

# Critical Issues with the 2020 Election

## A Key Battleground State Synopsis

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### Background & Abstract

Following the 2016 election, America endured three years of extensive and incessant investigations, fevered analysis, and, eventually, impeachment hearings – all premised on an assertion that, somehow, Russia “hacked” the election. The U.S. government spent tens of millions of dollars. It chased nearly every allegation. It had virtually unlimited (and sometimes illegal) access to public, government, and private information ... and it came up empty handed. The only place it did *not* look for the alleged Russian “hack” was in the only systems that could have been “hacked”: the electronic voting, imaging, and tabulating machines on which the election was conducted and the software that controls them.

The story of the 2020 election is much the same. Despite thousands of citizen reports and signed affidavits attesting to significant irregularities and at least one forensic audit of an electronic voting system claiming that it was – in fact – “hacked”, Secretaries of State around the country have repeatedly denied citizens their the legal right to observe, contest, and audit the election. A *real* “hack” can only be identified by looking at how the voting *system* operates, starting with the machines, the software, and the data it generates, including ballots and ballot envelopes, voter rolls, and adjudication logs, and at those who had access to the systems while they were in operation.

This brief reviews the last-minute changes to the election process in the contested states and the magnitude of the resulting fraud the changes were designed to facilitate. It also looks at the status of the legal challenges where judges have dismissed cases before hearing evidence, and how both courts and election officials have refused access to the only systems that can be “hacked”: the electronic voting systems.

It should come as no surprise that a full 47% of the American people believe that electoral fraud changed the outcome of the 2020 election. They understand that *something* is amiss.

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# Questions for the Joint Session of Congress

Congress will meet in a joint session on January 6 to count electoral votes, to consider two primary objections to the qualifications of the electors certified in seven (7) disputed states, and to hear the evidence supporting them. The first objection is that the electors in the disputed states were not “appoint[ed] in such manner as [its] Legislature ... direct[ed] ...” , as required by U.S. Constitution [Article II §1](#). The second is that, because the disputed states did not follow the rules set by their Legislatures, the vote tallies “certified” by the disputed states are not accurate, and there is no way to know who won the election.

**The first question for the joint session is: “Did State X conduct its election in accordance with the rules established by its legislature?”** If the answer is “Yes”, the electors are qualified and their votes must be counted. If “No”, none of the electors from that state are qualified.

**The second question for the joint session is whether it will hear the mountain of empirical evidence that shows widespread evidence of electoral fraud and other significant irregularities**, including ballot stuffing and tampering with voting machines and software by both domestic and foreign actors who had illegal physical and Internet access to the machines.

Congress has a constitutional responsibility to ensure that the challenged electors were chosen based upon the faithful execution of the laws made by their state legislatures and in a manner that respects federal election laws, including the Electors Clause of Article II, the Equal Protection and Due Process Clauses of the Fourteenth Amendment, and the Voting Rights Act.

At a minimum, Congress and the American people are entitled to see and hear the evidence for themselves, and the legislatures of the disputed states must be able to act to preserve the voting rights of their citizens. The United States, other democracies, and international organizations regularly investigate claims that elections in other countries were not fairly conducted. On December 18, 2020, the Treasury Department [imposed sanctions](#) on Venezuela and a voting machine company for election fraud. The Organization of American States (OAS) found that many of [the defects claimed in the disputed states were present in the 2019 presidential elections in Bolivia](#), and seventeen (17) members of the Organization for Security and Cooperation in Europe (OSCE) appointed a team of independent experts [to investigate the August 2020 election in Belarus](#). The least Congress can do is to investigate voting rights violations at home.

# Evidence of “Significant Irregularities” and Fraud

There are four categories of evidence: (a) eye witness testimonies and confessions, (b) technological evidence that electronic voting machines were attached to insecure networks and the Internet; (c) electoral fraud and other “significant irregularities”, including votes by dead and unqualified persons, ballot stuffing, and manual “adjudication” of disputed ballots; and (d) statistical anomalies in the tabulation data that are recognized by international observers as indicators of “intentional manipulation” and of “serious irregularities”. We submit that the evidence in each category is so strong that, when considered together, a compelling case of “outcome determinative” electoral fraud can be shown by clear and convincing evidence.

## What is a “Significant Irregularity”?

A “significant irregularity” is any action that is inconsistent with federal law, or any action that deviates from the rules for the selection of presidential electors adopted by the state legislature.

- The Electors Clause, U.S. Constitution, Article II §1:

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. (emphasis added)

- The Voting Rights Act, 52 U.S.C. § 10101(e), provides that

... the word “[vote](#)” includes all action necessary to make a [vote](#) effective including, but not limited to, registration or other action required by State law prerequisite to voting, casting a ballot, and having such ballot counted and included in the appropriate totals of [votes](#) cast with respect to candidates for public office and propositions for which [votes](#) are received in an election; ...

- The Help America Vote Act [HAVA], 42 U.S.C. §15481(a)(6), provides that

Each State shall adopt uniform and nondiscriminatory standards that define what constitutes a vote and what will be counted as a vote for each category of voting system used in the State.

- The Voting Rights Act, 52 U.S.C. § 10307, also provides that

No person acting under color of law shall fail or refuse to permit any person to [vote](#) who is entitled to [vote](#) under any provision of chapters [103](#) to [107](#) of this title or is otherwise qualified to [vote](#), or willfully fail or refuse to tabulate, count, and report such person’s [vote](#).

Summarized below is the definition of “what constitutes a vote and what will be counted as a vote for each category of voting system used in the State.”

## What are “Votes” and How are “Votes” Counted?

1. A “vote” is a ballot, clearly marked by a qualified, registered elector (voter) in accordance with state laws defining the procedures for voting and the standards for determining the

voter's intent to choose a candidate (or slate). All state laws agree that the intent of the voter is to be determined by *how* the voter marks the ballot.

2. A "vote" may be counted only once for a single candidate (or, in the case of a Presidential election, only once for the entire slate of electors).
  - a. Voters may vote only once, and each vote must have equal weight. *Baker v. Carr*, 369 U.S. 186 (1962); *Reynolds v. Sims*, 377 U.S. 533 (1964).
  - b. No "vote" can be duplicated by mechanical or electronic means, and "votes" are indivisible. Any tabulating system that produces fractional tallies is not counting "votes."
  - c. "Adjudication" of ballots where the intent of the voter is alleged to be unclear provides opportunities for state election officials to create or "flip" votes in violation of the Voting Rights Act and state law.

## How are "Votes" Validated and Secured?

State laws require election officials to validate each voter's qualifications before authorizing the voter to cast it, including voters who submit absentee or mail ballots. State laws define the security protocols for an election, and both state and federal election laws obligate state election officials to certify that they complied with each security protocol, including "sealing" voting equipment and preserving records for use in election contests.

## How do "Significant Irregularities" occur?

"Significant Irregularities" occur when state election officials relax, refuse to enforce, or violate the ballot integrity and election security rules adopted by their state legislatures. As Texas pointed out in relation to absentee and mail-in voting in the Supreme Court in *State of Texas v. Commonwealth of Pennsylvania*, *State of Georgia*, *State of Michigan*, *State of Wisconsin*:

If a state court enjoins or modifies ballot-integrity measures adopted to allow absentee or mail-in voting, that invalidates ballots cast under the relaxed standard unless the legislature has—prior to the election—ratified the new procedure. Without pre-election legislative ratification, results based on the treatment and tabulation of votes done in violation of state law cannot be used to appoint presidential electors.

The same principle applies to other changes made without legislative approval to the rules governing elections by state administrators and courts. If the changes impacted ballot integrity and the election outcome, we cannot know who won the election .

