

Subject: RE: Public Information Request (TX-SOS-21-1682) PIR 21-1124
Date: Friday, July 8, 2022 at 5:34:02 PM Eastern Daylight Time
From: GeneralCounsel
To: AO Records
CC: GeneralCounsel
Attachments: Rebecca Norris_Redacted.pdf, Cassandra Roberson_Redacted.pdf, Curtis Newton_Redacted.pdf

EXTERNAL SENDER

Good afternoon,

Consistent with our June 10 email, please see the attached documents responsive to your January 24 clarified request for information under Chapter 552 of the Texas Government Code.

The responsive documents contain email addresses of the general public. An email address of a member of the public is confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on August 5, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, June 10, 2022 4:13 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-21-1682) PIR 21-1124

Good afternoon,

Consistent with our June 3 email, please see the attached zipped folder containing documents responsive to your January 24 clarified request for information under Chapter 552 of the Texas Government Code.

The responsive documents contain email addresses of the general public. An email address of a member of the public is confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA.

We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on July 8, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, June 3, 2022 3:57 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-21-1682) PIR 21-1124 (1 of 2)

Good afternoon,

Consistent with our May 6 email, please see the attached zipped folder containing documents responsive to your January 24 clarified request for information under Chapter 552 of the Texas Government Code. Due to file sizes, an additional email with zipped folder will follow.

The responsive documents contain email addresses of the general public. An email address of a member of the public is confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on June 10, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, May 6, 2022 3:58 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-21-1682) PIR 21-1124

Good afternoon,

Regarding our April 8 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on June 3, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, April 8, 2022 3:55 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-21-1682) PIR 21-1124

Good afternoon,

Regarding our March 4 email, please see the attached zipped folder containing documents responsive to your January 24 clarified request for information under Chapter 552 of the Texas Government Code.

The responsive documents contain email addresses of the general public. An email address of a member of the public is confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on May 6, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, March 4, 2022 1:40 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-21-1682) PIR 21-1124

Good afternoon,

We appreciate your patience as we continue to process your clarified request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you any additional responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on April 8, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Monday, February 7, 2022 3:36 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-21-1682) PIR 21-1124

Good afternoon,

This email responds to your request for information under Chapter 552 of the Texas Government Code (the “PIA”). We are processing your request in accordance with the terms of the PIA. We require additional time to review our records and produce responsive documents. We will provide you any responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on March 4, 2022. *See* Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel
Sent: Wednesday, January 26, 2022 1:57 PM
To: 'AO Records' <records@americanoversight.org>
Subject: RE: Public Information Request (TX-SOS-21-1682) PIR 21-1124

Thank you for contacting the Office of the Texas Secretary of State. This email acknowledges receipt of your clarified request for information under the Public Information Act, and we will process it in accordance with

Chapter 552 of the Texas Government Code.

We will let you know if we have any questions or need clarification.

Regards,

Office of the Texas Secretary of State

From: AO Records <records@americanoversight.org>
Sent: Monday, January 24, 2022 1:56 PM
To: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: Re: Public Information Request (TX-SOS-21-1682)

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to informationsecurity@sos.texas.gov.

Good afternoon,

Thank you for reaching out for clarification regarding this request. In response to your inquiries, American Oversight states:

1. American Oversight seeks both formal complaints submitted under Section 31.006 of the Texas Elections Code, and any other reports or complaints submitted to your office by the described individuals. The reports and complaints described in the records request encompass correspondence sent to your office by email, text, or other forms of communication by which a report or complaint may be made. If you have further questions regarding this portion of the request, please let me know.
2. American Oversight only seeks the underlying complaints and records sufficient to identify the final status or disposition of each report or complaint. To the extent that this information would be kept in a final disposition letter, a spreadsheet, or other form, those records would be sufficient to satisfy the request. If a final determination regarding a complaint was made in an internal communication and not recorded elsewhere, then that communication would be responsive to this request. Please let me know if this explanation is unclear.
3. American Oversight can agree to narrow this request to communications from individuals communicating from any email address ending in @tarrantcounty.com or those identifying themselves as a poll watcher or other appointing authority.

Best,

Emma Lewis
Counsel
American Oversight

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Date: Monday, December 13, 2021 at 3:11 PM
To: AO Records <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-21-1682)

EXTERNAL SENDER

Good afternoon,

Please see the attached letter in response to your request for information under Chapter 552 of the Texas Government Code.

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: AO Records <records@americanoversight.org>
Sent: Tuesday, November 23, 2021 5:36 PM
To: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: Public Information Request (TX-SOS-21-1682)

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Dear Public Information Officer:

Please find attached a request for records under the Texas Public Information Act.

Sincerely,

--

Sarah Wishingrad
Pronouns: she/her
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

PIR: TX-SOS-21-1682

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Ruth R. Hughs
Secretary of State

July 30, 2020

Via electronic mail: [REDACTED]

Dear Ms. Roberson,

This letter is in response to the complaint you submitted to our office regarding your complaint against Precinct 2644. For a general or special election in which the use of county election precincts is required, the County Clerk shall recommend the location of the polling place for each county election precinct. The Commissioner's Court shall designate the recommended location as the polling place unless the Court finds good cause to reject the recommendation. In that case, the Commissioner's Court shall designate another place. Sec.43.002(a). If county election precincts are consolidated, the Commissioner's Court shall designate the location of the polling place for the consolidated precinct. Sec. 42.002(b).

The Office of the Texas Secretary of State does not have any authority to investigate allegations of criminal conduct. However, if our office receives a complaint that provides reasonable cause to suspect that alleged criminal conduct occurred in connection to an election, our office is required to refer the complaint to the Texas Attorney General for investigation. Tex. Elec. Code § 31.006 (2015).

Our office has reviewed each of your concerns, but none of the facts that you have presented to us in your complaint appear to involve criminal matters under the election code. Therefore, our office is not referring this matter to the Texas Attorney General for investigation. If you have additional information that was not included in your complaint that demonstrates that criminal conduct may have occurred, please send it to us for further review.

If you have any further questions, please do not hesitate to contact the Elections Division toll-free at 1-800-252-(VOTE) 8683.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Ingram".

Keith Ingram
Director of Elections

KI:TS

Page 2

Texas Secretary of State

P.O. Box 12060

Austin, Texas 78711-2060

1-800-252-VOTE (8683)

www.sos.state.tx.us

ELECTION COMPLAINT TO THE TEXAS SECRETARY OF STATE

Docket Number

**OFFICE USE
ONLY**Date Hand-delivered or Date Postmarked
/ /

Please read the Important Information at the end of this document. The Secretary of State has no authority to order a new election, change an election result, or conduct a criminal investigation. A complaint filed with this form will not alter the results of an election.

This complaint form **MUST BE SIGNED** before it is submitted to the Secretary of State; therefore, you must print it out and sign it before mailing or faxing a copy or emailing a scanned, signed copy.

