah Hoopes*

Date of Final Order: June 22, 2022

Commonwealth Court of Pennsylvania

No. 125 C.D. 2021

*Delaware County Republican Executive Committee v.
Board of Elections Petition of: Gregory Stenstrom and
Leah Hoopes*

Date of Final Opinion: December 13, 2021

In The Court of Common Pleas of Delaware County,
Pennsylvania Civil Division

No. CV-2020-007523

*Delaware County Republican Executive Committee
v. Board of Elections*

Date of Final Order: January 13, 2021

Related Cases

Common Pleas Court of Delaware County,
Pennsylvania;

*Ruth Moton, Leah Hoopes and Gregory Stenstrom v.
Kathy Boockvar (Pennsylvania Secretary of State), et al.,*
Case No. CV-2022-000032

Petitioners separate but related spoliation case dismissed
as “moot” due to the November 2020 election being
almost two years ago without evidentiary hearing;
Currently in the appellate Court system with timely
Notice of Appeal filed before the Commonwealth Court
of Harrisburg, Pennsylvania

Common Pleas Court of Philadelphia County,
First Judicial District of Pennsylvania,

*James Savage v. Donald J. Trump, Gregory Stenstrom,
Leah Hoopes, et al.;*

Case No. 211002495;

Currently scheduled for initial hearings in 4th quarter
2023.

Supreme Court of the United States
*The State of Texas v. The Commonwealth of
Pennsylvania, State of Georgia, State of Michigan
and State of Wisconsin;*

Dismissed for lack of standing; Petitioner Stenstrom's declaration detailing evidence of massive election fraud, and fraudulent certification of approximately 327,000 ballots in Delaware County was included in this case.

RETRIEVED FROM DEMOCRACYDOCKET.COM

TABLE OF CONTENTS

	Page
QUESTIONS PRESENTED	i
PARTIES TO THE PROCEEDINGS	iv
LIST OF PROCEEDINGS	v
TABLE OF AUTHORITIES	xiii
OPINIONS BELOW	1
JURISDICTION.....	1
CONSTITUTIONAL PROVISIONS INVOLVED.....	1
INTRODUCTION	3
A. Electoral Integrity.....	3
B. Due Process	3
C. Decisions on the Record.....	4
D. Confrontation and Cross-Examination	4
E. Discovery	5
F. Discretion for the Supreme Court to Intervene	6
STATEMENT OF THE CASE.....	6
REASONS FOR GRANTING THE PETITION.....	12
1. Is the spoliation of election materials and evidence, required to be maintained by federal and state law, by election officials to perfect massive election fraud, evidence of said fraud by itself, and/or sufficient to infer adverse verdict?.....	13
2. Do duly appointed, certified poll watchers, who have taken an oath to fulfill their lawful duties as intervenors for both the	

TABLE OF CONTENTS – Continued

	Page
<p>candidates they represent, and the citizenry, have standing to petition the Courts on their own behalf to remedy grievous violations of election law, election fraud, and associated civil law?</p>	16
<p>3. Does the Court of first remedy in considering alleged grievous election and civil violations (in this case, the Common Pleas Court of Delaware County, Pennsylvania), have a duty to have an evidentiary hearing, and be presented evidence of allegations of massive election fraud that could change the outcome of an election, before ruling there isn't a "scintilla of evidence" and otherwise ruling on facts not in evidence?</p>	17
<p>4. Does immediate notification of spoliation and destruction of election materials required to be maintained by federal and state law for 22 months (or as long as litigative controversy is pending), that proves massive election fraud that could change the outcome of an election, require the Court of first remedy to intervene to secure said evidence, as the lawful arbiter to preserve the integrity of the election system?</p>	18
<p>5. Are lawyers and "esquires" a special class that can unilaterally decide the outcome of litigative controversy without transparency, input, acknowledgement, or permission of petitioners, plaintiffs, and defendants and the citizenry, without public hearing,</p>	

TABLE OF CONTENTS – Continued

	Page
transcript or accountability?	19
6. Should both candidates for election represented by counsel, and Pro Se citizen litigants, be afforded the same judicial latitude and grace of the Supreme Court of the United States, as final arbiters of the Republic, to curate technically deficient but meritorious cases regarding the most sacred right of voting by the citizenry of the United States in their selection of their elected representatives, given the Court has repeatedly done so for other cases? .	20
7. Is it lawful for public officials to intimidate, harass, and demand civil and criminal sanctions, and against lawful intervenors, candidates, citizens, and their attorneys for having the temerity to challenge grievous election law violations that could change the outcome of elections?.....	22
8. Should petitioners lawsuit(s), who hold quantitative, hard physical evidence, sworn affidavits, whistleblower videos and audio admissions of election officials committing criminal election fraud, documentation, unreconciled returns, and a mountain of evidence that approximately 327,000 votes were fraudulently certified in Delaware County, PA, in a presidential election that Joseph Biden allegedly “won” Pennsylvania by approximately 80,000 votes, and undercard statewide elections of lesser margins, be considered for public remedia-	

TABLE OF CONTENTS – Continued

	Page
tion by the United States Supreme Court, or returned to the Court of first remedy (Common Pleas Court of Delaware County, PA)?.....	24
9. Is it lawful for the beneficiary(ies) of alleged election fraud to unilaterally investigate and adjudicate said fraud (<i>i.e.</i> , The Pennsylvania Attorney General, Josh Shapiro, among other elected officials)?.....	26
10. Summary	28
CONCLUSION.....	29