## What is Electoral Fraud?

**Electoral fraud can be defined as any purposeful action taken to tamper with electoral activities and election-related materials in order to affect the results of an election, which may interfere with or thwart the will of the voters. There are two main categories of electoral fraud: outcome determinative fraud**, where the fraud affects the outcome of the election such that the winners and losers are different from what they would have been had the fraud not been committed; and **non-outcome determinative fraud**, when the outcomes are not affected (i.e. the winners and losers would be the same even absent the commission of fraud). *Both types of electoral fraud entail criminal behavior that should be punished according to the law; however, outcome determinative fraud has more*

*serious political implications, in that it allows a party or candidate to take over public positions contrary to the popular will.*

Raphael López-Pintor, *Assessing Electoral Fraud in New Democracies: A Basic Conceptual Framework*, International Foundation for Electoral Systems, White Paper Series (2010) (emphasis added) online at: [https://www.ifes.org/sites/default/files/rlp\\_electoral\\_fraud\\_white\\_paper\\_web.pdf](https://www.ifes.org/sites/default/files/rlp_electoral_fraud_white_paper_web.pdf) (accessed December 21, 2020).

## Have the Courts rejected the evidence? No.

Many are of the mistaken belief that the evidence has been presented and rejected in the many state and federal court cases filed and dismissed since November 3. No court has had all the evidence before it. Nor could it. New evidence is discovered on a daily basis and it is impossible to audit the electronic systems without first getting access to them.

In most of the cases, the court dismissed the case without considering the evidence or reaching the legal questions presented. The case filed in the Supreme Court of the United States by the Texas Attorney General and which was joined by 17 other state Attorneys General and more than 100 Members of the United States House of Representatives was the most prominent example of a case where the court heard no evidence. In a few others, the attorneys presented only limited evidence and lost for that reason.

# Arizona

(12,000 margin vs. over 350,000 contested ballots)

## Actions and last-minute illegal rule changes

- For ballots completely missing signatures, the legislatively- approved procedure was not to count the ballot, but a last-minute lawsuit changed the procedure and allowed ballots with missing signatures to be “cured” up to five days later.<sup>1</sup>
- Although Arizona law allows observers to watch over “any significant voting or processing activities”, the County Recorder for Maricopa County decided that observers would have no right to observe the signature verification process.<sup>2</sup>
- Multiple officials attempted to include an illegal video call voting process for Maricopa County, Arizona.<sup>3</sup>
- An additional attempt was made to change Arizona’s voter registration deadline as the election neared, but it was overturned by the U.S. Court of Appeals for the Ninth Circuit.<sup>4</sup>
- Arizona law forbids “ballot harvesting”, but the laws are being challenged and it may have occurred.<sup>5</sup>
- The Maricopa County Board of Supervisors is resisting a subpoena from the Arizona Senate demanding audit access to the electronic voting systems.<sup>6</sup>

## Resulting “Significant Irregularities” and Possible Fraud

- 22,093 mail-in ballots were “received” the day BEFORE the ballots were sent out to voters.
- 2,000 voters were “registered” as living on a vacant lot.
- 150,000 people registered in Maricopa County AFTER the registration deadline.
- 103,000 ballots in Maricopa County were sent for electronic “adjudication” with no Republican observation, meaning that poll workers had the opportunity to switch Trump votes to Biden or “vote” ballots where the elector’s choice was not clear.
- 36,400 illegal immigrants are estimated to have voted.
- 50% of Republicans had requested ballots that were never subsequently recorded as having been “received” or “counted” by the state.
- 42,000 “Biden-only” votes were cast, meaning that the voter voted for no other candidate or issue. This huge statistical anomaly is a recognized indicator of electoral fraud.

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<sup>1</sup> <https://healthyelections.org/sites/default/files/2020-11/arizona-110220.pdf>

<sup>2</sup> <https://healthyelections.org/sites/default/files/2020-11/arizona-110220.pdf> - section G

<sup>3</sup> <https://arizonadailyindependent.com/2020/09/30/last-minute-virtual-voting-option-will-be-ruled-on-next-week/>

<sup>4</sup> <https://today.westlaw.com/Document/lfa54ef28124711ebbea4f0dc9fb69570/View/FullText.html>

<sup>5</sup> <https://today.westlaw.com/Document/lfa54ef28124711ebbea4f0dc9fb69570/View/FullText.html>

<sup>6</sup> <https://www.azcentral.com/story/opinion/op-ed/laurieroberts/2020/12/18/maricopa-county-supervisors-stand-up-senate-lunatics-bearing-subpoenas/3967644001/>



- One data analysis of Arizona election data showed between 120,000 and 306,000 fake people who voted.<sup>7</sup>

## Court Cases

*Bowyer v. Ducey* (Trial court: 2:20-cv-02321-DJH; Appeals Court: ; U.S. Supreme Court: 20-858)

**Summary:** Lawyer Sidney Powell filed a federal lawsuit on Dec. 2 seeking to de-certify and invalidate improper votes in Arizona over election fraud, and to order officials to preserve equipment and voting data for inspection. The suit alleges that over 412,000 votes were cast illegally in the state. Most of the plaintiffs are Republican presidential electors in the state and members of the Republican party in the state.

Dec. 6: Judge rejects request for a three-hour hearing to hear witnesses and limits hearing to motion to dismiss, and dismisses case on Dec. 9 without hearing a single shred of evidence.

Dec. 11: Powell's team files an emergency petition to the U.S. Supreme Court.

Dec. 29: U.S. Supreme Court docket Powell's emergency petition.

Dec. 30: Powell's team asked the court to consolidate all four related-cases filed by the lawyer on behalf of Republican electors.

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*Ward v. Jackson, et al.* (State Court: CV2020-015285; State Supreme Court: CV20-0343-AP/EL; U.S. Supreme Court: 20-809)

Arizona Republican Party Chairwoman Kelli Ward filed a petition on Nov. 24 for early inspection of mail-in ballot envelopes and signatures, ahead of an anticipated elections contest against 11 Arizona Democrat presidential electors. Ward's challenge alleges that some suburbs in Maricopa County had an unusually high number of duplicated ballots. It also claims that there were insufficient safeguards to verify mail-in ballots.

Dec. 4: After two days of hearings, an Arizona judge denies relief for the plaintiff (pdf), ruling that the evidence did not show fraud or misconduct. The judge also found that there was a low error rate and that it would not impact the outcome of the election. Ward has indicated that she would appeal the case to the state Supreme Court.

Dec. 7: Arizona Supreme Court granted a request to expeditiously review the ruling.

Dec. 8: Arizona Supreme Court denies Ward's request for relief and upholds trial judge's decision.

Dec. 11: Ward announces the Arizona Republican Party will appeal its case to the U.S. Supreme Court.

Dec. 15: U.S. Supreme Court docket Kelli Ward's petition for a writ of certiorari and motion for expedited consideration filed on Dec. 11.

Source: <https://www.theepochtimes.com/c-arizona>

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<sup>7</sup> [https://www.realclearpolitics.com/video/2020/12/01/data\\_expert\\_up\\_to\\_300000\\_fake\\_people\\_voted\\_in\\_arizona\\_election\\_.html](https://www.realclearpolitics.com/video/2020/12/01/data_expert_up_to_300000_fake_people_voted_in_arizona_election_.html)

## Conclusion: “Outcome determinative electoral fraud”

Disqualifying completed ballots received before election officials sent them out to voters would be sufficient to overcome the current 12,000 vote margin. Adding in the other balloting illegalities, like the ballots adjudicated without a Republican observer and ballots received after the deadline for registrations represents thirty times the margin necessary to change the outcome. In combination with the massive influx of mail-in ballots, the last minute changes to rules had an extensive impact on the ability of the poll watchers to observe and challenge possible irregularities such as allowing invalid ballots to be “cured” without challenge long after the day of the election.

## Georgia

(12,670 margin vs. over 530,000 contested ballots)

### Actions and last-minute illegal rule changes

- Georgia’s Secretary of State, Brad Raffensperger, without legislative approval, unilaterally abrogated Georgia’s statute governing the signature verification process for absentee ballots.
- Although state law prohibits the opening of absentee ballots until after the polls open on Election Day, the State Election board adopted a rule allowing the processing of absentee ballots three weeks prior to the election
- Georgia law [O.C.G.A. § 21-2-386(a)(1)(C)] authorizes and requires a single registrar or clerk—after reviewing the outer envelope—to reject an absentee ballot—if there is any issue regarding the signature. The State Election Board, however, unilaterally changed the rules to make it much more difficult to reject a signature.