I. IDENTITY OF COMPLAINANT

1 COMPLAINANT NAME	MS / MRS / MR	FIRST	MI
	Cassandra		L
	NICKNAME	LAST	SUFFIX
		Roberson	
2 COMPLAINANT PHYSICAL ADDRESS	ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE)		CITY
	2956 Geneva Drive		Grand Prairie
			STATE
			TX
			ZIP CODE
			75054
(Full home or business address, including street, city, state, and zip code)			
3 COMPLAINANT MAILING ADDRESS	ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE)		CITY
			STATE
			ZIP CODE
(Full home or business address, including street, city, state, and zip code)			
4 COMPLAINANT TELEPHONE NUMBER	AREA CODE	PHONE NUMBER	EXT
	(347)	324-9686	
5 COMPLAINANT E-MAIL ADDRESS			

II. IDENTITY OF RESPONDENT

PERSON OR ENTITY COMMITTING ALLEGED VIOLATION(s)

6 RESPONDENT NAME	MS / MRS / MR	FIRST	MI
	Precinct: 2644		
	NICKNAME	LAST	SUFFIX
7 RESPONDENT POSITION OR TITLE			
8 RESPONDENT PHYSICAL ADDRESS	ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE)		CITY
			STATE
			ZIP CODE
(Full home or business address, including street, city, state, and zip code)			
9 RESPONDENT MAILING ADDRESS	ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE)		CITY
			STATE
			ZIP CODE
(Full home or business address, including street, city, state, and zip code)			
10 RESPONDENT TELEPHONE NUMBER	AREA CODE	PHONE NUMBER	EXT
11 RESPONDENT E-MAIL ADDRESS			
		(IF KNOWN)	

GO TO PAGE 2

NOTICE: THIS COMPLAINT IS PUBLIC RECORD ONCE REVIEW IS COMPLETED BY THE SECRETARY OF STATE AND/OR ATTORNEY GENERAL.

Revised 2/28/2014

TX-SOS-21-1682-D-000003

Texas Secretary of State

P.O. Box 12060

Austin, Texas 78711-2060

1-800-252-VOTE (8683)

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III. NATURE OF ALLEGED VIOLATION**Page 2**

If you believe that a criminal violation of the Code has occurred, please state the specific acts committed by the person or entity named in this complaint, along with a reference to the section of the Code alleged to have been violated, if known. If you need more space, please attach a separate sheet.

Texas Election Code Ann. 61.012(a)(1)(C) - voting accessibility issue

I did not see an accessible voting machine also 2 machines were broken. Reevaluate needs based on new census numbers.

Texas Election Code 43.031 location legalities

Elementary school portion of library was cramped and provided no egress for voters waiting to enter or exit. Given that we are now dealing with the COVID-19 pandemic, a larger venue maybe one of the high school gymnasiums should be used instead.

Voting Systems

Inadequate number provided and non-working equipment

ATTACH ADDITIONAL PAGES AS NEEDED

NOTICE: THIS COMPLAINT IS PUBLIC RECORD ONCE REVIEW IS COMPLETED BY THE SECRETARY OF STATE AND/OR ATTORNEY GENERAL.

Revised 2/28/2014

Texas Secretary of State

P.O. Box 12060

Austin, Texas 78711-2060

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IV. STATEMENT OF FACTS**Page 3**

State the facts constituting the alleged violation(s), including the dates on which or the period of time in which the alleged violation(s) occurred. Identify allegations of fact not personally known to the complainant, but alleged on information and belief. Please use simple, concise, and direct statements.

ELECTION IN WHICH VIOLATION(S) OCCURRED

NAME OF ELECTION 2020 March 3rd Democratic Primary DATE OF ELECTION 03032020
MM/DD/YYYY

COUNTY OR POLITICAL SUBDIVISION Tarrant PRECINCT 2644

I went to my local precinct: 2644 to vote in the democratic primary race in March. The lines were extremely long for those of us voting on the democratic side and at least two machines were broken once we entered the cramped and small elementary school library. I waited in line over 3 hours to vote and when I finally cast my ballot the line was still several blocks long.

Compare and contrast my experience with the republican primary voters. There was no line and no wait. Most people walked right up to the door and were greeted by poll volunteers. All their machines were working and most unused. The voting process was much shorter in terms of time 15-20 mins.

When I spoke to one of the officials monitoring the line outside, I was told there was nothing they could do about the wait or the broken machines. I asked why some people couldn't vote using the other unused machines to help with the bottlenecks and waiting time. He stated "the state legislature decided on the rules and setup for the primaries." Why wouldn't we create more flexibility to encourage voting and expedite the process?

At the very least the optics look bad, but worst case scenario this was discouraging and upsetting. If the long lines, broken machines and inability or unwillingness of voting officials to respond is not a violation of voting rights then it should be.

The primary process should be more inclusive and not try to split people into a two party or no other option system. We have moderates and independents and all variants depending on the issues. A more modern approach to primaries should be considered to encourage participation not tip the scale to one side or the other.

ATTACH ADDITIONAL PAGES AS NEEDED

NOTICE: THIS COMPLAINT IS PUBLIC RECORD ONCE REVIEW IS COMPLETED BY THE SECRETARY OF STATE AND/OR ATTORNEY GENERAL.

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Texas Secretary of State

P.O. Box 12060

Austin, Texas 78711-2060

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V. LISTING OF DOCUMENTS AND OTHER MATERIALS

Page 4

List all documents and other materials filed with this complaint. Additionally, list all other documents and other materials that are relevant to this complaint and that are within your knowledge, including their location, if known.

ATTACH ADDITIONAL PAGES AS NEEDED

NOTICE: THIS COMPLAINT IS PUBLIC RECORD ONCE REVIEW IS COMPLETED BY THE SECRETARY OF STATE AND/OR ATTORNEY GENERAL.

Revised 2/28/2014

Texas Secretary of State

P.O. Box 12060

Austin, Texas 78711-2060

1-800-252-VOTE (8683)

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VI. SIGNED STATEMENT

Page 5

I, Cassandra Roberson, the undersigned,
PRINT NAME OF COMPLAINANT
 under penalty of perjury do swear or affirm that the information contained in this
 complaint is true and correct to the best of my knowledge.

I have read and understand the accompanying instructions, and I am aware that
 completion of this form cannot and will not alter the outcome of the election.


 SIGNATURE OF COMPLAINANT

**NOTICE: THIS COMPLAINT IS NOT CONFIDENTIAL; ONCE REVIEWED BY
 THE SECRETARY OF STATE, IT WILL BE TREATED AS A PUBLIC RECORD.**

REMINDER: YOU MUST SIGN THIS FORM PRIOR TO SUBMITTING

IF MAILING, PLEASE SEND TO:

Texas Secretary of State
 Elections Division
 c/o Legal Dept.
 P.O. Box 12060
 Austin, TX 78711

IF FAXING, PLEASE SEND TO:

512.475.2811

IF EMAILING, PLEASE SEND TO:

elections@sos.texas.gov

NOTICE: THIS COMPLAINT IS PUBLIC RECORD ONCE REVIEW IS COMPLETED BY THE SECRETARY OF STATE AND/OR ATTORNEY GENERAL.

