

Greeting County Board of Elections Members,

The purpose of this collection is to assist your review and understanding of the authority you hold and the proper execution of your oaths.

Spalding County Board of Elections just voted to properly certify their elections by officially hand counting the paper ballots produced by the BMD machines and tallied by the Dominion scanner as recommended by the Dominion CEO, John Poulos. This provides you with an **affirmative defense** that If a member of your board makes the motion to hand count for proper certification, it is then recorded that you as a sworn member of the board attempted to do right by the laws of our state. We the People encourage you to demonstrate leadership by exercising your authority on behalf of the electorate.

References:

A link to the rumble video presented by Kim Brooks of data errors found on our state's voter rolls.

<https://rumble.com/v31032m-georgia-patriots-discuss-massive-ballot-vote-and-voter-roll-manipulation-ac.html>

Petitions:

<https://wfaf.org/paperballotpetition-mobile/> Petition By Regan Box

<https://wfaf.org/paperballotpetition-mobile/> Petition By Women for America First

https://oneclickpolitics.global.ssl.fastly.net/messages/edit?promo_id=20926

Dominion CEO recommendation to hand count.

<https://rumble.com/v2o3hze-dominion-ceo-confirms-paper-ballots-are-the-part-that-can-not-be-hacked.html>

Board of Elections Members

A lot of you have stepped up and accepted your appointments to these Boards. You did so with little or no prior experience in government service, and for that, we thank you.

However, We the People deem it prudent to reacquaint you with the law.

You see, folks, both the current law and the provable facts are telling us that, since at least August 12, 2019, no in-person voter has cast a legal ballot, and the piece of paper they placed into the tabulation machines were, as a matter of law and fact, ballots being cast by Dominion Software. In other words, an illegal ballot forced upon the Electors by a corrupt state and corporate enterprise. The legal result of this on-going crime of deception is that, in the state of Georgia and in the United States, we do not have ANY legally elected executive or legislative office holders unless they were elected before August of 2019 to terms that have not yet expired.

The reason we are informing you of this is because you have the authority under the law to bring a remedy to this by ordering the use of paper ballots with hand counting of the results. But what is even more important for each of you is that you must understand the legal consequences for you personally should you not provide us with competent elections in which we, the electorate, can have a reasonable belief in transparency and accuracy.

Each of you has taken an Oath of Office. That Oath requires you, not anyone else, to perform one very specific thing above all else, and that is found in our Constitution in Article I, sec. I, par. II ... "Protection to person and property is the paramount duty of government ...". As of this writing, you, individually, have not performed that duty.

The Oath of Office is a very serious matter in this society. It is so serious that the willful and intentional refusal to comply with it is made a crime. If one is prosecuted for, and convicted of, a violation of that law, OCGA 16-10-1, there is no monetary penalty; there is only a prison term to be served from 1 year up to 5 years. In the words of a Chatham County Grand Jury, who returned a presentment for election fraud on July 29, 1791, we, too, must now seek our lawful remedy in bringing actions against each of you "for so daring an attack on the liberties of a free people."

In short, Ladies and Gentlemen, it is time that you take responsibility for your knowledge of the law, look to the evidence plainly in your face, and do that which rightly must be done to redeem the constitutionality of Georgia Elections.

We have borne, patiently, the treason against us in the hope that a majority of you would see the evil perpetrated against us and that you would rise, as public servants, to the occasion and bring our relief. But this evil is no longer bearable, and we will protect ourselves should you continually give heed to the deception of those who are subverting our laws and turning the law and you into instruments of plunder. Ignorance of the Law is no longer a viable reliance on your part.

After your receipt of this Demand and Notice, any semblance of compassion for your situation shall no longer exist. We are including a list of the Law, though not exclusive, of which you are required to know, and, to aid your understanding of what we now know, a Bill of Particulars.

Sincerely,

We The People

Georgia and Federal Laws

Ga. Const. Art. I, § II, par. I,	O.C.G.A. § 21-2-2
Ga. Const. Art. I, § I, par. II,	O.C.G.A. § 21-2-300
Ga. Const. Art. I, § II, par. II,	O.C.G.A. § 21-2-334
O.C.G.A. § 1-3-6,	O.C.G.A. § 21-2-366
O.C.G.A. § 15-19-17,	52 U.S.C. § 21081(a)(1)(A)(i) and (a)(6)
O.C.G.A. § 16-1-3 (13),	
O.C.G.A. § 16-8-2 as to "intangible property",	
O.C.G.A. § 16-10-1.	