### “Significant Irregularities” Suggesting Fraud

- After examining evidence of extensive abnormalities, the Chairman’s Report of the Election Law Study Subcommittee of the Standing Senate Judiciary Committee (Georgia) reported that overall “there was a lack of enforcement of the law.”
- *“Proper protocols were not used to ensure chain of custody of the ballots throughout the Election, after the opening of ballots prior to the Election, and during the recounts. . . . It was possible or even likely that large numbers of fraudulent ballots were introduced into the pool of ballots that were counted as voted; . . . The Subcommittee heard testimony of pristine ballots whose origin looked suspicious or which could not be verified and the inability of poll workers to distinguish between test ballots and absentee ballots. Signatures were not consistently verified according to law in the absentee balloting process.”*
- Coffee County could not replicate its ballot tallies after re-running them repeatedly, preventing them from being able to certify their 15,000 votes. As county election officials reported, *“The basis for the dilemma is simple - the election summary report for the electronic recount tabulated votes in a manner that resulted in more collective votes being*

cast for the Presidential candidate than the total number of votes reflected within the report. The inconsistent count could not be reconciled.”<sup>8</sup>

- 2,560 felons with non completed sentences were illegally registered and cast their vote.
- 66,247 underage people were illegally registered to vote.
- 4,926 registered voters were registered to vote in another state after their Georgia registration date.
- 10,315 people who voted died by the time of the election.
- 305,701 absentee ballots were applied for too early and 2,664 absentee ballots were sent to voters too early.
- Georgia has historically had a 2.9% rejection rate for absentee ballots because of errors in their submission. In 2020, the rejection rate was only 0.34% (seventeen times less) despite a sixfold increase in the number of absentee ballots returned.
- 50% of Republicans had requested absentee ballots that were never subsequently recorded as having been “received” or “counted” by the state.
- Between 31,559 and 38,886 mail-in (absentee) ballots were mailed in but not counted.<sup>9</sup>
- Matt Braynard found 17,877 early or absentee ballots that were cast in Georgia in the names of people who had filed out-of-state move notices and thus were not eligible to vote in Georgia.
- 80,000 Biden-only votes [no other candidates or issues were voted], which is a huge statistical anomaly), in light of President Trump’s recent recognition as America’s most popular man, 3x more popular than Biden
- Mathematically incongruous Georgia tabulation update listed at 1:34AM Eastern Time on November 4th, 2020, which shows 136,155 votes for Joe Biden and only 29,115 votes for Donald Trump. This starkly contrasts normal voting patterns in this area.<sup>10</sup>
- DeKalb County failed to provide a chain of custody for the transport of absentee ballots from any of the 34 drop boxes used prior to the November 3 election to the registrar or designee at the county office.<sup>11</sup>

## Court Cases

*Pearson v. Kemp (District: 1:20-cv-04809; Appeals: 20-14480; U.S. Supreme Court: 20-816)*

Lawyer Sidney Powell is representing a group of Republican plaintiffs seeking to invalidate the election results in Georgia over allegations of “massive fraud” in particular ballot stuffing and voter manipulation through the use of the Dominion voting system. The suit alleges, citing expert analysis, that at least 96,600 votes were illegally counted during the Georgia 2020 general election. Powell filed the suit on behalf of plaintiffs including Republican Party nominees for the electoral college, the chairman of the Cobb County Republican Party Jason Shepherd, and the Assistant Secretary of the Georgia Republican Party, Brian Jay Van Gundy.

Nov. 25: Lawsuit filed; Nov. 27: Plaintiffs file a motion for injunctive relief

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<sup>8</sup> <https://voterga.files.wordpress.com/2020/12/coffee-county-complete.pdf>

<sup>9</sup> <https://defendingtherepublic.org/wp-content/uploads/2020/11/COMPLAINT-CJ-PEARSON-V.-KEMP-11.25.2020.pdf> , p. 60.

<sup>10</sup> [Anomalies in Vote Counts and Their Effects on Election 2020](https://votepatternanalysis.substack.com/p/voting-anomalies-2020); <https://votepatternanalysis.substack.com/p/voting-anomalies-2020>

<sup>11</sup> [https://georgiastarnews.com/wp-content/uploads/2020/12/BAIGERT\\_12.15.Chain-of-Custody-Forms-General-Election-11.03.2020.pdf](https://georgiastarnews.com/wp-content/uploads/2020/12/BAIGERT_12.15.Chain-of-Custody-Forms-General-Election-11.03.2020.pdf)

Dec. 1: **Judge postpones a scheduled Dec. 4 hearing**; Dec. 2: Federal appeals court grants plaintiff's request to expedite the appeal, after Powell sought an emergency appeal from the Eleventh Circuit. Powell was seeking a statewide order after a district judge temporarily blocked election officials from wiping or altering Dominion Voting Systems machines in only three counties. Dec. 4: Eleventh Circuit **dismisses Powell's appeal, ruling that they do not have jurisdiction to hear the case**. The judges allowed the case to proceed in the district court.

Dec. 7: Federal judge **dismisses case, ruling that the plaintiffs have no legal standing to sue**. Powell filed a notice of appeal; Dec. 11: Powell's team files an emergency petition to the U.S. Supreme Court; Dec. 15: Supreme Court docket case; Dec. 30: Powell's team asks court to consolidate all four related-cases filed by the lawyer on behalf of Republican electors.

*Wood v. Raffensperger (District: 1:20-cv-04651; Appeals: 20-14418; U.S. Supreme Court: 20-799)*

Lin Wood, in a bid to stop the certification of election results, claiming that election rules unconstitutionally changed by state officials could have invalidated absentee ballots cast in the 2020 election.

Nov. 13: Lawsuit filed; Nov. 19: Federal judge denies a request to block the certification of the state's election results. The judge **ruled that Wood lacked legal standing** as an individual voter to challenge Georgia's election procedures. Wood hinted that he will file an appeal in the 11th Circuit; Nov. 24: Wood's lawyers file an emergency appeal to the 11th Circuit court.

Nov. 25: Appeals court grants Wood's motion for expedited review of the case.

Dec. 5: 11th Circuit upholds Nov. 19 ruling by a federal judge. Wood indicated on Dec. 6 that he plans to file an appeal with the U.S. Supreme Court.

Dec. 11: The Supreme Court docket Lin Wood's appeal that was filed on Dec. 8

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*Favorito v. Cooney (State Court: 2020CV343938)*

A group of Georgian voters are demanding a "forensic inspection" of mail-in ballots in the county from the Nov. 3 presidential election. After Garland Favorito, a tabulation observer, noticed abnormalities to the election results he reported it to state officials and made an open record request for the interim upload results. Other petitioners in the case are also alleging a range of election irregularities during the counting and auditing of ballots.

Dec. 23: Petition filed in the Superior Court of Fulton County.

Hearing granted for Monday, Jan. 4 at 11 a.m.

Source for above cases: <https://www.theepochtimes.com/c-georgia>

## Conclusion: "Outcome Determinative Electoral Fraud"

Just amending the absentee rejection rates to be normal would be sufficient to overturn the election result. If the rejection rate of mailed-in absentee ballots remained the same in 2020 as it was in 2016, there would be 83,517 less tabulated ballots in 2020. The statewide split of absentee ballots was 34.68% for Trump and 65.2% for Biden. Rejecting at the higher 2016 rate with the 2020 split between Trump and Biden would decrease Trump votes by 28,965 and Biden votes by 54,552, which would be a net gain for Trump of 25,587 votes. This would be more than needed to overcome the Biden advantage of 12,670 votes, and Trump would win by 12,917 votes.

After examining evidence of extensive abnormalities, the Chairman's Report of the Election Law Study Subcommittee of the Standing Senate Judiciary Committee (Georgia) concluded, "The

November 3, 2020 General Election . . . was chaotic and any reported results must be viewed as untrustworthy.”