RETRIEVED FROM DEMOCRACYDOCKET.COM

TABLE OF CONTENTS – Continued

Page

APPENDIX TABLE OF CONTENTS

OPINIONS AND ORDERS

Order of the Supreme Court of Pennsylvania (June 22, 2022)	1a
Memorandum Opinion of the Commonwealth Court of Pennsylvania (December 13, 2021)	2a
Order of the Commonwealth Court of Pennsylvania (December 13, 2021)	10a
Order of the Court of Common Pleas (January 13, 2021).....	11a

RETRIEVED FROM DEMOCRACYDOCKET.COM

TABLE OF AUTHORITIES

	Page
CASES	
<i>Goldberg v. Kelly</i> , 397 U.S. 254 (1970)	4, 5
<i>Greene v. McElroy</i> , 360 U.S. 474 (1959)	5
<i>Hurtado v. People of the State of California</i> , 110 U.S. 516 (1884)	6
<i>ICC v. Louisville & Nashville R.R.</i> , 227 U.S. 88 (1913)	4
<i>In re: Canvassing Observations</i> , 241 A.3d 339 (Pa. 2020).....	10, 16
<i>Isbill v. Stovall</i> , 92 S.W.2d (1936).....	3
<i>Market Street R.R. v. Railroad Comm'n</i> , 324 U.S. 548 (1945)	4
<i>National Federation of Independent Business v. Sebelius</i> , 567 U.S. 519 (2012).....	20
<i>Purcell v. Gonzalez</i> , 549 U.S. 1 (2006)	3
<i>Roe v. Wade</i> , 410 U.S. 113 (1973)	20, 21
<i>Self v. Rhay</i> , 61 Wn (2d) 261 (1963)	6
<i>Sherer v. Cullen</i> , 481 F.2d 945 (9th Cir. 1973)	4
<i>Texas v. Pennsylvania</i> , 592 U.S. ____ (2020)	15, 21

TABLE OF AUTHORITIES – Continued

	Page
<i>Wesberry v. Sanders</i> , 376 U.S. 1 (1964)	3
CONSTITUTIONAL PROVISIONS	
U.S. Const. amend. V	2
U.S. Const. amend. VI	2, 5
U.S. Const. amend. XIV § 1	2
U.S. Const. art. I, § 4, cl. 1	1
STATUTES	
5 U.S.C. §§ 551-559	4
28 U.S.C. § 1257(a)	1
OTHER AUTHORITIES	
BLACK'S LAW DICTIONARY 5th edition	3

RETRIEVED FROM DEMOCRACYDOCKET.COM



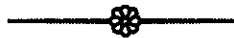
OPINIONS BELOW

The opinion of the Commonwealth Court of Pennsylvania dated December 13, 2021 is published at App.2a. The Opinion and Order of the Court of Common Pleas of Delaware County, Pennsylvania Civil Division dated January 13, 2021 is published at App.11a. These opinions were not designated for publication.



JURISDICTION

The Supreme Court of Pennsylvania issued its order denying a Petition for Allowance of Appeal on June 22, 2022. (App.1a). By letter dated September 23, 2022, the clerk of Court provided Petitioners 60 days, through November 22, 2022 to file this petition. The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).



CONSTITUTIONAL PROVISIONS INVOLVED

U.S. Const. Art. I, § 4, cl. 1 Elections Clause

The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by

Law make or alter such Regulations, except as to the Places of chusing Senators.

U.S. Const. amend. V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

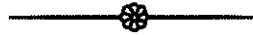
U.S. Const. amend. VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

U.S. Const. amend. XIV, § 1

All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges

or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.



INTRODUCTION

A. Electoral Integrity

Electoral Integrity ensures the legitimacy of not just our governmental institutions, but the Republic itself. See *Wesberry*, 376 U.S. at 10. “Voters who fear their legitimate votes will be outweighed by fraudulent ones will feel disenfranchised.” *Purcell*, 549 U.S. at 4.

B. Due Process

The Court itself belongs to the sovereign plaintiff (people). Not to a special class of esquires who might deem to hold private “amicable” hearings amongst themselves sans the people, not to public officials, not to County Solicitors, not to attorney’s or even judges. *Black’s Law Dictionary* 5th edition page 318 defines the court as “The person and suit of the sovereign; the place where the sovereign sojourns with his regal retinue, wherever that may be.”

Isbill v. Stovall holds that the court is defined as “An agency of the sovereign created by him directly or indirectly under his authority, consisting of one or more officers, established and maintained for the purpose of hearing and determining issues of law and fact regarding legal rights and alleged violations thereof, and of applying the sanctions of the law,

authorized to exercise its powers in the course of law at times and places previously determined by lawful authority.”

Public officials, Attorneys General, District Attorneys, Solicitors, and the begotten esquire class that have forgotten the sovereign citizenry, and assumed control of our judicial system, do not own the Courts, and it is not their exclusive domain. It's authority is derived from the people-it is the people's court.

C. Decisions on the Record

“[T]he decisionmaker's conclusion . . . must rest solely on the legal rules and evidence adduced at the hearing.” Without any evidentiary hearing for Petitioners allegations, a Courts decision can be challenged as erroneous, particularly one in which Petitioners are punitively sanctioned, or left harmed without remedy, without due process. *See Goldberg v. Kelly*, 397 U.S. 254, 271 (1970). “There can be no sanction or penalty imposed upon one because of this exercise of constitutional rights.” *Sherer v. Cullen*, 481 F. 946.