Revised 2/23/2014

Texas Secretary of State P.O. Box 12060 Austin, Texas 78711-2060 1-800-252-VOTE (8683) www.sos.state.tx.us

VI. IMPORTANT INFORMATION

Pursuant to Section 31.006 of the Texas Election Code (the "Code"), the Office of the Secretary of State (the "Secretary of State") has the ability to refer elections complaints to the Office of the Attorney General (the "Attorney General"). If, after receiving a complaint alleging criminal conduct in connection with an election, the Secretary of State determines that there is reasonable cause to suspect that the alleged criminal conduct occurred, the Secretary of State shall promptly refer the complaint to the Attorney General. The Secretary of State shall deliver to the Attorney General all pertinent documents in the Secretary of State's possession.

Any person who believes that a criminal violation of the Code has occurred may file a complaint. In order to initiate the complaint process, a written and signed complaint must be filed with the Secretary of State. The complaint must allege the violation with particularity, identify the person(s) or entity responsible for the alleged violation, and contain a reference to the section of the Code alleged to have been criminally violated, if known.

The Secretary of State has no authority to order a new election, change an election result, or conduct a criminal investigation. This form is to be used solely to document alleged election irregularities and submit allegations of criminal violations of the Code to be referred to the Attorney General. Often complaints will be Code violations that do not amount to criminal violations or acts. These violations are election irregularities which may form the basis of an election contest, but do not carry a criminal penalty. These election irregularities will not be referred to the Attorney General for possible criminal prosecution.

Challenging an election result can be done either through (1) a recount or (2) an election contest. If you are seeking to alter the outcome of the election, you will need to use one of these methods of challenging the results, described below. A complaint filed with this form will not alter the results of an election.

Legal Remedies That May Alter the Election Outcome

1. Recount

Recounts are used only to recount the votes in a particular race (office) or measure. A recount does not have the scope or authority of an election contest in court, i.e., the recount committee will not look at the manner in which voters were qualified to vote in person or by mail or whether voters were eligible to vote in the election. The governing body of an entity cannot conduct a recount on its own motion, e.g., at the canvass.

Please note that recount request deadlines occur soon after the canvass - a recount must be requested not later than two days following the canvass. More information on filing recounts (including form, deposit information, and who and how to file) is available on the Secretary of State's website.

2. Election Contest

If a candidate disputes the outcome of the election, regardless of whether or not a recount has been conducted, and has discovered irregularities, fraud, or mistakes in the conduct of the election that affected or could have affected the outcome, he/she can file an election contest to challenge the election results. The legal question raised by an election contest is whether the outcome of the contested election, as shown by the final canvass, is not (or cannot be conclusively determined to be) the true outcome because (1) illegal votes were counted, or because (2) an election officer or other official administering the election either (i) prevented eligible voters from voting, (ii) failed to count legal votes, (iii) engaged in fraud or illegal conduct, or (iv) erred in some material way.

Contests involving county elections are filed in the district court in the relevant county. In most circumstances, the filing deadline for an election contest is 30 days after the canvass, except in the case of a primary or an election where a runoff is necessary, in which case the deadline for filing is 10 days after the final canvass. If a recount is held and the votes are changed, the date of the canvass of the recount (i.e., final canvass) becomes the new date by which the contest deadline is calculated.

Any losing candidate may contest an election. In a contest of an officer election, the contestant files suit against the election's winner (or in the event that the election outcome is determined by majority vote rather than plurality vote, the person or persons entitled to a place on the runoff ballot). Voters at large within a political subdivision do not possess standing to intervene as parties to an election contest for public office.

In an election contest, the court has the authority to: (1) examine ballots and equipment; (2) compel voters to reveal how they voted; (3) declare an election void if illegal votes are greater than or equal to the number of votes necessary to change the outcome or cannot ascertain the true outcome of the election; (4) order a new election (or new runoff election), if unable to ascertain true outcome; (5) subtract illegal votes, if able to determine the side for which an illegal vote was cast; or (6) declare outcome of election, if able to ascertain true outcome.

If you think either a recount or an election contest is the proper procedure for the remedy you seek, you may wish to consult private legal counsel regarding your legal options. The Secretary of State staff can provide general guidance on these procedures as well.

NOTICE: THIS COMPLAINT IS PUBLIC RECORD ONCE REVIEW IS COMPLETED BY THE SECRETARY OF STATE AND/OR ATTORNEY GENERAL.

Revised 2/28/2014

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.texas.gov

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Ruth R. Hughs
Secretary of State

August 7, 2020

Curtis Newton
4905 Preservation Ave
Colleyville, Texas 76034

Dear Mr. Newton,

This letter is in response to the complaint you submitted to our office against Trina Lanza.

The Office of the Texas Secretary of State does not have any authority to investigate allegations of criminal conduct. However, if our office receives a complaint that provides reasonable cause to suspect that alleged criminal conduct occurred in connection to an election, our office is required to refer the complaint to the Texas Attorney General for investigation. Tex. Elec. Code § 31.006 (2015).

In regards to residence, the Texas Election Code defines residence in section 1.015.

Sec. 1.015. RESIDENCE. (a) In this code, "residence" means domicile, that is, one's home and fixed place of habitation to which one intends to return after any temporary absence.

(b) Residence shall be determined in accordance with the common-law rules, as enunciated by the courts of this state, except as otherwise provided by this code.

(c) A person does not lose the person's residence by leaving the person's home to go to another place for temporary purposes only.

(d) A person does not acquire a residence in a place to which the person has come for temporary purposes only and without the intention of making that place the person's home.

(e) A person who is an inmate in a penal institution or who is an involuntary inmate in a hospital or eleemosynary institution does not, while an inmate, acquire residence at the place where the institution is located. Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986. Amended by Acts 1997, 75th Leg., ch. 864, Sec. 4, eff. Sept. 1, 1997.

The question of a person's residence is one that must be finally decided by a court of law, in accordance with the common law rules of this state. Tex. Elec. Code Ann. § 1.015(b). In reviewing residency questions, the courts have consistently ruled that residency is a combination of intention and fact, and that the voter's intention must be reviewed to make a final determination of residence. *McBeth v. Streib*, 96 S.W.2d 992 (Tex. Civ. App.--San Antonio 1936, no writ). For example, the El Paso Court of Appeals held that "the voter's intention was material to a proper determination of the voter's residence requirement." *Simmons v. Jones*, 838 S.W.2d 298, 301 (Tex. App.--El Paso 1992, no writ). Coupled with the voter's intention must be a physical connection to the place in which he or she is claiming residence. *Commercial Standard Ins. Co. v. Nunn*, 464 S.W.2d 415 (Tex. Civ. App.--Texarkana 1971, writ dismissed). In the absence of judicial review, a person must generally be presumed to have the requisite intent. Further, the Texas Supreme Court has not indicated a single or a combination of public records

TX-SOS-21-1682-D-000009

Page 2

that conclusively establish residency. Which means the issue must be addressed in a court of law and we cannot make a determination on the issue.