# Michigan

(154,188 margin vs. over 660,000 contested ballots)

## Actions and last-minute illegal rule changes

- Michigan's Secretary of State, Jocelyn Benson, without legislative approval, unilaterally abrogated Michigan election statutes related to absentee ballot applications and signature verification.
- Secretary Benson announced that her office would send unsolicited absentee-voter ballot applications by mail to all 7.7 million registered Michigan voters prior to the primary and general elections despite the law requiring a written signed request from the voter or a specific absent voter ballot application from the city clerk or a federal postcard application.
- Secretary Benson also violated Michigan law when she launched a program in June 2020 allowing absentee ballots to be requested online, without signature verification as expressly required under Michigan law.
- Michigan also requires that poll watchers and inspectors have access to vote counting and canvassing, however, local election officials in Wayne County made a conscious and express policy decision not to follow this law for the opening, counting and recording of absentee ballots.
- Michigan also has strict signature verification requirements for absentee ballots, however, Wayne County made the policy decision to ignore Michigan's statutory signature verification requirements for absentee ballots.
- Voting machines were not "secured" in the manner required by State law.
- Ballots and ballot boxes were not "secured" in the manner required by State law.

## Resulting Fraud

- Secretary Benson's unconstitutional modifications of Michigan's election rules resulted in the distribution of millions of absentee ballot applications without verifying voter signatures as required by law. "While I was at the TCF Center, I was instructed not to look at any of the signatures on the absentee ballots, and I was instructed not to compare the signature on the absentee ballot with the signature on file."<sup>12</sup>
- Due to unconstitutional changes to Michigan's election law, the Wayne County Statement of Votes Report lists 174,384 absentee ballots out of 566,694 absentee ballots tabulated (about 30.8%) as counted without a registration number for precincts in the City of Detroit.
- Large discrepancies exist between the Qualified Voter File (Absentee Voter Module) and 2020 Presidential Election results in Wayne County, potentially disqualifying 204,000 absentee ballots.<sup>13</sup>
- Wayne County tabulations indicated that 71% of the reporting precincts did not balance. The Board initially refused to certify the numbers, but did so after the Republican Board of

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<sup>12</sup> Affidavit of Jessie Jacob - <https://pbs.twimg.com/media/EmZAiLwWEAAFDx8?format=jpg&name=large>

<sup>13</sup> <https://mapthefraud.atlassian.net/wiki/spaces/DATASCIENC/pages/64258049/Large+Discrepancies+between+Qualified+Voter+File+AV+Module+and+2020+Election+Results+in+Wayne+County+Michigan+-+Potentially+Disqualifying+Approximately+204+000+Absentee+Votes>; 2020 Election Results from (MI.GOV): <https://www.waynecounty.com/elected/clerk/election-results.aspx>; AV Ballots Verified Nov 7th, 2020 (Web Scrape) from (MI.GOV): <https://mivic.sos.state.mi.us/voter/index>; Oct 13th, 2020 Published Voter Rolls from (TBD): <http://69.64.83.144/~mi/>

Electors members were physically threatened and doxed.<sup>14</sup> The Republican members of the Board of Canvassers, once in safety, attempted to retract their certification under duress but were not allowed to do so.

- The Antrim County forensics report discovered that the vote adjudication and security records were missing because they had been deleted the evening of Nov 4.<sup>15</sup> This is a violation of state laws that require the records be maintained for 22 months.
- Secretary of State Jocelyn Benson sent a Board of Electors a directive on December 1st to all county clerks instructing them to delete all electronic records, also a violation of Michigan and federal law.
- Dozens of precincts had voter turnouts of at least 100%, including a 781% voter turnout in the City of North Muskegon and 460% in the Zeeland Charter Township.
- 33% of Republicans had requested ballots that were never subsequently recorded as having been “received” or “counted” by the state.
- Over 69,000 Biden only votes, despite Trump’s recent recognition as America’s most popular man, 3x more popular than Biden.
- Mathematically incongruous update in Michigan listed as of 6:31AM Eastern Time on November 4th, 2020, which shows 141,258 votes for Joe Biden and 5,968 votes for Donald Trump. This starkly contrasts normal voting patterns in this area.
- Mathematically incongruous update in Michigan listed as of 3:50AM Eastern Time on November 4th, 2020, which shows 54,497 votes for Joe Biden and 4,718 votes for Donald Trump. This starkly contrasts normal voting patterns in this area.<sup>16</sup>
- Nearly 2,000 voters over the age of 100 were marked in the state’s mail voter database as having returned ballots, even though none were listed among known living centenarians.<sup>17</sup>

## Court Cases

*King v. Whitmer (District Court: 2:20-cv-13134; U.S. Supreme Court: 20-815)*

Lawyer Sidney Powell filed a lawsuit in a Michigan federal court alleging that “massive election fraud” and violations to the state election code in the Nov. 3 election. It claims that the fraud took place through a “troubling, insidious, and egregious ploy ” of ballot stuffing, which gave Democratic nominee Joe Biden a lead in the state. The fraud allegedly was rendered invisible through the help of using election software and hardware from Dominion Voting Systems, the lawsuit claims. Plaintiffs in the civil action are six registered Michigan voters and nominees of the Republican Party to the electoral college.

Nov. 25: Lawsuit filed in a federal court. The plaintiffs also filed a temporary restraining order.

Dec. 7: **Federal judge dismisses lawsuit, characterizing the allegations as “conjecture and speculation.”**

Dec. 8: Lawyers file notice of appeal to ask the circuit court to review the decision.

Dec. 13: Powell’s team sends a letter to Supreme Court asking for permission to file new evidence under seal. Dec. 15: U.S. Supreme Court docket case. Dec. 28: State respondents file response

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<sup>14</sup> <https://justthenews.com/politics-policy/elections/wayne-county-election-board-republicans-say-they-were-bullied-rescind>

<sup>15</sup> <https://assets.documentcloud.org/documents/20423772/antrim-county-forensics-report.pdf>

<sup>16</sup> <https://votepatternanalysis.substack.com/p/voting-anomalies-2020>

<sup>17</sup> [https://www.theepochtimes.com/10000-dead-people-returned-mail-in-ballots-in-michigan-analysis-shows\\_3573209.html](https://www.theepochtimes.com/10000-dead-people-returned-mail-in-ballots-in-michigan-analysis-shows_3573209.html)

opposing petition. Dec. 30: Powell’s team asked court to consolidate all four related-cases filed by the lawyer on behalf of Republican electors.

<https://www.theepochtimes.com/c-michigan>

### Eyewitness Affidavits

Several Michigan residents have signed affidavits, which were sworn under penalty of perjury, alleging they witnessed widespread election tampering in Detroit involving many thousands of ballots. City of Detroit employee Jessy Jacob stated in an affidavit that **she was instructed to backdate thousands of absentee ballots on Nov. 4** to make them appear legal even though they were not in the Qualified Voter File (QVF) and had not arrived by the deadline.

Robert Cushman, another poll observer in Detroit, submitted an affidavit that described behavior similar to what Jacob said she witnessed. Cushman said he saw **large swaths of ballots being counted the day after the election for voters who were not in the authorized list of names. In some cases, he added, fake birth dates were being used to fill in birth dates.**

Alexandra Seely, a Michigan voter who worked as a Republican poll challenger, said in an affidavit that **her challenges to suspect ballots were ignored and she was “harassed and threatened”** for raising concerns. “I challenged 10 votes at table 23, they would not take out the log to record my challenges,” Seely’s affidavit says. “I had to write names and ballot numbers on my own. I asked to make incident reports. They would not allow me, and said they would make a note in the computer. They did not and proceeded to keep counting.”

[Former MI state senator] Patrick Colbeck, a poll watcher at the TCF Center in Detroit, said in an affidavit that **he observed an active Internet connection on the screens of the computers used to tabulate and adjudicate ballots** at the absentee-vote counting center.