To prevail in challenging a decision, a Petitioner must show not only that the agency used ex-parte evidence, but that he was prejudiced thereby. *See Market Street R.R. v. Railroad Comm'n*, 324 U.S. 548 (1945).

D. Confrontation and Cross-Examination

“In almost every setting where important decisions turn on questions of fact, due process requires an opportunity to confront and cross-examine adverse witnesses.” (*Goldberg v. Kelly*, 397 U.S. 254, 269 (1970). *See also ICC v. Louisville & Nashville R.R.*, 227 U.S. 88, 93-94 (1913). 5 U.S.C. § 551-559 23, 24).

E. Discovery

“Where governmental action seriously injures an individual, and the reasonableness of the action depends on fact findings, the evidence used to prove the Government’s case must be disclosed to the individual so that he has an opportunity to show that it is untrue.

While this is important in the case of documentary evidence, it is even more important where the evidence consists of the testimony of individuals whose memory might be faulty or who, in fact, might be perjurers or persons motivated by malice, vindictiveness, intolerance, prejudice, or jealousy. A Court or agents thereof that dawdles for months, or years, until a cause of action is “moot” is repugnant to the Constitution.

These protections have been formalized in the requirements of confrontation and cross-examination. They have ancient roots. They find expression in U.S. Const. amend. VI, which provides that in all criminal cases the accused shall enjoy the right “to be confronted with the witnesses against him.”

The United States Supreme Court has been zealous to protect these rights from erosion. It has spoken out not only in criminal cases, but also in all types of cases where administrative and regulatory actions were under scrutiny. (*Greene v. McElroy*, 360 U.S. 474, 496 (1959), quoted with approval in *Goldberg v. Kelly*, 397 U.S. 254, 270 (1970).)

F. Discretion for the Supreme Court to Intervene

The common law is the real law, the Supreme law of the land, the code, rules, regulations, policy and statues are not the law" *Self v. Rhay*, 61 Wn (2d) 261.

The Supreme Court has no duty to protect the government—only the people—which is the entire point of the Constitution.

Public officials and government officials cannot be a harmed party. Only citizens can be a harmed party. Only people are sovereign and have rights; bureaucrats, in their capacity, are not sovereign and have no rights, they have authority given by the people and are subject to the statutes."

The State cannot diminish the rights of the people" *Hurtado v. People of the State of California*, 110 U.S. 516.



STATEMENT OF THE CASE

As stated in its own words, the Supreme Court is entrusted as:

... as the final arbiter of the law, the Supreme Court is charged with ensuring the American people the promise of equal justice under law and thereby, also functions as guardian and interpreter of the Constitution.

Supreme Court of the United States, *About the Court*, <https://www.supremecourt.gov/about/constitutional.aspx>

Dissection of the above statement indicates that the first duty of the Supreme Court is fulfillment of the promise of equal justice, and there is no more important right of the citizenry than to elect their representatives from which springs all laws made, executed, and adjudicated-requiring fair and final remedy for violations that thwart that right.

As final arbiter, a further inferred duty of the Supreme Court is also to ensure equal protection of the citizenry before the lower Courts of the United States, and to take corrective action to cure deficiencies in both rulings and conduct of those Courts and the "esquires" admitted to their bars.

Petitioners have quantitative physical evidence that approximately 327,000 ballots were fraudulently certified in Delaware County, Pennsylvania, by the Defendants. Petitioners were denied due process, denied their civil rights, and denied equal protection and justice as lawful intervenors for the candidates they represented, and the citizenry they had a duty to represent as their sole representatives with lawful standing to intervene and petition the Courts to remedy election fraud.

A substantial differentiator between this case and others previously heard and dismissed by the Supreme Court, or quashed by lower Courts, is quantitative evidence versus qualitative and statistical evidence, that clearly meets the thresholds for determining if the alleged election law violations and related fraud codified in both election and civil law would materially alter the outcome of the election in question, in this case the US general election of November 2020.

Another substantial differentiator is the matter of standing, and that certified poll watchers, as codified in Pennsylvania election law are, in fact, lawful intervenors for both the candidates they represent, and the citizenry. As a matter of practicality before the Courts, while all citizens have the right to honest and fair elections, they do not have an individual right of standing to intervene or petition the Courts to remedy violations of election law and related civil law, which has historically been remedied by recognizing certified poll watchers as lawful intervenors for the citizenry.

It is an important distinction whether approximately 81 million votes were cast for Joseph Biden, or approximately 81 million citizens actually voted for him—and almost two years after the election, that question remains unresolved, and untried, in the crucible of a Court before a jury.

Sixty-Five (65) cases regarding the November 2020 general election went before Courts throughout the United States, regarding alleged election, civil and criminal law violations that affected the outcome of not only the presidential election between President Trump and former Vice President Biden, but “undercard” races that included Congressional and State representatives, and critical Law Enforcement and Justice enforcement bodies such as the Pennsylvania Attorney General, and Judiciary.

To the best knowledge of Petitioners, no Court permitted an evidentiary hearing, most did not entertain oral arguments, and multiple orders were made without opinion.

Instead, the citizenry has had to suffer an almost two-year trajectory of indeterminate questions regarding election integrity and a television-esque "Paper Chase" with an army of esquires collectively contemplating their belly buttons with arguments over technicalities and facts not in evidence that they wouldn't dare to present in a traffic court.