BILL OF PARTICULARS
TO THE BOARDS OF ELECTIONS

The following are alleged as to the Legislative Enactment and Passage of HB 316 and the Executed Dominion – Georgia Contract:

1. The General Assembly enacted and the Governor signed into law, on **April 2, 2019**, HB 316, the Georgia Elections Law, codified at Chapter 2 of Title 21,¹
2. Dominion Voting Systems, Inc. and the Georgia Secretary of State, Brad Raffensperger entered into a Contract, the MASTER SOLUTION PURCHASE AND SERVICES AGREEMENT BY AND BETWEEN DOMINION VOTING SYSTEMS, INC. as Contractor (Dominion), and SECRETARY OF STATE OF THE STATE OF GEORGIA as State (Brad Raffensperger), finally dated and executed as of **August 12, 2019**, (hereafter Contract) whereby proprietarily protected electronic voting equipment and software was supplied to Georgia,
3. Upon execution, said contract provided for, among other things, a Ballot Marking Device (BMD) for all in-person voting, See Movants' Exhibit 1, "Contract, Exhibit B, subpar. 3.1, at p. 54", which reads in pertinent part as follows:
 - 3.1 Application: ... For all modes of voting, after the voter reviews the ballot selections, a paper ballot is created for the voter from a printer in the voting booth. The printed ballot contains a written summary of the voter's choices, as well as a 2D barcode which is read by Dominion's ImageCast Precinct or Central tabulator. No votes are stored on the ImageCast X-BMD unit. All votes can be tabulated and stored both the ImageCast Central and Precinct Tabulators.²
4. Said Contract subparagraph (3.1) clearly implies that the BMD would contain computational software the function of which is to send ballot printing instructions to an attached printer for the purpose of "printing an elector's ballot" for the elector to read and verify, along with a 2 dimensional "barcode" of unspecified utility, prior to "casting" or "voting" said ballot, and said "barcode" would not be readable or verifiable by an Elector prior to the casting or voting of the ballot,

¹ A review of the codified sections of HB 316 reveals the State of Georgia's legislative compliance with the Federal Law codified at 52 U.S.C. § 21081(a)(1)(A) and (a)(6).

² This contract provision violates 52 U.S.C. § 21081(a)(1)(A)(i), "... verify ... votes selected ... before the ballot is cast and counted;" and violates 52 U.S.C. § 21081(a)(1)(A)(ii), "provide the voter ... opportunity ... to change ... or correct any error before the ballot is cast and counted ..."

5. Said computational software also, impliedly though not specifically stating, processed the elector's selections into this encoded/encrypted 2 dimensional "barcode" to be additionally printed on the same specially prepared paper stock to be placed in the tabulator to be "cast" or "voted" by an elector,

6. For the purpose of tabulating the ballot's "marked selections", when being "cast" or "voted" by the elector, the Tabulation machine reads ONLY the unverifiable encoded/encrypted "barcode" graphic for the purpose of counting votes encrypted therein and ignores the selections printed in English,

7. Said computational elector-unverifiable encrypting/encoding software function was not, and is not, authorized by the enactment and signing into law of HB 316, codified, inter alia, at O.C.G.A. § 21-2-2 (7.1), § 21-2-300, etc.; and violates Federal Law codified at 52 U.S.C. § 21081 of which Defendants, specifically Brad Raffensperger and John Poulos, knew, or reasonably should have known, prior to the execution of the said contract,

8. The single piece of printed special-paper, purported to be an "Official Ballot", is, as a matter of law and of fact, two separate ballots; one portion of the paper represents the selections of the elector, readable and verifiable; the other is an encrypted/encoded vote which is the proprietary property of Dominion Voting Systems, Inc. which is not readable or verifiable, and this is clearly the stated situation in the language of the Contract provision 3.1 which states:

"The printed ballot contains a written summery of the voter's choices, as well as a 2D barcode which is read by Dominion's ImageCast Precinct or Central Tabulator."

There is NO statement therein, in the nature of an assurance, that the barcode accurately represents an elector's selection. There is no provision in Chapter 2 of Title 21 allowing for such additional markings on the face of an official ballot. The State's election laws provide, with clear specificity, the allowable markings to appear on a single ballot,

9. The tabulating system in use does not provably count the votes submitted in the English Language, rather it tabulates whatever is encoded/encrypted in Dominion's selection and printed, as an additional ballot selection, in the form of a proprietary 2D barcode belonging to Dominion, and is not authorized in State or Federal Law,

10. Additionally, the above referenced markings violate Ga. Comp. R. & Regs. 183-1-14-.07 (1)(a) 1., 3., and 5. relating to **spoiled ballots** which, by law, cannot be cast or voted.