#### sources:

<https://www.worldtribune.com/in-signed-affidavits-michigan-residents-say-they-witnessed-widespread-voter-fraud-in-detroit/> and Affidavit of Jessy Jacob - <https://pbs.twimg.com/media/EmZAiLwWEAAFDx8?format=jpg&name=large>  
Affidavit of Alexandra Seely - <https://justthenews.com/sites/default/files/2020-11/SeelyAffidavit.pdf>

## Conclusion: “Outcome Determinative Electoral Fraud”

These non-legislative modifications to Michigan’s election statutes fostered an environment in which electoral fraud and other “significant irregularities” were almost guaranteed. Not only do these changes violate the Electors Clause, the number of illegal ballots counted as “votes” far exceeds the margin of voters separating the candidates in Michigan.



# Nevada

(33,596 margin vs. over 100,000 contested ballots)

## Actions and last-minute illegal rule changes

- Previously, Nevada had implemented safeguards to protect free and honest elections, however, on August 2, 2020, the Nevada legislature passed AB4. “The law requires the state of Nevada to mail every voter a ballot and even allows ballots cast after election day to count. It also allows other people to sign and return ballots on behalf of voters over 65.”<sup>18</sup>
- This massive change overturned a ballot harvesting ban and allowed a total stranger to pick up a ballot for anyone, opening the door to potentially widespread fraud.

## “Significant Irregularities” and Possible Fraud

- In Nevada, the 2020 rejection rate of mail-in-ballots was approximately 0.75%, less than half the 1.6% rate from 2016.
- Signature verification in Clark County had an unbelievable 89% fail rate.<sup>19</sup>
- 42,284 people are on record as having voted twice in 2020.
- 20,000 ballots were cast in the names of individuals without a Nevada mailing address.
- 2,468 ballots were cast by people who had moved to another state and thus were ineligible to vote in Nevada.
- 1,500 ballots were cast by dead people.
- Almost 4,000 non-citizens voted.
- Nearly 30,000 people voted who falsely listed non-residential, vacant, or non-existent addresses as their home addresses.
- Matt Braynard found 5,145 early or absentee ballots that were cast in Nevada in the names of people who had filed out-of-state move notices and thus were not eligible to vote in Nevada.

## Court Cases

Trump attorney Jesse Binnall wanted to audit the machines in Nevada but the court there wouldn't allow it. He had two whistleblowers, one said that when they logged out of the machine with USB drives, there would be one number of votes, but when they logged back in the next morning there would be a different number. The witnesses said votes were just disappearing. Binnall requested a full audit of the machines, explaining that it is extremely important to get full transparency with media narrative being, *“Oh, the machines are fine. Oh, the machines are secure.” This is simply a “Trust us!” narrative. Once we've seen what's happening in Michigan, and now for instance in Arizona, you have Maricopa county that's obstructing a subpoena from the legislature to*

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<sup>18</sup> <https://www.breitbart.com/politics/2020/08/05/trump-campaign-files-lawsuit-challenging-nevada-vote-by-mail-law-as-unconstitutional/>

<sup>19</sup> <https://www.reviewjournal.com/opinion/opinion-columns/victor-joecks/victor-joecks-clark-county-election-officials-accepted-my-signature-on-8-ballot-envelopes-2182390/>

actually have a full audit of these machines, you just have to say, "what have they got to hide?" **Binnall confirmed that in Nevada the courts didn't really look at the evidence**, and many cases have been thrown out on technicalities or on "standing."

*Jesse Binnall: "It's really, really unfortunate that courts are trying to find ways to dodge the issue. My case in Nevada is an example of that, where we were told: no live witnesses and you're limited to only 15 depositions. So **130,000 instances of voter fraud**, and you can only do it with 15 depositions. But we're also going to limit your ability to get subpoenas and force people to show up. And over the Thanksgiving holiday weekend, we were really limited for how we could actually put in our evidence, and so for instance, when we're able to find evidence of almost 4,000 noncitizens who voted in the election, the court wouldn't even hear that evidence, the court excluded it completely. And then when it went up to the Supreme Court in Nevada, they gave us two hours to brief our case, to brief all of our issues....**8,000 pages of evidence, they gave us two hours to brief it.** And we still in just over two hours, we put together a 40-page brief that walked them through all the important issues. And they paid so much attention to that 40-page brief and 8,000 pages of documents that they summarily affirmed the case a couple of hours after that. It's just completely ridiculous that courts are more interested in being a rubber stamp for this media narrative that there was no voter fraud and ignoring the evidence to the contrary, that there was clear voter fraud, that courts have decided to abdicate their role to be neutral arbiters. That's really sad."*

Source: [https://www.ntd.com/trump-attorney-jesse-binnall-interview\\_543521.html](https://www.ntd.com/trump-attorney-jesse-binnall-interview_543521.html)

Two other Nevada cases:  
*Law et al v. Whitmer et al (20 OC 00163 1B)*. - The United States Electoral College candidates in Nevada who pledged to President Donald Trump filed an election contest on Nov. 17, alleging irregularities, improprieties, and fraud in the state's 2020 presidential election. The contest, filed in the First Judicial District Court in Carson City, seeks to have Trump declared as the winner in Nevada, or to have the election annulled. The plaintiffs allege that the election machines used throughout the state are unreliable, that observers were denied access to the ballot duplication process, and that alleged vote-buying occurred through some Native American outreach programs.

- Nov. 23: Defendants file motion to dismiss.  
- Dec. 4: State judge in Carson City dismisses election contest, ruling that the plaintiffs did not sufficiently prove that illegal votes were cast and counted and that legal votes were not counted. A spokesperson for the lawyer representing plaintiffs said they intend to appeal the ruling to Nevada Supreme Court.  
Dec. 8: Nevada Supreme Court affirms state judge's order to dismiss election contest.

*Kraus v. Cegavske (20-oc-001421B)* - Oct 23: The Trump campaign and the Nevada Republican Party sued election officials in the Las Vegas area, seeking to halt the ballot counting process immediately until Trump campaign volunteers are allowed to closely observe the process. The lawsuit was filed against Nevada Secretary of State Barbara Cegavske, a Republican, and Joseph Gloria, registrar of voters for Clark County, Nevada's most populous county, which includes the city of Las Vegas.  
Oct. 29: A state judge rejects a lawsuit seeking expanded access to poll watchers, prompting the Trump campaign to appeal that decision to the state Supreme Court.

Nov. 10: The Trump campaign moves to dismiss their appeal after reaching a settlement with state officials to allow for more observers.

Source: <https://www.theepochtimes.com/c-nevada>

## Conclusion: “Outcome determinative electoral fraud”

While the Nevada Legislature did authorize changes in the law, those changes created both “significant irregularities” in established voting procedures, and set the stage for widespread failure to enforce state and federal laws that guarantee election integrity.

Jesse Binnall, in testimony before the US Senate Committee on Homeland Security and Governmental Affairs, stated, “All in all, our experts identified 130,000 unique instances of voter fraud in Nevada. But the actual number is almost certainly higher.”<sup>20</sup>

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<sup>20</sup> <https://www.hsgac.senate.gov/imo/media/doc/Testimony-Binnall-2020-12-16.pdf>

## Actions and last-minute illegal rule changes

- New Mexico Secretary of State Maggie Toulouse Oliver violated the state election code by permitting voters to deposit completed absentee ballots in drop boxes at voting locations rather than handing them to the location's presiding judge in person.
- Drop boxes were installed around the state this fall with federal funding from the CARES Act in an effort to reduce numbers of voters congregating at voting locations in the midst of the COVID-19 pandemic.
- The Republican Party of New Mexico sued over the state's use of drop boxes in October, demanding video monitoring for all drop boxes and accusing two county clerks of lax security measures. The party withdrew its complaint after Toulouse Oliver's office reiterated previously issued guidance to county clerks on their use.

Source: <https://www.lcsun-news.com/story/news/politics/2020/12/14/trump-campaign-lawsuit-new-mexico-absentee-ballot-drop-boxes/6546219002/>

## Resulting “Significant Irregularities” and Possible Fraud

- The results for the presidential race from the state website count Biden/Harris 501,614 and Trump/Pence 401,894.<sup>21</sup>
- Since the drop boxes represented a significant portion of the overall ballots, this potentially challenges hundreds of thousands of ballots.
- Some counties had suspiciously high voter registration rates of around 100%, including one with a voter registration rate of 109% and another of 177%.<sup>22</sup>
- In comparison to the results in 2016, Biden's totals were 130% greater than Hillary Clinton, who won New Mexico 385,234 to 319,667 for Trump, and Trump in 2020 exceeded his 2016 totals 125.7% - yet he allegedly lost.