In the subject case of this appeal and the Court of first remedy, the Court of Common Pleas of Delaware County, Pennsylvania issued a venomous and punitive 11-page opinion and ruling against Petitioners Stenstrom and Hoopes, characterizing them as "contemptible," "frivolous," and having "unclean hands" for having the temerity to file a lawsuit citing multiple election law, civil law, and criminal law violations in the perpetration of massive election fraud and specifically the fraudulent certification of approximately 327,000 "votes" in a statewide race where VP Biden had about 80,000 votes, and undercard candidates "won" by much lesser margins.

The Court further cited there wasn't a "scintilla" or "smidgeon" of evidence without the benefit of having had an evidentiary hearing.

As in the other 65 cases cited above, the Court of first remedy not only on facts not in evidence without evidentiary hearing, it inflicted draconian sanctions without allowing Petitioners to face their panel of esquire accusers, or to challenge the "evidence" and testimony or said esquires, preferring instead to hold a private meeting amongst those "esquires," one of whom stated in public hearing(s) afterwards that they had "amicably settled the dispute amongst themselves," and that the "vexatious" Petitioners' litigative complaint was merely political "shenanigans."

Notwithstanding the pomposity and arrogance that sovereign citizen Petitioners be barred from due process in a Court they turned into their special and exclusionary club, the esquires erroneously characterized Petitioners as a special class of "observers" without standing, contrary to the very case they cited *In re: Canvassing Observations* which specifically excluded certified poll watchers from their opinion and ruling, and specifically citing their special role as defined in Pennsylvania election code.

These same esquires and Court ignored Petitioners argument that while election "violations" are addressed in election law and subject to laches, that blatant acts of fraud were the venue of, and codified in civil and criminal for which there are different, and much extended statutes of limitations.

Given that the Court never allowed the Petitioners to publicly address their grievances, there was no way for the Court to know that Petitioners had diligently exhausted their administrative remedies, which took time, and had vigorously but fruitlessly sought counsel, who had been significantly chilled in Pennsylvania by the unprecedented attacks on any esquire—or law enforcement officers—who dared investigate, or represent candidates or the citizenry in election related violations and civil and criminal litigation.

Despite the Court of first remedy (Common Pleas) ruling that Stenstrom and Hoopes did not have standing, as they were represented by counsel for the Delaware County Republican Executive Committee, the Court and the special class of "esquires" unilaterally decided on inflicting \$50,000 in sanction and fines on the Petitioners, and the Defendant's Solicitor

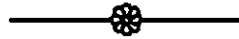
submitted a demand to the State disciplinary committee to disbar Petitioner's attorney, Deborah Silver. Former PA AG Bruce Castor successfully defended both Silver before the PA disciplinary committee, and the Petitioners in the appellate Commonwealth Court, which dismissed the fines and sanctions. But the punitive actions of the Defendant's attorneys, which were essentially SLAPP suits (Strategic Lawsuits Against Public Participation), that had a chilling and cooling effect on both the citizenry and the bar, and anyone else that might hazard exerting their constitutional rights to fair elections and equal justice and protection under the law.

Further exacerbating the punitive actions of the Court and Defendant's esquires, the Commonwealth Court took nine (9) months to schedule a hearing on the appeal, waiting until November 2021 to hear a timely appeal filed by Petitioners in February 2021.

Similarly, the Pennsylvania Supreme Court, then dawdled until June 22nd, 2022, to summarily reject the case without opinion or order, not filing the docket entry until July 15th, 2022.

A second, separate related case (CV-2022-000032), a spoliation complaint filed by Petitioners with 98 Exhibits that included affidavits, documentation and video and audio whistleblower evidence showing election officials openly—and laughingly—admitting that they fabricated the entire election, could not reconcile the vote, and were seen wantonly shredding election materials and machine tapes, and audio exhibits of election officials ordering the destruction of computer images, in one of the most outrageous displays of election spoliation and criminal fraud ever caught on video and audio. This related case,

which included exculpatory evidence much of which would have been entered in the subject case had an evidentiary hearing been allowed, was recently dismissed as "moot" because "the election was two years ago."



REASONS FOR GRANTING THE PETITION

With regards to "equal protection" under the law, the Courts all quixotically chose to closely examine and rule on issues of laches and timeliness of filings in increments measured in only hours and days, while leisurely delaying justice at a seeming whim themselves, with Petitioner's case, and other cases, which languished for many months and now years, regarding one of the most important and hotly contested elections in US history.

The Pro Se Petitioners have been left to their own devices—~~alone~~—having failed to secure willing counsel to address the Supreme Court of the United States because no attorney they called (which were numerous) would hazard taking the case(s) for fear of similar retribution and wanton punitive and financial retaliation that would risk their licenses and incomes. With the exception of attorneys Deborah Silver and Bruce Castor—who were roundly punished by their "esquire" peers and Courts in both reputation, and financially, none would step to the plate.

And how could the Supreme Court of the United States be surprised at this reasonable cowardice of the Courts or esquires to buck the "judicial climate"—a phrase that is repugnant to the Constitution—when

they have remained mute to the most outrageous deprivations themselves?

Hence, Petitioners, mere citizens who previously valued their anonymity, were duty bound to risk their lives, liberty and property to fulfill their duty—and have paid a horrible toll doing so, while politicians, elected representatives, law enforcement, justice system, esquires and Courts remained idle, mute and unbothered, or squabbling outside the venue of a trier of fact, over miniscule technicalities and points of procedure, as our nation suffered irreparable harm as the result of the installation of an illegitimate government—which petitioners can irrefutably prove is the case should they ever be permitted to do so.