Our office has reviewed each of your concerns, but none of the facts that you have presented to us in your complaint appear to involve criminal matters under the election code. Therefore, our office is not referring this matter to the Texas Attorney General for investigation. If you have additional information that was not included in your complaint that demonstrates that criminal conduct may have occurred, you may send it to us for further review

If you have any further questions, please do not hesitate to contact the Elections Division toll-free at 1-800-252-(VOTE) 8683.

Sincerely,

A handwritten signature in black ink, appearing to read 'Keith Ingram', with a stylized flourish at the end.

Keith Ingram
Director of Elections

KI:LP

ELECTION COMPLAINT TO THE TEXAS SECRETARY OF STATE

Docket Number

**OFFICE USE
ONLY**Date Hand-delivered or Date Postmarked
/ /

Please read the Important Information at the end of this document. The Secretary of State has no authority to order a new election, change an election result, or conduct a criminal investigation. A complaint filed with this form will not alter the results of an election.

This complaint form MUST BE SIGNED before it is submitted to the Secretary of State; therefore, you must print it out and sign it before mailing or faxing a copy or emailing a scanned, signed copy.

I. IDENTITY OF COMPLAINANT

1 COMPLAINANT NAME	MS / MRS / MR	FIRST	MI
	Mr. Curtis		
	NICKNAME	LAST	SUFFIX
		Newton	
2 COMPLAINANT PHYSICAL ADDRESS	ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE)	CITY	STATE ZIP CODE
	4905 Preservation Ave.	Colleyville	TX 76034
(Full home or business address, including street, city, state, and zip code)			
3 COMPLAINANT MAILING ADDRESS	ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE)	CITY	STATE ZIP CODE
	P.O. Box 1336	Colleyville	TX 76034
(Full home or business address, including street, city, state, and zip code)			
4 COMPLAINANT TELEPHONE NUMBER	AREA CODE	PHONE NUMBER	EXT
	(817)	287-1974	
5 COMPLAINANT E-MAIL ADDRESS			

II. IDENTITY OF RESPONDENT

PERSON OR ENTITY COMMITTING ALLEGED VIOLATION(S)

6 RESPONDENT NAME	MS / MRS / MR	FIRST	MI
	Ms. Trina		
	NICKNAME	LAST	SUFFIX
		Lanza	
7 RESPONDENT POSITION OR TITLE			
8 RESPONDENT PHYSICAL ADDRESS	ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE)	CITY	STATE ZIP CODE
	1934 Watauga Smithfield Road	Fort Worth	TX 76131
(Full home or business address, including street, city, state, and zip code)			
9 RESPONDENT MAILING ADDRESS	ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE)	CITY	STATE ZIP CODE
(Full home or business address, including street, city, state, and zip code)			
10 RESPONDENT TELEPHONE NUMBER	AREA CODE	PHONE NUMBER	EXT
	(817)	915-1281	
11 RESPONDENT E-MAIL ADDRESS (IF KNOWN)		lmichalc@aol.com	

GO TO PAGE 2

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III. NATURE OF ALLEGED VIOLATION**Page2**

If you believe that a criminal violation of the Code has occurred, please state the specific acts committed by the person or entity named in this complaint, along with a reference to the section of the Code alleged to have been violated, if known. If you need more space, please attach a separate sheet.

Trina Lanza (Respondent in this Election Complaint to the Texas Secretary of State) ran in the 2012 Republican Party Primary Election for State Representative in District 94 against then incumbent State Representative Diane Patrick. Trina Lanza did not reside in District 94 at that time (reference a copy of attached sworn Affidavit of Curtis Newton (Complainant in this Election Complaint to the Texas Secretary of State).

It is believed that, at a minimum, Respondent violated Texas Election Code Sec. 276.013. Election Fraud, in addition to Penal Code 37.10. Tampering with Governmental Record (for the fraudulent Texas Driver Licenses that Respondent has been issued, at least one of which was issued for the purpose of committing Election Fraud.

Furthermore, Respondent knowingly defrauded the Tarrant County or State GOP party chair when presenting a fraudulent Texas Driver License (reference paragraph directly below) as "proof" that she resided in District 94. She knowingly defrauded and harmed the then State Representative for District 94, Diane Patrick, who incurred unnecessary primary campaign expenses to oppose an ineligible candidate who also defrauded the constituents who voted for her (reference attached Republican Party Cumulative Report - Official Tarrant County - Primary Election - May 29, 2012 election results), which shows that 2,472 votes were cast for Respondent vs. 7,310 votes cast for Diane Patrick.

Respondent was issued Texas Driver License #14451317 with an Original Issue Date of 11/15/2011 with an address of 900 Circle Ln., Bedford, TX 76022 (an address where her mother and grandparents resided, but Respondent has not ever resided at that address). Only 115 days later, Respondent was issued Texas Driver License #14451317 with an Original Issue Date of 03/09/2012 with an address of 2322 Charred Wood Dr., Arlington, TX 76016 (yet another address where Respondent has never resided). At the time of the 2012 Republican Party Primary Election, that 2322 Charred Wood Drive address was within the boundary of District 94. Per Tarrant Appraisal District records, owner is Tommy Thompson, who Complainant recognizes as an old friend of Respondent from her old church singles group.

In summary, Respondent should not be "above the law" - she has knowingly and intentionally broken the law with the intent to defraud and/or harm others and should not be allowed to "get away with it", as that just emboldens her to continue to defraud and/or harm others, which she is continuing to do.

IN THE EVENT THAT THE STATUTE OF LIMITATIONS HAS PASSED FOR PROSECUTION OF CRIMINAL VIOLATIONS BY RESPONDENT OF THE ELECTION CODE AND/OR PENAL CODE, COMPLAINANT ASKS THAT A WRITTEN RESPONSE BACK TO COMPLAINANT BE PROVIDED THAT AFFIRMS THAT RESPONDENT'S ACTIONS DO CONSTITUTE CRIMINAL VIOLATIONS, BUT THAT THE CASE WILL NOT BE REFERRED TO THE TEXAS ATTORNEY GENERAL'S OFFICE FOR PROSECUTION BECAUSE THE STATUTE OF LIMITATIONS HAS PASSED.

ATTACH ADDITIONAL PAGES AS NEEDED

IV. STATEMENT OF FACTS**Page 3**

State the facts constituting the alleged violation(s), including the dates on which or the period of time in which the alleged violation(s) occurred. Identify allegations of fact not personally known to the complainant, but alleged on information and belief. Please use simple, concise, and direct statements.