## Court Case

Attorneys filed a lawsuit for plaintiff “Donald J. Trump For President, Inc.” against co-defendants MAGGIE TOULOUSE OLIVER, in her official capacity as Secretary of State of New Mexico, the ELECTORS of NEW MEXICO and the STATE CANVASSING BOARD OF NEW MEXICO, on Dec 14, 2020, requesting the court vacate the Defendant Electors' certifications from the unconstitutional 2020 election results, and remand to the state of New Mexico legislature pursuant to 3 U.S.C. § 2 to appoint electors. The state Republican Party is subsequently accusing New Mexico Secretary of State Maggie Toulouse Oliver of purposely delaying the release of election records requested by President Donald Trump's administration. The case asserts the Defendant, while taking advantage of federal funding earmarked for absentee-ballot drop-off boxes — also

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<sup>21</sup> <https://electionresults.sos.state.nm.us/resultsSW.aspx>

<sup>22</sup> <https://www.judicialwatch.org/wp-content/uploads/2020/10/Judicial-Watch-Voter-Roll-Study-Oct-2020-1.pdf> ;  
<https://www.sos.state.nm.us/voting-and-elections/data-and-maps/voter-registration-statistics/2020-voter-registration-statistics/>

created another ballot-return option called the “drop box.” The word “drop box” does not appear in the Election Code, and the only creature of statute that looks in any way like it is the “secured container” concept from § 1-6-9(E), but the Secretary took the position that drop boxes were not “secured containers.” Rather, the Secretary took the position that drop boxes were simply an embodiment of the longstanding rule that an absentee-ballot “official mailing envelope may be returned in person to . . . an alternate voting location, mobile alternate voting location or election day voting location.” NMSA 1978, § 1-6-9(D). In short, her position is that there is no difference between the longstanding practice of a voter turning in his or her ballot “in person” and a voter turning in to a drop box placed outside the polling place.

[...]

This procedure was simply not followed with regard to what the Trump Campaign believes was the majority of drop boxes in New Mexico, allowing individuals to drop off multiple ballots — meaning that, by definition, they were not the voter on all of them — without speaking to a person at all.

Source:

[https://www.courtlistener.com/recap/gov.uscourts.nmd.455803/gov.uscourts.nmd.455803.1.0\\_1.pdf](https://www.courtlistener.com/recap/gov.uscourts.nmd.455803/gov.uscourts.nmd.455803.1.0_1.pdf)

## Conclusion: Outcome-Determinative Electoral Fraud

Between the drop boxes with almost complete lack of protections for election integrity, abnormally high and statistically impossible voter registration rates in several counties, and other abnormalities, the state’s election results are indeed open to serious question

# Pennsylvania

(80,555 margin vs. 1,144,230 contested ballots)

## Last-minute and Illegitimate Rule Changes

- Pennsylvania’s Secretary of State, Kathy Boockvar, without legislative approval or ratification, unilaterally abrogated several Pennsylvania statutes requiring signature verification for absentee or mail-in ballots.
- The Pennsylvania Department of State’s guidance unconstitutionally did away with Pennsylvania’s statutory signature verification requirements.
- The governor approved, contravening state law, a last minute ballot deadline change allowing ballots to be accepted after election day.<sup>23</sup>
- A further last-minute change allowed ballots to be accepted without postmarks<sup>24</sup>
- Pennsylvania’s election law also requires that poll-watchers be granted access to the opening, counting, and recording of absentee ballots. Local election officials in Philadelphia and Allegheny Counties decided not to follow 25 PA. STAT. § 3146.8(b) for the opening, counting, and recording of absentee and mail-in ballots.
- Prior to the election, Secretary Boockvar sent an email to local election officials urging them to provide opportunities for various persons—including political parties—to contact voters to “cure” defective mail-in ballots. This process clearly violated several provisions of the state election code.
- Through removing the ballots for examination prior to seven o’clock a.m. on election day, Secretary Boockvar created a system whereby local officials could review ballots without the proper announcements, observation, and security.
- A great number of ballots were received after the statutory deadline and yet were counted by virtue of the fact that Pennsylvania did not segregate all ballots received after 8:00 pm on November 3, 2020 as required by order of U.S. Supreme Court Justice Samuel Alito.

## Related “Significant Irregularities” and Possible Fraud

- 9,005 ballots with NO MAILED date.
- 58,221 ballots were returned on or before the date they were mailed.<sup>25</sup>
- 51,200 ballots were returned one day after the date they were mailed to voters.
- PA Secretary of State unilaterally removed legislative signature verification requirement for mail-in ballots.<sup>26</sup>
- Completely unrealistic rejection rates for mail-in ballots. In 2016 Pennsylvania received 266,208 mail-in ballots; 2,534 of them were rejected (.95%).<sup>27</sup> However, in 2020,

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<sup>23</sup> <https://www.dailysignal.com/2020/06/04/pennsylvania-governors-11th-hour-ballot-deadline-change-spurs-election-chaos/>

<sup>24</sup> <https://www.theamericanconservative.com/articles/last-minute-election-rule-changes-raise-big-questions/>

<sup>25</sup> <https://drive.google.com/file/d/12b80UlkLok1oLyXcg1VMqaJCzvTNzmAu/view>

<sup>26</sup> <https://apnews.com/article/pennsylvania-election-2020-pittsburgh-elections-presidential-elections-fc464c287c18823ff57fedc13fac7e5>

<sup>27</sup> [https://www.eac.gov/sites/default/files/eac\\_assets/1/6/2016\\_EAVS\\_Comprehensive\\_Report.pdf](https://www.eac.gov/sites/default/files/eac_assets/1/6/2016_EAVS_Comprehensive_Report.pdf) (p. 24)

Pennsylvania received more than 10 times the number of mail-in ballots compared to 2016 yet with almost zero rejections.<sup>28</sup>

- 682,777 mail-in votes were counted without a single Republican viewing and verifying the ballots, names, signatures, and dates.
- 8,021 mail-in ballots were counted for those who were confirmed dead.
- 40% of Republicans requested ballots that were never subsequently recorded as having been “received” or “counted” by the state.<sup>29</sup>
- Matt Braynard found 7,426 early or absentee ballots that were cast in Pennsylvania in the names of people who had filed out-of-state move notices and thus were not eligible to vote in Pennsylvania.<sup>30</sup>
- All forensic evidence, custody sheets, from Delaware County, disappeared shortly after the election.
- 69,004 ballots were marked as “received” after Nov 3, and 19,660 ballots after Nov 6, despite Pennsylvania Secretary of State Kathy Boockvar reporting on November 10th (and to the Supreme Court on November 30th) that only 10,00 ballots were received after November 3rd.<sup>31</sup> The PA Supreme Court usurped established PA legislation to allow ballots to be counted if received by Nov 6. PA election law states that ballots received after Nov 6 are to be rejected.
- PA’s deadline for mail-in ballot applications was Oct 27, yet some counties, such as Berk County, were allowing both the filling out of mail-in ballot applications and the receipt of said mail-in ballots as late as Nov 16.<sup>32</sup>
- 191,725 mail-in ballots were touched by alterations, irregularities, or anomalies.<sup>33</sup>
- 112,516 ballots were given new return dates.<sup>34</sup>
- 151,775 mail-in ballots were changed on Nov 23.<sup>35</sup>

## Court

## Cases

*Donald J. Trump for President v. Kathy Boockvar (U.S. Supreme Court: 20-845)*

The Trump campaign filed the suit on Dec. 21 challenging three Pennsylvania Supreme Court rulings that “illegally changed” the mail-in ballot laws “immediately before and after the 2020 presidential election,” the legal team said. The team argued that those court decisions were

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<sup>28</sup> <https://electproject.github.io/Early-Vote-2020G/PA.html> (Data provided by the Pennsylvania Secretary of State’s office)

