

# **The Arizona 2020 election was unlawful and must be nullified**

There is a clear path to Arizona election nullification as described below that does not require the fraud evidence

I am working closely with citizens in Arizona and are focusing on aligning the people to act. Arizonans are meeting to collaborate and support one another on the 2020 election. Part of this **focused effort is on fixing the 2020 election by declaring it nullified as it was illegitimate, fraudulent, un-certifiable, unconstitutional, and unlawful.**

Please review the following for more detailed information. **There is a strong position to lawfully nullify the last Arizona election and seek to hold a new election. This time around we must eliminate the voting machines and other unlawful activities that compromised the election.**

The catalyst to this effort was a **Writ of Mandamus** (where People request the Court to mandate elected officer(s) to perform their duties constitutionally and lawfully and uphold their oath of office) that was submitted to the Arizona Supreme Court by a 2020 candidate and two other concerned citizens of Arizona.

Like many courts have done, the Arizona Supreme Court Judge dismissed the suit for "Jurisdiction" only. However, the court was reminded that they cannot dismiss on Jurisdiction alone but must move the case to the proper court. Not only did the court decline to move, but they gave no reason for not moving the case.

We assert **the Writ of Mandamus is the right legal tool.** It is constitutionally based which **derives its power from the will of the people.**

A short summation is;

The plaintiffs on the Mandamus, were harmed based on the fact that the election process laid out in the Arizona Constitution and Statutes, was not followed. Therefore, the elections process was unlawful, and unconstitutional. Incurable uncertainty is present because the equipment used was not legally able to be used for elections pursuant to ARS 16-442(B).

THIS LEGAL APPROACH DOES NOT REQUIRE ANY OF THE EVIDENCE OF FRAUD, IT IS A DIRECT PATH TO NULLIFICATION OF THE 2020 ELECTION. HOWEVER, THE EVIDENCE OF FRAUD STILL REMAINS AND NEEDS TO BE PROSECUTED.

The Federal "Help America Vote Act" HAVA, which Arizona adopted into its laws in ARS 16-442(B), **requires that voting machines MUST be "certified" by an "accredited test Lab".**

**The Arizona Constitution states in Article 7 Section 7** that it is only legal votes which must determine the outcome, and uncertified machines in 2020 cannot create legal votes.

## **The facts in the Mandamus brief reveal that the Voting Machines used, were**

NOT "Certified" in accordance with AZ law and Federal HAVA law, because the "certifying lab" was not "accredited" to "certify" the voting machines prior to the 2020 election.

- 1)** The Labs hired to certify the voting machines had lost their accreditation prior to the 2020 elections. One lab's accreditation expired in 2017. The other lab's 'accreditation' certificate, although not valid on its face, because it shows the certification is effective for three years and they are only allowed two years and would have expired in January of 2020.
- 2)** On the basis the voting machines involved all across Arizona, were NOT CERTIFIED and therefore the voting machine's results would not be "certifiable" thereby invalidating the voting results and legality of "certification" of Arizona's 2020 elections. ANY VOTE cast on the uncertified machines are un-certifiable, therefore the election is nullified and another election in Arizona is required.
- 3)** Covid was provided as an "excuse" by EAC (Election Assistance Commission). However, a timeline would show that Covid 19 had no effect on the certification, since both labs were due for renewal before Covid-19 became an issue.

Certifications, accreditations, and valid processes must be adhered to secure the Civil and Constitutional rights of the people to be equally heard and counted in all elections. The elections are to be by the people, not by corporations, machine software, components, and unelected experts. The security and liberty of our State is to be determined by the voices and care of the people and guarded by the rule of law. Abuses of the elective franchise through ignoring clearly set forth safety protocols and security measures must not be allowed to stand.

This State cannot allow some elections processes to be followed and others ignored, while companies and officials take no responsibility. Every one of the people is equal under the law, and equal protections through due process by elected officials is critical. It is the main reason for the oath of office; to protect and uphold both the laws and the Constitution. Voting equipment requiring complex expertise to manage, puts a large part of the voting process into the hands of unelected experts, corporations, and components that can never be traceably secure and free from abuse. This violates the civil and Constitutional rights of the people and destabilizes the public trust. Incurable uncertainty as to whether our vote was counted correctly and not diluted, lost or changed, is a violation of our most precious right to the People's voice. The laws and Constitution are in place to protect the process of elections.

There is grave concern to the people's civil and individual voting rights when corporate computer technicians are required to manage the voting machines during the voting process. Eliminating the use of the voting machines and using other logical voting measures are necessary to ensure a lawful and constitutional election in Arizona.

No voting system machines in Arizona were certified for use in the 2020 election, due to the labs not being accredited. Therefore, no voting system machine in Arizona was legal to be used. Therefore, no vote was a legal vote.

We are able to provide background information and evidence including a copy of the Writ of Mandamus.