ELECTION IN WHICH VIOLATION(S) OCCURRED

NAME OF ELECTION 2012 Republican Party Primary Election DATE OF ELECTION 0 5 2 9 2 0 1 2
MM/DD/YYYY

COUNTY OR POLITICAL SUBDIVISION Tarrant County PRECINCT District 94

Trina Lanza (Respondent in this Election Complaint to the Texas Secretary of State) ran in the 2012 Republican Party Primary Election for State Representative in District 94 against then incumbent State Representative Diane Patrick (reference attached article in the The Texas Tribune). Trina Lanza did not reside in District 94 at that time, as required for eligibility to run for State Representative in District 94 [reference attached photocopy of sworn affidavit of Curtis Newton (Complainant in this Election Complaint to the Texas Secretary of State)].

Respondent was issued Texas Driver License #14451317 with an Original Issue Date of 11/15/2011 with an address of 900 Circle Ln., Bedford, TX 76022 (an address where her mother and grandparents resided, but Respondent has not ever resided at that address). Only 115 days later, Respondent was issued Texas Driver License #14451317 with an Original Issue Date of 03/09/2012 with an address of 2322 Charred Wood Dr., Arlington, TX 76016 (yet another address where Respondent has never resided). At the time of the 2012 Republican Party Primary Election, that 2322 Charred Wood Drive address was within the boundary of District 94. Per Tarrant Appraisal District records, owner is Tommy Thompson, who Complainant recognizes as an old friend of Respondent from her old church singles group.

ATTACH ADDITIONAL PAGES AS NEEDED

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V. LISTING OF DOCUMENTS AND OTHER MATERIALS

Page 4

List all documents and other materials filed with this complaint. Additionally, list all other documents and other materials that are relevant to this complaint and that are within your knowledge, including their location, if known.

1. Affidavit of Curtis Arthur Newton.
2. Republican Party Cumulative Report - Official Tarrant County - Primary Election - May 29, 2012 election results.
3. The Texas Tribune May 25, 2012 article titled "Patrick Faces Nurse Practitioner in HD-94 GOP Primary".
4. Texas Department of Public Safety (TxDPS) - TxDPS can provide full historical records for Trina Lanza, including applications for Texas Driver Licenses and the original issue dates for all Texas Driver Licenses along with addresses which Respondent has claimed to reside at.
5. Republican Party of Texas or Tarrant County Republican Party should be able to provide a copy of the application that Trina Lanza completed and submitted to them when applying to be a candidate for the 2012 Republican Party Primary Election.

ATTACH ADDITIONAL PAGES AS NEEDED

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VI. SIGNED STATEMENT**Page 5**

I, Curtis Newton, the undersigned,

PRINTED NAME OF COMPLAINANT

under penalty of perjury do swear or affirm that the information contained in this complaint is true and correct to the best of my knowledge.

I have read and understand the accompanying instructions, and I am aware that completion of this form cannot and will not alter the outcome of the election.

SIGNATURE OF COMPLAINANT

**NOTICE: THIS COMPLAINT IS NOT CONFIDENTIAL; ONCE REVIEWED BY
THE SECRETARY OF STATE, IT WILL BE TREATED AS A PUBLIC RECORD.**

REMINDER: YOU MUST SIGN THIS FORM PRIOR TO SUBMITTING**IF MAILING, PLEASE SEND TO:**

Texas Secretary of State
Elections Division
c/o Legal Dept.
P.O. Box 12060
Austin, TX 78711

IF FAXING, PLEASE SEND TO:

512.475.2811

IF EMAILING, PLEASE SEND TO:

elections@sos.texas.gov

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VII. IMPORTANT INFORMATION

Pursuant to Section 31.006 of the Texas Election Code (the "Code"), the Office of the Secretary of State (the "Secretary of State") has the ability to refer elections complaints to the Office of the Attorney General (the "Attorney General"). If, after receiving a complaint alleging criminal conduct in connection with an election, the Secretary of State determines that there is reasonable cause to suspect that the alleged criminal conduct occurred, the Secretary of State shall promptly refer the complaint to the Attorney General. The Secretary of State shall deliver to the Attorney General all pertinent documents in the Secretary of State's possession.

Any person who believes that a criminal violation of the Code has occurred may file a complaint. In order to initiate the complaint process, a written and signed complaint must be filed with the Secretary of State. The complaint must allege the violation with particularity, identify the person(s) or entity responsible for the alleged violation, and contain a reference to the section of the Code alleged to have been criminally violated, if known.

The Secretary of State has no authority to order a new election, change an election result, or conduct a criminal investigation. This form is to be used solely to document alleged election irregularities and submit allegations of criminal violations of the Code to be referred to the Attorney General. Often complaints will be Code violations that do not amount to criminal violations or acts. These violations are election irregularities which may form the basis of an election contest, but do not carry a criminal penalty. These election irregularities will not be referred to the Attorney General for possible criminal prosecution.

Challenging an election result can be done either through (1) a recount or (2) an election contest. If you are seeking to alter the outcome of the election, you will need to use one of these methods of challenging the results, described below. **A complaint filed with this form will not alter the results of an election.**

Legal Remedies That May Alter the Election Outcome

1. Recount

Recounts are used only to recount the votes in a particular race (office) or measure. A recount does not have the scope or authority of an election contest in court, i.e., the recount committee will not look at the manner in which voters were qualified to vote in person or by mail or whether voters were eligible to vote in the election. The governing body of an entity cannot conduct a recount on its own motion, e.g., at the canvass.

Please note that recount request deadlines occur soon after the canvass - a recount must be requested not later than two days following the canvass. More information on filing recounts (including form, deposit information, and who and how to file) is available on the Secretary of State's website.

2. Election Contest

If a candidate disputes the outcome of the election, regardless of whether or not a recount has been conducted, and has discovered irregularities, fraud, or mistakes in the conduct of the election that affected or could have affected the outcome, he/she can file an election contest to challenge the election results. The legal question raised by an election contest is whether the outcome of the contested election, as shown by the final canvass, is not (or cannot be conclusively determined to be) the true outcome because (1) illegal votes were counted, or because (2) an election officer or other official administering the election either (i) prevented eligible voters from voting, (ii) failed to count legal votes, (iii) engaged in fraud or illegal conduct, or (iv) erred in some material way.

Contests involving county elections are filed in the district court in the relevant county. In most circumstances, the filing deadline for an election contest is 30 days after the canvass, except in the case of a primary or an election where a runoff is necessary, in which case the deadline for filing is 10 days after the final canvass. If a recount is held and the votes are changed, the date of the canvass of the recount (i.e., final canvass) becomes the new date by which the contest deadline is calculated.