<sup>29</sup> Affidavit of Dr. Steven Miller, I App. 1327-1328: [https://www.supremecourt.gov/DocketPDF/22/22O155/163392/20201214094921641\\_Appendix%20section%209.pdf](https://www.supremecourt.gov/DocketPDF/22/22O155/163392/20201214094921641_Appendix%20section%209.pdf)

<sup>30</sup> Affidavit of Matthew Braynard, I App. 1339: [https://www.supremecourt.gov/DocketPDF/22/22O155/163392/20201214094921641\\_Appendix%20section%209.pdf](https://www.supremecourt.gov/DocketPDF/22/22O155/163392/20201214094921641_Appendix%20section%209.pdf)

<sup>31</sup> This is based upon data from the Pennsylvania government’s OpenData website, located here: <https://data.pa.gov/Government-Efficiency-Citizen-Engagement/2020-General-Election-Mail-Ballot-Requests-Departm/mcba-yywm>

<sup>32</sup> <https://data.pa.gov> ; <https://hereistheevidence.com/election-2020/pa-update-records/>

<sup>33</sup> <https://data.pa.gov> ; <https://hereistheevidence.com/election-2020/pa-update-records/>

<sup>34</sup> <https://data.pa.gov> ; <https://hereistheevidence.com/election-2020/pa-update-records/>

<sup>35</sup> <https://data.pa.gov> ; <https://hereistheevidence.com/election-2020/pa-update-records/>



issued in violation of Article II of the Constitution and the U.S. Supreme Court ruling, *Bush v. Gore*, that settled a recount dispute from Florida in 2000. The lawsuit seeks “all appropriate remedies,” which includes the vacating of electors that were committed to Joe Biden and allowing the Pennsylvania Legislature to call up their own electors. One of the cases sought meaningful access for Republican observers to view the counting of ballots. **The majority panel in the Pennsylvania Supreme Court ruled the state’s election code does not set a minimum distance poll observers need to stand in order to watch ballot counts and meet the laws’ requirements.** The two other cases are a Pennsylvania Supreme Court decision issued before the election on Oct. 23 and another ruling decided on Nov. 23 that consolidates six cases. The campaign consolidated the three rulings. Dec. 21: The Trump campaign files petition for a writ of certiorari to appeal three decisions. A motion for expedited consideration was also filed. The case was docketed on Dec. 23. Dec. 30: Boockvar files a response opposing the request to expeditiously review the case. Dec. 31: The Trump campaign files a reply to Boockvar’s response. Source: <https://www.theepochtimes.com/c-pennsylvania>

### Eyewitness Testimony:

**Gregory Stenstrom, a Navy veteran and forensic computer scientist,** testified Wednesday before the State Senate Majority Policy Committee hearing in Gettysburg, Pennsylvania, about an **election process in Delaware County he described as being “forensically destructive.”** **“In all cases the chain of custody was broken,” the GOP poll watcher said. “It was broken for the mail in ballots, the drop box ballots, the election day USB card flash drives.”** Not one procedure defined by the Delaware County Board of Elections and Election Process Review was followed, he added. Stenstrom said he, along with Democratic poll watchers, witnessed a **person described as “not a part of the process” come in with bags of USB cards, uploading them into machines.** “I personally observed USB cards being uploaded to voting machines by the voting machine warehouse supervisor on multiple occasions. I saw this personally. I brought it to the attention of the deputy sheriff who was there stationed, who was a senior law enforcement officer, and I brought to the attention of the clerk of elections,” he said. **“I brought it to their attention. I objected, and I said this person is not being observed,” he continued. “He’s not part of the process that I can see, and he’s walking in with baggies — which we have pictures of and it was submitted in our affidavits — and he was sticking these USBs into the machines.** “So I personally witnessed that happen over 24 times. We have multiple other witnesses who saw it, including Democrat poll watchers. As of today, 47 USB cards are missing, and they are nowhere to be found,” added Stenstrom. “I was told personally that these 24 to 30 cards that were uploaded weren’t there.” Stenstrom also said he was assured that there were between 10-20 GOP poll watchers at the counting center but he wanted to go see for himself. He was required to wait five hours before being allowed in.<sup>36</sup>

## Conclusion: “Significant Irregularities” and “Outcome Determinative Electoral Fraud”

Pennsylvania officials unilaterally changed the law without authorization by the Legislature. By doing away with Pennsylvania’s signature verification requirements, extending the mail in deadline to three days after Election Day, adopting a presumption that even non-postmarked ballots were presumptively timely, blocking poll watchers in Philadelphia and Allegheny Counties

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<sup>36</sup> <https://townhall.com/tipsheet/leahbarkoukis/2020/11/26/pa-witness--usb-cards-n2580714>



in violation of State law, and the fact that voters from Democrat heavy counties were allowed to “cure” their ballots while most of those from heavily Republican counties were not given that option, a clear violation of Equal Protection, the election in Pennsylvania is not only open to question, but the alleged results as a matter of law simply cannot be legally certified. These non-legislative modifications to Pennsylvania’s election rules appear to have generated an outcome-determinative number of unlawful ballots that were cast in Pennsylvania.

The conclusion that the fraud was “outcome determinative” is supported also by totaling the 118,426 ballots counted that could not have been “received” before they were mailed or that were “received” the day after they were mailed. Given the slow service of the U.S. Mail, these outcomes are physically impossible, and the numbers “certified” are demonstrably false.

# Wisconsin

(20,467 margin vs. over 460,000 contested ballots)

## Actions and last-minute illegal rule changes

- Wisconsin Elections Commission undertook a campaign to position hundreds of drop boxes to collect absentee ballots—including the use of unmanned drop boxes, despite specific statutes requiring “that the privilege of voting by absentee ballot must be carefully regulated to prevent the potential for fraud or abuse.”
- The mayors of Wisconsin’s five largest cities—Green Bay, Kenosha, Madison, Milwaukee, and Racine, which all have Democrat majorities—joined in this effort, and together, developed a plan use purportedly “secure drop-boxes to facilitate return of absentee ballots.”<sup>37</sup>
- However, the use of any drop box, manned or unmanned, is directly prohibited by Wisconsin statute, and any alternate absentee ballot site “shall be staffed by the municipal clerk or the executive director of the board of election commissioners, or employees of the clerk or the board of election commissioners.”<sup>38</sup>
- Specifically, registering to vote by absentee ballot requires photo identification, except for those who register as “indefinitely confined” or “hospitalized.” However, WEC and local election officials also took it upon themselves to encourage voters to unlawfully declare themselves “indefinitely confined”—which under Wisconsin law allows the voter to avoid security measures like signature verification and photo ID requirements.
- Under Wisconsin law, voting by absentee ballot also requires voters to complete a certification, including their address, and have the envelope witnessed by an adult who also must sign and indicate their address on the envelope. However, in a training video issued April 1, 2020, the Administrator of the City of Milwaukee Elections Commission unilaterally declared that a “witness address may be written in red and that is because we were able to locate the witnesses’ address for the voter” to add an address missing from the certifications on absentee ballots. This is a clear violation of the law.<sup>39</sup> Additionally, statute clearly states that ““If a certificate is missing the address of a witness, the ballot may not be counted.”

## Resulting “Significant Irregularities” and Possible Fraud

- Clerks provided absentee ballots to electors without applications as required by Wis. Stat. § 6.86.
- Clerks and deputy clerks authorized by the municipal clerk failed to write on the official ballot, in the space for official endorsement, the clerk’s initials and official title, as required by Wis. Stat. § 6.87 (1).
- Clerks issued absentee ballots to electors who were required to enclose a copy of proof of identification or an authorized substitute document but failed to do so under Wis. Stat. § 6.87 (1).

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<sup>37</sup> <https://www.techandcivillife.org/wp-content/uploads/2020/07/Approved-Wisconsin-Safe-Voting-Plan-2020.pdf>

<sup>38</sup> Wis. Stat. 6.855(3).

<sup>39</sup> Wis. Stat. § 6.87(6d).