Given Petitioners were not so fortunate to have the advantage of securing counsel among the class of esquires who were largely responsible for cementing the massive election fraud they witnessed, and with due respect for the Supreme Court, Petitioners will address the questions before the Court as best possible, and as well as a common citizen might be expected to, one at a time:

- 1. Is the spoliation of election materials and evidence, required to be maintained by federal and state law, by election officials to perfect massive election fraud, evidence of said fraud by itself, and/or sufficient to infer adverse verdict?**

The body of law addressing spoliation primarily considers civil law, where the preponderance of the evidence is the threshold for determining guilt, and the wanton destruction or alteration of evidence that would exonerate a guilty party, infers guilt and an

adverse verdict. Petitioners cited that they witnessed approximately 120,000 fake mail in ballots being ingested into the counting center process, also citing witnessing— about 50,000 to 70,000 unopened (real) mail in ballots in a previously sequestered back room they fought their way into with benefit of a Court ordered injunction they secured; and that 47 previously “missing” USB vDrives were fabricated to further infuse tens of thousands of votes several days after the election, and that this, in turn, made reconciliation of the vote impossible, and that the Return Board could not do so, nor would they sign certification, as required by State Election Law, and that the Board of Elections—with full knowledge of these deficiencies and allegations, and led by a Biden Elector (Esquire Gerald Lawrence) fraudulently certified Delaware County’s vote just before State certification, delivering the election to Biden (and PA AG Shapiro) with only moments to spare.

Defendant’s attorneys, and appointed Solicitor Manly Parks for the Board of Elections (and also the former Solicitor for the Democrat Party only months before) initially called petitioners “liars” and “seditionists” and “terrorists” and denied their allegations that there were any unopened and unaccounted mail in ballots. Parks then curiously—and either inadvertently or stupidly—included photos of the sequestered back room in responses to petitioners complaint and motions, showing thousands of unopened mail in ballots, and then doubled down on the lie by stating the centralized counting center in Delaware County was not a polling location; that the Court had erred in allowing Petitioners access to the canvassing area; and that the evidence of thousands of unopened mail

in ballots that they themselves disclosed, was “inadmissible.” Defendants further denied that any vDrives (containing tens of thousands of votes) were missing, despite Petitioners providing copies of the texts and documents between election officials admitting they were missing, and subsequent admissions in the separate related spoliation case, clearly evidencing their fabrication and post-election spoliation of said vDrives.

Petitioners had clearly damning evidence, and quantitative physical evidence of massive election fraud, which they were ready to immediately present to the Common Pleas Court by the time of their filing in December 2020, having failed to gain the interest of law enforcement, and being actively thwarted by US Attorney General Barr in his order to US Attorney for Eastern Pennsylvania William McSwain, to forward Petitioner Stenstrom’s pleas to secure forensic evidence to the PA Attorney General Shapiro, who was a candidate in the same election, a direct beneficiary of the fraud, and a potential conspirator of the fraud.

Given that Petitioners exhausted all administrative remedies before seeking remedy with the Court, and the widely published allegations in social media, and as testified to before a special GOP Committee of the Pennsylvania Senate in November 2020, and inclusion of Petitioner Stenstrom’s same sworn declaration in *Texas v. Pennsylvania*, which was dismissed by the Supreme Court of the United States, equal protection under the law demands that the Supreme Court act and rule on the subject of spoliation, as the Courts—all the Courts, from Common Pleas, to federal courts, to the Supreme Court—could not possibly be unaware that the perpetrators of the massive election fraud were perfecting their criminal acts and election

law violations in full view of said Courts, and the citizenry, with utter impunity.

Without including a ruling on spoliation, then any positive outcome or "win" granted by this Court would be hollow, as it would leave the remedy to the massive fraud, and continued perfection of election fraud by spoliation, unanswered.

2. **Do duly appointed, certified poll watchers, who have taken an oath to fulfill their lawful duties as intervenors for both the candidates they represent, and the citizenry, have standing to petition the Courts on their own behalf to remedy grievous violations of election law, election fraud, and associated civil law?**

The Pennsylvania Supreme Court ruling on *In Re: Canvassing Observations* was misquoted not only in Pennsylvania, but also in multiple other states, stating that "observers" had no standing to intervene. The Defendant's own attorney, Solicitor Parks, incorrectly cited as much in his responses to Petitioners complaint. What this esquire and many others had a duty to know was that they quoted the adversarial argument of the Philadelphia Board of Elections, and NOT the actual ruling of the Pennsylvania Supreme Court, which clearly stated that certified poll watchers were, in fact, lawful intervenors and NOT in the made up class of "observers" cited by waywardly inattentive, if not malicious attorneys, who ignored State laws of Professional Conduct forbidding them from becoming participants in election violations and criminal acts of the clients they were defending, and requiring their due diligence in determining this, as such.

Hence, given multiple erroneous interpretations and incorrect citations and quotations by Defendants attorneys and numerous esquires throughout the State and country that observers are not lawful intervenors, it falls on the Supreme Court of the United States to clarify and rule on certified poll watchers, cited by election law and civil code in State statutes as intervenors on behalf of both the candidates they represent, and the citizenry as a whole, whom election law currently denies individual standing.