Any losing candidate may contest an election. In a contest of an officer election, the contestant files suit against the election's winner (or in the event that the election outcome is determined by majority vote rather than plurality vote, the person or persons entitled to a place on the runoff ballot). Voters at large within a political subdivision do not possess standing to intervene as parties to an election contest for public office.

In an election contest, the court has the authority to: (1) examine ballots and equipment; (2) compel voters to reveal how they voted; (3) declare an election void if illegal votes are greater than or equal to the number of votes necessary to change the outcome or cannot ascertain the true outcome of the election; (4) order a new election (or new runoff election), if unable to ascertain true outcome; (5) subtract illegal votes, if able to determine the side for which an illegal vote was cast; or (6) declare outcome of election, if able to ascertain true outcome.

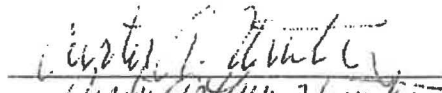
If you think either a recount or an election contest is the proper procedure for the remedy you seek, you may wish to consult private legal counsel regarding your legal options. The Secretary of State staff can provide general guidance on these procedures as well.

STATE OF TEXAS §
TARRANT COUNTY §

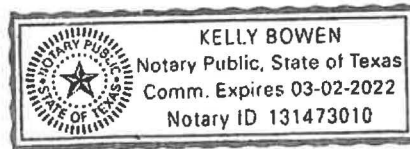
AFFIDAVIT OF CURTIS ARTHUR NEWTON

Before me, the undersigned notary, on this day personally appeared Curtis Arthur Newton, the affiant, a person whose identity is known to me. After I administered an oath to affiant, affiant testified:

1. "My name is Curtis Arthur Newton. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.
2. Trina Konopisos Lanza and I were married on July 24, 2004.
3. Trina Konopisos Lanza and I were divorced on March 9, 2016.
4. During the period of our marriage, beginning on July 24, 2004 and ending on March 9, 2016, Trina Konopisos Lanza never resided at 2322 Charred Wood Dr., Arlington, Texas 76016.
5. During the period of our marriage, beginning on July 24, 2004 and ending on March 9, 2016, Trina Konopisos Lanza never resided at 900 Circle Ln., Bedford, Texas 76022."


Curtis Arthur Newton

Sworn to and subscribed before me by Curtis Arthur Newton on 06/08, 2020.




Notary Public in and for
the State of Texas

My commission expires: 03/02/2022

Republican Party Cumulative Report — Official Tarrant County — Primary Election — May 29, 2012

Page 9 of 17

06/13/2012 02:45 PM

Total Number of Voters : 89,653 of 922,505 = 9.72%

Precincts Reporting 675 of 675 = 100.00%

Party	Candidate	Absentee	Early	Election	Total
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State Representative, District 94, Vote For 1 Republican Party

REP	Trina Lanza	134	16.83%	823	25.04%	1,515	26.58%	2,472	25.27%
REP	Diane Patrick	662	83.17%	2,464	74.96%	4,184	73.42%	7,310	74.73%
Cast Votes:		796	92.02%	3,287	91.76%	5,699	88.49%	9,782	89.85%
Over Votes:		0	0.00%	0	0.00%	5	0.08%	5	0.05%
Under Votes:		69	7.98%	295	8.24%	736	11.43%	1,100	10.10%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
58	58	100.00%	10,887	96,533	11.28%

State Representative, District 95, Vote For 1 Republican Party

REP	Monte Mitchell	210	100.00%	731	100.00%	1,172	100.00%	2,113	100.00%
Cast Votes:		210	71.67%	731	74.59%	1,172	66.59%	2,113	69.67%
Over Votes:		0	0.00%	0	0.00%	0	0.00%	0	0.00%
Under Votes:		83	28.33%	249	25.41%	588	33.41%	920	30.33%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
87	87	100.00%	3,033	77,927	3.89%

State Representative, District 96, Vote For 1 Republican Party

REP	Mike Leyman	156	31.77%	1,008	37.07%	1,517	37.86%	2,681	37.15%
REP	Bill Zedler	335	68.23%	1,711	62.93%	2,490	62.14%	4,536	62.85%
Cast Votes:		491	90.26%	2,719	94.94%	4,007	89.62%	7,217	91.60%
Over Votes:		0	0.00%	0	0.00%	2	0.04%	2	0.03%
Under Votes:		53	9.74%	145	5.06%	462	10.33%	660	8.38%

Precincts			Voters		
Counted	Total	Percent	Ballots	Registered	Percent
46	46	100.00%	7,875	89,028	8.85%

Patrick Faces Nurse Practitioner in HD-94 GOP Primary

In Arlington's HD-94, incumbent state Rep. Diane Patrick is being challenged by nurse practitioner Trina Lanza. The candidates — like many this primary season — are fighting over who is the true conservative in the race.

BY ANNA WHITNEY MAY 25, 2012 9 AM



📷 Illustration by Todd Wiseman

In North Texas, a nurse practitioner and dress shop owner is squaring off against a former educator in a contest to prove who is most conservative as they campaign for the GOP nomination to represent House District 94.

State Rep. Diane Patrick, R-Arlington, has represented the district, which includes most of urban Arlington, since 2006. This year, Trina Lanza is challenging Patrick, claiming the incumbent isn't a true conservative and that state legislators haven't effectively fought the Affordable Care Act or prepared for its eventual rollout if the law isn't repealed.

"The people of District 94 deserve conservative representation, because the people here are true conservatives," Lanza said.

Lanza cited Patrick's low scores from conservative groups like Empower Texans and Young Conservatives of Texas as reasons why she shouldn't be re-elected. But Patrick defended her conservative reputation and pointed to high scores from groups like the Texas Conservative Coalition and the Texas Association of Business.

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Patrick, who taught elementary school and at the University of Texas at Arlington and Texas Christian University, was a member of the Arlington ISD Board of Trustees for 11 years, and board president for four of them. She said the difference between the two candidates boils down to experience.

"This is basically a race between someone with experience in common sense, conservative leadership versus someone with no experience," Patrick said.

In an Arlington Republican Club debate last month, Patrick and Lanza clashed over health care reform. Lanza said that legislators haven't done enough to fight the Affordable Care Act and that they haven't prepared for what will happen if it isn't repealed by the U.S. Supreme Court.

Patrick said legislators set aside billions of dollars in the state's Rainy Day Fund to cover the cost of the increase in Medicaid patients as more people qualify for the program under the new law.

"We planned for that last session," Patrick said in the debate.

Lanza said using the Rainy Day Fund to cover those costs is a quick fix to a long-term problem.

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"One-third of the act has already been implemented in Texas," she said. "I was very surprised that this session legislators had not implemented things that would stop what would roll out in the next three years."

Patrick has lived in Arlington since 1973. Many of the bills the former educator has proposed have involved education, and she is on the House Higher Education Committee. She also signed on to Texas' controversial bill requiring women to receive a sonogram before an abortion, and the contentious measure that requires voters to show a photo ID at the polls.