- Clerks failed to enter initials on ballot envelopes indicating whether the elector is exempt from providing proof of identification, as required by Wis. Stat. §136.87 (2).
- Clerks and the boards of canvassers permitted absentee ballots returned without the required witness address under Wis. Stat. § 6.87 (2) to be counted in contravention of Wis. Stat. § 6.87 (6d).
- Clerks who received absentee ballots with improperly completed certificates or no certificates filled in missing information in contravention of Wis. Stat. § 6.87 (9).
- The clerk of the City of Madison ignored Wis. Stat. § 6.855 and created an event named “Democracy in the Park” and, of her own accord, designated alternate sites where absentee ballots could be collected; these ballots were counted in contravention of Wis. Stat. § 6.87 (6).<sup>40</sup>
- It is alleged in an action recently filed in the United States District Court for the Eastern District of Wisconsin that over five hundred unmanned, illegal, absentee ballot drop boxes were used in the Presidential election in Wisconsin.<sup>41</sup>
- While the Secretary of State tried to use the pandemic to classify more people as indefinitely confined, the WI Supreme Court struck this down. Ignoring this court ruling, the Wisconsin Secretary of State convinced over 215,000 to claim the status anyway under Wis. Stat. § 6.86 (2), causing chaos and confusion, and failed to keep current the mailing list established under that subsection and clerks in Dane and Milwaukee counties offered illegal advice that encouraged individuals to use indefinite confinement as a way to ignore the state’s photo I.D. requirement.<sup>42 43</sup> The usual number of indefinitely confined voters in Wisconsin is 20,000.
- Thousands of “indefinitely confined” voters have been identified on Facebook with pictures that point towards clearly active lifestyles.
- Ethan J. Pease, a box truck delivery driver subcontracted to the U.S. Postal Service (“USPS”) to deliver truckloads of mail-in ballots to the sorting center in Madison, WI, testified that a senior USPS employee told him on November 4, 2020 that “[a]n order came down from the Wisconsin/Illinois Chapter of the Postal Service that 100,000 ballots were missing” and needing to be “found”. He filed a sworn statement that the USPS in actuality gathered approximately 100,00 late ballots and backdated them in an attempt to count them. 100,000 ballots supposedly “found” after election day would far exceed former Vice President Biden’s margin of 20,565 votes over President Trump.
- 20% of Republicans had requested ballots that were never subsequently recorded as having been “received” or “counted” by the state.
- 63,000 Biden only votes (huge statistical anomaly), despite Trump’s recent recognition as America’s most popular man, 3x more popular than Biden.
- Mathematically incongruous Wisconsin update listed as 3:42AM Central Time on November 4th, 2020, which shows 143,379 votes for Joe Biden and 25,163 votes for Donald Trump. This starkly contrasts normal voting patterns in this area.<sup>44</sup>

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<sup>40</sup> 2021 Assembly Resolution 3: <https://docs.legis.wisconsin.gov/2021/related/proposals/ar3>

<sup>41</sup> See Complaint (Doc. No. 1), Donald J. Trump, Candidate for President of the United States of America v. The Wisconsin Election Commission, Case 2:20-cv-01785-BHL (E.D. Wisc. Dec. 2, 2020) (Wisconsin Trump Campaign Complaint”) at ¶¶ 188-89.

<sup>42</sup> <https://bringit.wi.gov/faq/do-indefinitely-confined-voters-have-provide-photo-id>

<sup>43</sup> <https://www.wispolitics.com/2020/wisgop-trump-lawsuit-highlights-indefinitely-confined-voter-increase/> ; 2021 Assembly Resolution 3: <https://docs.legis.wisconsin.gov/2021/related/proposals/ar3>

<sup>44</sup> <https://votepatternanalysis.substack.com/p/voting-anomalies-2020>

- The Wisconsin Elections Commission issued a rule that appears to give county clerks the authority, in contravention of state law, to fix incomplete (or "spoiled") ballots that are missing witness signatures.<sup>45</sup>

## Court Cases

*Feehan v. Wisconsin Elections Commission (District Court: 2:20-cv-01771; Appeal Court: 20-3396; U.S. Supreme Court: 20-859)*

Sidney Powell filed a lawsuit on Dec. 1 seeking to de-certify and invalidate improper votes in Wisconsin over allegations of election fraud. She is representing a Republican presidential elector. One of the plaintiffs Derrick Van Orden was removed from the complaint after filing.

Dec. 6: Judge rejects Democratic Services Corporation/Democratic National Committee's request to join lawsuit. Dec. 9: **Judge dismisses case.** Powell said her team will seek an emergency review in the case. Dec. 10: Powell's team files notice of appeal.

Dec. 12: Powell's team files a petition to the U.S. Supreme Court. Dec. 29: U.S. Supreme Court docket case. Dec. 30: Powell's team asked the court to consolidate all four related-cases filed by the lawyer on behalf of Republican electors.

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*Trump v. Biden (Trial: 2020CV007092; Wisconsin Supreme Court: 2020AP2038)*

President Donald Trump and Vice President Mike Pence file an appeal to contest the Wisconsin recount in Milwaukee and Dane County.

Dec. 3: Lawsuit filed. Dec. 11: **Judge tosses out the case.** The attorney representing the Trump campaign signaled that he intends to appeal the decision. Dec. 11: The Wisconsin Supreme Court agreed to hear the appeal. Dec. 14: The Wisconsin Supreme Court rejects lawsuit saying one of the campaign's arguments lacked merit, while the other three were raised way too late. Dec. 29: Trump files a petition for a writ of certiorari and motion for expedited consideration at the U.S. Supreme Court.

Source: <https://www.theepochtimes.com/c-wisconsin>

## Conclusion

These non-legislative modifications to Wisconsin's election rules appear to have generated an outcome-determinative number of unlawful ballots that were cast in Wisconsin. The supposedly "found" ballots and the approximately 200,000 illegally claimed as "indefinitely confined" individually and together far exceed Vice President Biden's alleged margin of 20,565 votes over President Trump. Regardless of the number of such ballots, the non legislative changes to the election rules violated the Electors Clause.

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<sup>45</sup> <https://elections.wi.gov/node/7190>

## Conclusion for all seven states with contested electoral slates (415,000 margin vs. over 2,200,000 ballots contested)

There is now a mountain of empirical evidence that voter fraud was present in the 2020 election and intentionally concentrated in specific counties of specific swing states. Ranging from eye witness testimony to statistical anomalies to significant machine vulnerabilities that were exploited by foreign adversaries, roughly 2.2 million votes are contested. With a margin between the candidates of less than 415 thousand votes across all contested states, this represents more than five times the votes needed to sway the election outcome of all battleground states in favor of President Trump.

Even if some of these pieces of evidence were possible to somehow explain away or leave a bit of reasonable doubt, there is no way to explain all of them away simultaneously. Indeed, sophisticated statistical analysis points out that the anomalous behavior in Michigan, Georgia, and Wisconsin alone between 1:30 and 6:32AM EST November 4th has a probability of 0.00229%, which is effectively zero.<sup>46</sup> In brief, it is the duty of state **and** national legislators to consider the evidence and maintain election integrity for not only 2020, but all future generations in the United States and all countries that model off of our democracy. State legislators have a duty to ensure that their election law was faithfully followed and to ensure that their authority to set the rules under which elections take place, upon which rules the certification of electors depends, is unchallenged. National legislators have a responsibility to act as national poll watchers, as it were, and to be the ultimate guarantors that the state laws were faithfully followed and that the Electoral votes opened in their presence are legal votes. In the face of clear and widespread evidence that that is not the case, and that the Electors from certain states were NOT legally certified, they have a responsibility to not count those illegal votes and be the final guarantors of election integrity.

## Key Sources & References

The following sources are heavily referenced, often directly quoted, and provide recommended further reading for anyone wanting to do a deeper analysis into the election fraud:

- <https://everylegalvote.com/assets/pdfs/The-Immaculate-Deception-12.15.20.pdf>
- <https://www.frontpagemag.com/fpm/2020/12/yes-it-was-stolen-election-john-perazzo/>
- <https://everylegalvote.com/>

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<sup>46</sup> <https://votepatternanalysis.substack.com/p/anomalies-in-vote-counts-follow-up>