3. **Does the Court of first remedy in considering alleged grievous election and civil violations (in this case, the Common Pleas Court of Delaware County, Pennsylvania), have a duty to have an evidentiary hearing, and be presented evidence of allegations of massive election fraud that could change the outcome of an election, before ruling there isn't a "scintilla of evidence" and otherwise ruling on facts not in evidence?**

The Court of Common Pleas, in this case, apparently held a private meeting outside of the public view, not recorded by transcript or available to discovery that was referred to by the Court itself, and subsequently the involved Plaintiff and Defendant attorneys to "settle the matter amicably" amongst themselves. This resulted in a blatant quashing of the Petitioners rights of due process, and equal protection under the law, permitting a special class of pompous esquires to decide what they thought was best for the citizenry.

Petitioner's attorney, John McBlain, retained counsel, who filed the case under the Delaware County Republican Executive Committee (DCREC), was later reprimanded along with the DCREC by the Com-

monwealth Court of Pennsylvania, for refusing to respond to ANY filings or calls for filings by the Commonwealth Court, and were excised from the case. McBlain was outrageously appointed to the Board of Elections only months later, and enjoys a plethora of highly coveted and valuable solicitorships awarded by Delaware County and the beneficiaries of the election fraud.

Given that the Commonwealth Court excised the named Plaintiff—and ruled on Petitioners as Intervenors in their findings, dismissing sanctions against them—this leaves the Petitioners as the only obvious remaining Plaintiffs of record, and Intervenors.

The law—and Constitution—demands that Plaintiffs, and Defendants be permitted to defend themselves and their evidence before a jury, in public. The Judge clearly stomped all over those rights by unilaterally declaring their wasn't a "scintilla of evidence" having only heard from the special class of Esquires who benefitted from the fraud, ignoring both federal and state Rules of Civil Procedure, and election law.

4. **Does immediate notification of spoliation and destruction of election materials required to be maintained by federal and state law for 22 months (or as long as litigative controversy is pending), that proves massive election fraud that could change the outcome of an election, require the Court of first remedy to intervene to secure said evidence, as the lawful arbiter to preserve the integrity of the election system?**

If the Constitution and body of law in the United States holds that the Courts are the arbiters and

“final arbiters” of law and the course of last remedy, then do they NOT have a duty to act when the bureaucracy and law enforcement refuses to?

If not the Supreme Court, then who?

5. **Are lawyers and “esquires” a special class that can unilaterally decide the outcome of litigative controversy without transparency, input, acknowledgement, or permission of petitioners, plaintiffs, and defendants and the citizenry, without public hearing, transcript or accountability?**

The aftermath of the November 2020 election can be safely characterized as a war between esquires, a liquification of the truth, and gross denial of equal justice to the US citizenry. If the only remedy of the people is the ballot box, as Justice Roberts cited in the Obamacare case, then where does the citizenry go when the ballot box is perverted and spoliated?

If the US Supreme Court does not rule and remedy the situation where matters of the greatest importance to the US citizenry—and in part, the world—are settled in private hearings amongst squabbling esquires contemplating their belly buttons over assorted minutia of the laws that are supposed to protect us all equally—then what becomes of us as a nation?

The government has abrogated their duties on every level.

If not the Supreme Court, then who?

6. **Should both candidates for election represented by counsel, and Pro Se citizen litigants, be afforded the same judicial latitude and grace of the Supreme Court of the United States, as final arbiters of the Republic, to curate technically deficient but meritorious cases regarding the most sacred right of voting by the citizenry of the United States in their selection of their elected representatives, given the Court has repeatedly done so for other cases?**

This is a variant of the question above but on a finer point, a direct charge and challenge to the Supreme Court. The citizenry has watched the Court curate and correct matters of law in other matters of lesser gravitas.

In *National Federation of Independent Business v. Sebelius*, otherwise known as the SCOTUS ruling on the Affordable Care Act ("Obamacare"), Justice Roberts curated the case from being a violation of the Commerce Act, to change it to a "tax" that could later be further cured by the citizenry in the "ballot box"—while inexplicably abrogating its duty to vigorously protect the ballot box in the November 2020 election.

The Supreme Court recently cured *Roe v. Wade* using similar logic to return to a 50-year-old case, and had no problem fixing what they felt they had broken.

Petitioners are humble citizens, of limited financial means, with journeyman professions of naval officer, data scientist, committeewoman and small business owners. They have been left alone to navigate the complexities and vagaries of the Supreme Court of

the United States—Pro Se—in one of the most important election law cases in US history, because not a single Esquire had the guts or courage to stand in their staid. This filing is a hot mess, in part, because Petitioners received a courtesy call from an attorney who told them they had erred in thinking they had 90 days from docket entry of July 15th, versus from the June 22nd order, only hours before the deadline.

When Texas Attorney General Paxton filed *Texas v. Pennsylvania, Et Al*, with all the resources of one of the most financially powerful States in our nation at his disposal, the Court dismissed him, the case, and in hand, Texas and the rest of the US citizenry—and the future of our Republic over a curable technicality, that included the declaration, testimony and evidence cited herein by Petitioner Stenstrom, and included in the trajectory of our cases since November 2020, the Court dismissed the case over a technicality (albeit a significant one), that they could have cured, or allowed the Texas Attorney General to cure, if they had had the foresight to do so at the time, and at a minimum allowed for an evidentiary hearing. This appeal provides a vector of remedy for that error.

Roe v. Wade was 50 years ago. The majority of the US Citizenry currently believes our election system is rigged and elections are stolen and fraudulent by all polls—left or right.