Lanza has lived in the Arlington area since 2001. She has worked as a nurse practitioner for more than 20 years, owns a dress store and is in the process of

releasing a line of skin care products.

The Republican primary winner will face David Eyerly, a Libertarian who lives in Arlington and builds wind farms in the Midwest, in the general election.

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AMERICAN
OVERSIGHT

Tamara Schoonmaker

From: LegalTeam
Sent: Monday, July 6, 2020 1:25 PM
To: Tamara Schoonmaker
Subject: FW: Election Fraud Complaint
Attachments: Signed Election Fraud Complaint to Secr of State - 7-5-2020.pdf

From: Elections Internet <Elections@sos.texas.gov>
Sent: Monday, July 6, 2020 6:31 AM
To: LegalTeam <LegalTeam@sos.texas.gov>
Subject: FW: Election Fraud Complaint

From: Curtis Newton <[REDACTED]>
Sent: Sunday, July 5, 2020 5:41 PM
To: Elections Internet <Elections@sos.texas.gov>
Cc: Christina Adkins <CAdkins@sos.texas.gov>; Curtis Newton <[REDACTED]>
Subject: Re: Election Fraud Complaint

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to InformationSecurity@sos.texas.gov.

Ms. Adkins/To Whom it May Concern:

Attached is a signed and completed Election Complaint form. Please note that in the event that the statute of limitations has passed for prosecution of criminal violations by Respondent of the Election Code and/or Penal Code, I (Complainant) ask that a written response back to me be provided that affirms that Respondent's actions do constitute criminal violations, but that the case will not be referred to the Texas Attorney General's Office for prosecution because the statute of limitations has passed.

Please feel free to contact me if you have any questions or need any additional information.

Regards,

Curtis Newton (Complainant)
Mailing Address:
P.O. Box 1336
Colleyville, TX 76034
817-287-1974 mobile
[REDACTED]

-----Original Message-----

From: Elections Internet <Elections@sos.texas.gov>
To: 'zonian74@verizon.net' <[REDACTED]>
Cc: Christina Adkins <CAdkins@sos.texas.gov>

Sent: Fri, May 8, 2020 10:38 am
Subject: RE: Election Fraud Complaint

Thank you for contacting the Elections Division of the Office of the Texas Secretary of State.

Attached is the complaint form you requested. You can submit this to our office by fax, regular mail, or attach the signed and completed form in an email.

Again, thank you for contacting our office. If you have any additional questions or if we can be of further assistance, please contact our office at 1.800.252.8683 or email us at Elections@sos.texas.gov.

Elections Division
Office of the Secretary of State
800-252-VOTE(8683)
www.sos.state.tx.us/elections/index.shtml
For Voter Related Information, please visit:

The information contained in this email is intended to provide advice and assistance in election matters per §31.004 of the Texas Election Code. It is not intended to serve as legal advice for any matter. Please review the law yourself, and consult with an attorney when your legal rights are involved.

From: Curtis Newton <[REDACTED]>
Sent: Friday, May 8, 2020 10:12 AM
To: Elections Internet <Elections@sos.texas.gov>
Subject: Election Fraud Complaint

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To:
Texas Secretary of State
Elections Division

I want to file a formal complaint of election fraud against a person that, at the very least, violated Texas Election Code 276.013. Please send me a complaint form (either by email or mail, or both) that is required to be completed. My understanding is that after you receive this request, you will send me a complaint form, which I can fill out and return back to your office, where Secretary of State Elections Division attorneys will review and determine whether or not election fraud may have been violated, at which time they would forward the case on to the Texas Attorney General for prosecution. It is my understanding that your office will have 15 days to respond to my request.

Thank you.

Curtis Newton
P.O. Box 1336
Colleyville, TX 76034
817-287-1974 mobile
[REDACTED]

The State of Texas



Elections Division
P.O. Box 12060
Austin, Texas 78711-2060
www.sos.state.tx.us

Phone: 512-463-5650
Fax: 512-475-2811
Dial 7-1-1 For Relay Services
(800) 252-VOTE (8683)

Ruth R. Hughs
Secretary of State

June 11, 2021

Via electronic mail: [REDACTED]

Dear Mrs. Norris,

This letter is in response to the complaint you submitted to our office regarding your complaint about not being able to vote for Mayor of Fort Worth.

The Office of the Texas Secretary of State does not have any authority to investigate allegations of criminal conduct. However, if our office receives a complaint that provides reasonable cause to suspect that alleged criminal conduct occurred in connection to an election, our office is required to refer the complaint to the Texas Attorney General for investigation. Tex. Elec. Code § 31.006 (2015).

Our office has reviewed each of your concerns, but none of the facts that you have presented to us in your complaint appear to involve criminal matters under the election code. Therefore, our office is not referring this matter to the Texas Attorney General for investigation. If you have additional information that was not included in your complaint that demonstrates that criminal conduct may have occurred, please send it to us for further review.

If you have any further questions, please do not hesitate to contact the Elections Division toll-free at 1-800-252-(VOTE) 8683.

Sincerely,

A handwritten signature in black ink, appearing to read "Keith Ingram".

Keith Ingram
Director of Elections

KI:TS

ELECTION COMPLAINT TO THE TEXAS SECRETARY OF STATE

Docket Number

**OFFICE USE
ONLY**Date Hand-delivered or Date Postmarked
/ /

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I. IDENTITY OF COMPLAINANT

1 COMPLAINANT NAME	MS / MRS / MR	FIRST	MI
	MRS Rebecca		L
	NICKNAME	LAST	SUFFIX
		Norris	
2 COMPLAINANT PHYSICAL ADDRESS	ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE)		CITY STATE ZIP CODE
	136 Smallwood Dr.		Fort Worth Tx 76114
(Full home or business address, including street, city, state, and zip code)			
3 COMPLAINANT MAILING ADDRESS ☐ (check if same as above)	ADDRESS (TO INCLUDE APT / SUITE # IF APPLICABLE)		CITY STATE ZIP CODE
(Full home or business address, including street, city, state, and zip code)			
4 COMPLAINANT TELEPHONE NUMBER	AREA CODE	PHONE NUMBER	EXT
		(817) 897-0063	
5 COMPLAINANT E-MAIL ADDRESS			

II. IDENTITY OF RESPONDENT

PERSON OR ENTITY COMMITTING ALLEGED VIOLATION(S)

6 RESPONDENT NAME	MS / MRS / MR	FIRST	MI
	NICKNAME	LAST	SUFFIX
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(Full home or business address, including street, city, state, and zip code)			
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(Full home or business address, including street, city, state, and zip code)			
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11 RESPONDENT E-MAIL ADDRESS (IF KNOWN)			

GO TO PAGE 2

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Revised 2/28/2014

TX-SOS-21-1682-D-000026

III. NATURE OF ALLEGED VIOLATION

Page2

If you believe that a criminal violation of the Code has occurred, please state the specific acts committed by the person or entity named in this complaint, along with a reference to the section of the Code alleged to have been violated, if known. If you need more space, please attach a separate sheet.