Why can't the Supreme Court go back less than two years—using cases of critical national importance still in the appellate trajectory that were never heard—to remedy this, but take leave curate decades old cases, and others within the line of sight of the Supreme Court?

If not the Supreme Court, then who?

7. **Is it lawful for public officials to intimidate, harass, and demand civil and criminal sanctions, and against lawful intervenors, candidates, citizens, and their attorneys for having the temerity to challenge grievous election law violations that could change the outcome of elections?**

The current Pennsylvania Attorney General Josh Shapiro, a beneficiary of the massive election fraud of November 2020, and now gubernatorial candidate for Pennsylvania two years later in 2022, publicly called allegations of fraud "THE BIG LIE" without benefit of any investigation of "the safest and most secure election in history." He has defamed Petitioners and directly ordered Special Agents in his charge to harass the Petitioners and a dozen other witnesses who had filed affidavits regarding election fraud in Delaware County immediately after the November 2020 election.

Public officials who Petitioners named in their two related lawsuits (the first for election violations and evidence of massive election fraud (CV-2020-007523), and the second for wanton spoliation of that same evidence (CV-2022-000032) have viciously and venomously defamed and attacked the Petitioners as "insurrectionists," "lunatics," "seditionists," "liars," "Trumpanzees," "terrorists," "contemptible," "vexatious," and worse. The US Department of Homeland Security has officially categorized Petitioners as "domestic terrorists." Petitioner Stenstrom honorably served for 22 years as a US Navy Line Officer, and also served federal, state and city governments in investigating public corruption, personally resolving and being res-

possible for accounting for, and returning over \$283 million to the citizenry's public coffers. Petitioner Hoopes is a Bethel Township Committeewoman, elected by her community and fellow citizens to act on their behalf in ensuring honest elections and that their ballots count. Counsel Deborah Silver, an honest, hardworking attorney of the highest ethics and integrity for decades had to fight disbarment. Counsel Bruce Castor, a former Pennsylvania Attorney General and Texas Attorney General Ken Paxton, both with impeccable records of public service and among the highest legal minds in our Republic were slandered and are now under determined attack by the slimiest of PAC's, political operatives, and the lawless "65 Project" to financially punish any Esquire that does not fall in line with the "judicial climate." Lawful protesters have been held in the most torturous and primitive conditions who had the misfortune of being in the Capital on January 6th, under color of law, as "terrorists" and "seditionists" with the option of rolling the dice with a jury trial that could result in 40+ years of imprisonment or time served if the "confess" to crimes they did not commit in a travesty of justice not seen since the Spanish Inquisition or the Communist Gulags of the Soviet Union and the Chinese Communist Party.

And yet, our Supreme Court, remains mute. Whether immobilized in fear, or mistakenly dutybound to protect the government, or willing foils of an openly corrupt political class that wantonly commits the most outrageous and vile crimes without accountability, inaction is an action.

If we are a truly a nation of laws, and a Republic worth saving, and if the present remedy to an illegit-

imate government will not be shouldered by our elected representatives (many of which are beneficiaries of election fraud), law enforcement agencies run amok, and justice departments infused with corrupt District Attorneys and Attorney Generals who refuse to perform their duties, then who is left to peacefully save us from them—and ourselves?

The Petitioners exhausted every possible administrative remedy, and meticulously followed the law in the trajectory of their case(s) to the US Supreme Court. There is not a single elected representative, law enforcement officer, elected justice official or member of the fourth estate (our media), that Petitioners have not appealed to. None had the courage to continue to press the fight for equal protection under the law for the citizenry, do their duty, and file meaningful litigative relief. There is no “try,” there is only “do.”

If two (2) common citizens, the Petitioners, from the unwashed vox populi, can make a stand, and make every possible personal sacrifice to ensure our Republic survives with honest elections, to protect our loved ones, children and future generations, then why can't the last, final arbiter of what remains of our Courts do the same?

If not the Supreme Court, then who?

8. **Should petitioners lawsuit(s), who hold quantitative, hard physical evidence, sworn affidavits, whistleblower videos and audio admissions of election officials committing criminal election fraud, documentation, unreconciled returns, and a mountain of evidence that approximately 327,000 votes were fraudulently certified in Delaware**

County, PA, in a presidential election that Joseph Biden allegedly “won” Pennsylvania by approximately 80,000 votes, and undercard statewide elections of lesser margins, be considered for public remediation by the United States Supreme Court, or returned to the Court of first remedy (Common Pleas Court of Delaware County, PA)?

Given that the appellate judicial system, and specifically the Supreme Court of the United States, is comprised of Justices vetted under the harshest of crucibles, and the most vicious partisan political examination possible, then a critical question for the Court is that in such situations of dire, grand mal public corruption, should the weight of decisions that might decide the fate of our Republic, and certainly it's trajectory in our lifetimes, be left to the lower Courts from which these cases of great deliberation have percolated up from?

The Petitioners have taken every pain to respect the laws and Courts, patiently suffering the barbs and financial ruin rained down upon them by corrupt public officials and the sycophants and bureaucrats beholden to them—patiently—for two years. They researched, wrote and published a book alliterating the evidence they had assembled, and their journey, “The Parallel Election: A Blueprint for Deception” only AFTER their second (spoliation) case was summarily dismissed as “moot” because of the time that elapsed, which was at the sole discretion of the Courts, that allowed said time to elapse.

To remand Petitioners back to square one, essentially asking that they repeat an almost two-

year process that has almost broken them, would be a miscarriage of justice not only to them, but to the sovereign citizenry of the United States who are waiting for the cavalry and some semblance of equal justice, and equal protection under the law that only a special class of corrupt politicians and their knuckle-dragging cadre of esquires seem to enjoy.

Should the citizenry continue to be satisfied with sarcastic retorts by the political elites of "What does it matter?"

If not the Supreme Court, then who?

9. Is it lawful for the beneficiary(ies) of alleged election fraud to unilaterally investigate and adjudicate said fraud (i.e., The Pennsylvania Attorney General, Josh Shapiro, among other elected officials)?

How do we remedy District Attorneys, and States Attorney Generals that were installed with tens of millions of dollars of special interest PAC WAM (Walking Around Money) prior to the November 2020 election? It is a Sisyphean task of pulling yourself up by your bootstraps while standing in them.

How can the citizenry possibly expect that these rogue political "justice officials" will investigate crimes, election law violations and high misdemeanors that they are the beneficiaries of, if not active participants in?

District Attorney Stollsteimer, of Delaware County, PA, was given \$1 million; District Attorney Larry Krasner of Philadelphia County was given \$1.7 million; and Attorney Pennsylvania Attorney General Shapiro was given \$10 million, by the same Soros based PAC

whose mission was to drastically change and centralized the election system in the United States. Collectively, they have refused to investigate the Petitioners allegations—or at least never contacted them or would accept the evidence that would have gladly been handed to them—and also refused to investigate at least hundred formal Help America Vote Act (HAVA) violation reports that they have a codified, fiduciary duty to act on.

Petitioner Stenstrom contacted US Attorney McSwain the week of the election and pleaded with him to assist in the collection of forensic evidence that would have immediately put a fork in the false narrative of “the safest and most secure election in history.” McSwain was directly thwarted by US Attorney General Barr, who ordered McSwain to turn over any investigation to PA Attorney General Shapiro. McSwain confirmed this exchange in his June 2021 open letter to President Trump stating his regret for “following orders from his chain of command.” Barr cited the exchange in his biography, calling Petitioners allegations of missing vDrives “all bullshit.” Petitioners have further evidence of another investigation on the mass production and distribution of fake mail in ballots that was also quashed by US Attorney General Barr. Now, we must all suffer the public elocutions of Barr that we were all crazed seditionists and insurrectionists, without the benefit of investigation, or the crucible of examination of the evidence before a jury and a lawful trier of fact.

Who, in this quagmire of facts not in evidence, innuendo, and public official corruption and buffoonery, are we to turn to?

If not the Supreme Court, then who?

10. Summary

An obvious question for the Supreme Court of the United States that might seem to be an omission by some, or many is that the Court overturn the November 2020 election, and rule on who "won" or "lost."

Nothing could be further from the truth, and Petitioners expect no such ruling. To do so would be repugnant to the Constitution and contrary to the very grievances cited herein. Since the beginning of their litigative trajectory, the Petitioners only call to action has been to remedy the fraudulent certification of approximately 327,000 ballots in Delaware County, Pennsylvania, for which they have a virtual mountain of hard, physical evidence, and a separate, related case for spoliation of evidence by public officials, and our only demand has been for an evidentiary hearing and opportunity for our evidence to be heard before a jury of our peers, and a trier of fact.

All else, and subsequent outcomes that might be derived from said hearing(s) are "above our paygrade" for which there are further constitutional remedies that can be acted upon by law enforcement, assorted justice agencies, the State legislature and ultimately the Congress.

Hence, the specific questions posed by Petitioners to the Supreme Court, to provide appropriate, and sufficient precedential surface area from which other future rulings may align and emanate from lower Courts.

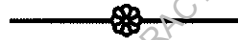
A collateral outcome, most desired by the Petitioners is that the faith of the citizenry in our election process be meritoriously restored, whether

that results in the repudiation of our evidence or it's sustainment.

To this end, the Petitioners have placed in jeopardy their lives, property, and liberty, which was their simple duty to do so—no matter the cost.

Petitioners Stenstrom and Hoopes can only hope and pray that the Supreme Court of the United States, as the final Constitutional arbiter of our Republic, will do their duty—no matter the cost. If not the Supreme Court, then who?

*Isiah 6:8 I heard the voice of the Lord saying,
"Whom shall I send, and who will go for Us?"
Then said I, "Here am I. Send me!"*



CONCLUSION

It is the duty of the Supreme Court to respond, not the citizenry's responsibility to beg, hat in hand, for the Court's intervention, stifled by a morass of technicalities repugnant to common law and the Constitution.

As final arbiter, the Supreme Court in constitutionally position to either put a fork in the Republic, or raise the bar, and hold lower Courts accountable, and restore the trust of the citizenry that there is equal justice under the law.

The lower Courts and a special class of esquires, and malicious interlopers like the 65 Project have permissively been allowed to turn the citizenry's rights into privileges to be meted out by a privileged political class.

The Supreme Court has a Constitutional requirement and duty to remedy this.

For the foregoing reasons, the Court should vacate the court of appeals' judgment and remand for further proceedings.

Respectfully submitted,

GREGORY STENSTROM
LEAH HOOPES
PETITIONERS PRO SE
1541 FARMERS LANE
GLEN MILLS, PA 19342
GSTENSTROM@XMAIL.NET

NOVEMBER 22, 2022

RETRIEVED FROM DEMOCRACYDOCKET.COM