The fact that I pay for Fort Worth water and school taxes and I cannot vote for Fort Worth Mayor is wrong. I have lived in Fort Worth for nineteen years and have always voted for Fort Worth Mayor. Now they tell me I can't because I am considered Westworth Village. We pay or taxes to the ISD, Water, hospitals, ect, however we cannot vote for the mayor or where our funds go? Since when? I am concerned that my voice has been blocked and want this looked at and fixed. It should not matter if you are a village, a small part of a whole city, in this case Fort Worth, I should be able to vote for Mayor of Fort Worth. Not to mention that I voted for mayor on May 1, 2021, the general election. However, I am not allowed for the run-off?

ATTACH ADDITIONAL PAGES AS NEEDED

IV. STATEMENT OF FACTS**Page 3**

State the facts constituting the alleged violation(s), including the dates on which or the period of time in which the alleged violation(s) occurred. Identify allegations of fact not personally known to the complainant, but alleged on information and belief. Please use simple, concise, and direct statements.

ELECTION IN WHICH VIOLATION(S) OCCURRED

NAME OF ELECTION Run-Off for Fort Worth Mayor DATE OF ELECTION 06 / 05 / 21
MM/DD/YYYY

COUNTY OR POLITICAL SUBDIVISION Tarrant PRECINCT ?

ATTACH ADDITIONAL PAGES AS NEEDED

V. LISTING OF DOCUMENTS AND OTHER MATERIALS

Page 4

List all documents and other materials filed with this complaint. Additionally, list all other documents and other materials that are relevant to this complaint and that are within your knowledge, including their location, if known.

ATTACH ADDITIONAL PAGES AS NEEDED

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VI. SIGNED STATEMENT**Page 5**

I, rebecca norris, the undersigned,
PRINTED NAME OF COMPLAINANT
under penalty of perjury do swear or affirm that the information contained in this
complaint is true and correct to the best of my knowledge.

I have read and understand the accompanying instructions, and I am aware that
completion of this form cannot and will not alter the outcome of the election.

SIGNATURE OF COMPLAINANT

**NOTICE: THIS COMPLAINT IS NOT CONFIDENTIAL; ONCE REVIEWED BY
THE SECRETARY OF STATE, IT WILL BE TREATED AS A PUBLIC RECORD.**

REMINDER: YOU MUST SIGN THIS FORM PRIOR TO SUBMITTING**IF MAILING, PLEASE SEND TO:**

Texas Secretary of State
Elections Division
c/o Legal Dept.
P.O. Box 12060
Austin, TX 78711

IF FAXING, PLEASE SEND TO:

512.475.2811

IF EMAILING, PLEASE SEND TO:

elections@sos.texas.gov

VII. IMPORTANT INFORMATION

Pursuant to Section 31.006 of the Texas Election Code (the "Code"), the Office of the Secretary of State (the "Secretary of State") has the ability to refer elections complaints to the Office of the Attorney General (the "Attorney General"). If, after receiving a complaint alleging criminal conduct in connection with an election, the Secretary of State determines that there is reasonable cause to suspect that the alleged criminal conduct occurred, the Secretary of State shall promptly refer the complaint to the Attorney General. The Secretary of State shall deliver to the Attorney General all pertinent documents in the Secretary of State's possession.

Any person who believes that a criminal violation of the Code has occurred may file a complaint. In order to initiate the complaint process, a written and signed complaint must be filed with the Secretary of State. The complaint must allege the violation with particularity, identify the person(s) or entity responsible for the alleged violation, and contain a reference to the section of the Code alleged to have been criminally violated, if known.

The Secretary of State has no authority to order a new election, change an election result, or conduct a criminal investigation. This form is to be used solely to document alleged election irregularities and submit allegations of criminal violations of the Code to be referred to the Attorney General. Often complaints will be Code violations that do not amount to criminal violations or acts. These violations are election irregularities which may form the basis of an election contest, but do not carry a criminal penalty. These election irregularities will not be referred to the Attorney General for possible criminal prosecution.

Challenging an election result can be done either through (1) a recount or (2) an election contest. If you are seeking to alter the outcome of the election, you will need to use one of these methods of challenging the results, described below. **A complaint filed with this form will not alter the results of an election.**

Legal Remedies That May Alter the Election Outcome

1. Recount

Recounts are used only to recount the votes in a particular race (office) or measure. A recount does not have the scope or authority of an election contest in court, i.e., the recount committee will not look at the manner in which voters were qualified to vote in person or by mail or whether voters were eligible to vote in the election. The governing body of an entity cannot conduct a recount on its own motion, e.g., at the canvass.

Please note that recount request deadlines occur soon after the canvass - a recount must be requested not later than two days following the canvass. More information on filing recounts (including form, deposit information, and who and how to file) is available on the Secretary of State's website.

2. Election Contest

If a candidate disputes the outcome of the election, regardless of whether or not a recount has been conducted, and has discovered irregularities, fraud, or mistakes in the conduct of the election that affected or could have affected the outcome, he/she can file an election contest to challenge the election results. The legal question raised by an election contest is whether the outcome of the contested election, as shown by the final canvass, is not (or cannot be conclusively determined to be) the true outcome because (1) illegal votes were counted, or because (2) an election officer or other official administering the election either (i) prevented eligible voters from voting, (ii) failed to count legal votes, (iii) engaged in fraud or illegal conduct, or (iv) erred in some material way.

Contests involving county elections are filed in the district court in the relevant county. In most circumstances, the filing deadline for an election contest is 30 days after the canvass, except in the case of a primary or an election where a runoff is necessary, in which case the deadline for filing is 10 days after the final canvass. If a recount is held and the votes are changed, the date of the canvass of the recount (i.e., final canvass) becomes the new date by which the contest deadline is calculated.

Any losing candidate may contest an election. In a contest of an officer election, the contestant files suit against the election's winner (or in the event that the election outcome is determined by majority vote rather than plurality vote, the person or persons entitled to a place on the runoff ballot). Voters at large within a political subdivision do not possess standing to intervene as parties to an election contest for public office.

In an election contest, the court has the authority to: (1) examine ballots and equipment; (2) compel voters to reveal how they voted; (3) declare an election void if illegal votes are greater than or equal to the number of votes necessary to change the outcome or cannot ascertain the true outcome of the election; (4) order a new election (or new runoff election), if unable to ascertain true outcome; (5) subtract illegal votes, if able to determine the side for which an illegal vote was cast; or (6) declare outcome of election, if able to ascertain true outcome.

If you think either a recount or an election contest is the proper procedure for the remedy you seek, you may wish to consult private legal counsel regarding your legal options. The Secretary of State staff can provide general guidance on these procedures as well.