CONCLUSION

11. By virtue of the forgoing described contractual process contained in subparagraph 3.1, the said paragraph is a **predefined** violation of Law and, as such, is voidable as a matter of law. An "official ballot", as defined in Georgia's Election Code, does not permit two "ballot selections" on an "official ballot"; nor does the Election Code permit the printing or counting of any selections by any other than those understood and verified by an Elector.

12. The proof of the foregoing clearly demonstrates that, at the very least, subparagraph 3.1 of the said Contract is voidable for failing to comply with Georgia's Election Statutes, Rules, and Regulations, and most of these factual assertions have already been specifically noted in the prior decision of the Honorable Judge Totenberg in her Order of October 11, 2020, pages 1308-1309, in which she found:

The statutory provisions mandate voting on "electronic ballot markers" that: (1) use "electronic technology to independently and privately mark a paper ballot at the direction of an elector, interpret ballot selections, communicate such interpretation for elector verification, and print an elector verifiable paper ballot;" and (2) "produce paper ballots which are marked with the elector's choices in a format readable by the elector" O.C.G.A. § 21-2-2(7.1); O.C.G.A. § 21-2-300(a)(2).

*Petitioners and other voters who wish to vote in-person are required to vote on a system that does none of those things. Rather, the evidence shows that the Dominion BMD system does not produce a voter-verifiable paper ballot or a paper ballot marked with the voter's choices in a format readable by the voter because the 1309*1309 votes are tabulated solely from the unreadable QR code. Thus, under Georgia's mandatory voting system for "voting at the polls"[73] voters must cast a BMD-generated ballot tabulated using a computer generated barcode that has the potential to contain information regarding their voter choices that does not match what they enter on the BMD (as reflected in the written text summary), or could cause a precinct scanner to improperly tabulate their votes.*

13. However, the pertinent questions, now being raised, were not before the Honorable Judge, nor were they before the 11th Circuit, for her/them to consider against the weight of Circuit precedent. The questions are:

- Is the Contract provision found at Exhibit B, subpar. 3.1, at p. 54 voidable and VOID AB INITIO as failing to comply with The Rule of Law as found in state and federal statutes,³ concerning voters' rights,
- Are the ballots for in-person voting illegal and spoiled ballots at the moment of their printing,
- Is the entire Contract voidable and VOID AB INITIO for having been knowingly and willfully entered into and executed for the illegal purpose of perpetrating a fraud upon the Electors of this State,⁴
- By the execution and implementation of the Dominion Contract, were illegal and unconstitutional procedures enforced upon all in-person voters of the State of Georgia in each election held after August 12, 2019, and
- Additionally, was that Contract in violation of state/federal laws, by the State of Georgia in collusion with Dominion, and of the US Constitution, Amnd. XIV, § I, cl. 2, and thereby voidable and VOID AB INITIO since the contracting parties knew, or reasonably should have known, of the statutory requirements for at least 132 days (almost 4 ½ months) before signing?

PRAYER

That the Board adopt the foregoing conclusions by affirmation thereof and return legal ballots to this people as provided in OCGA §§ 21-2-344 or 21-2-366. That a copy of the official vote of this Board, relative hereto, be forwarded immediately to the Secretary of State.

³ See: Penitentiary Co. v. Rountree, 113 Ga. 799, 39 S.E. 508 (1901) [Contract in violation of the state constitution is illegal and unenforceable, even if plaintiff has fully performed plaintiff's part of the agreement]; Shamondoah, Inc. v. Smith, 140 Ga. App. 200, 230 S.E.2d 351, (1976) [Agreement which cannot be performed without violating some statute or ordinance is illegal and void. For a contract to be illegal under this principle, the contract's purpose or object must be illegal.]

See also, Hays v. Adam, 512 F. Supp. 2d 1330, 1342 (DC, N.D. Ga. 2007), However, in Georgia, a contract to do an immoral or illegal thing is void. O.C.G.A. § 13-8-1. In order for the purpose or object of a contract to be illegal, thereby making the contract void, the contract must require a violation of law when performed.

⁴ See: Shea v. Best Buy Homes, LLC, 533 F. Supp. 3d 1321, 1331-1332 (2021), "In Georgia, '[a] contract to do... an illegal thing is void.' But a contract does not fall within this principle unless its object or purpose is illegal." Smith v. Saulsbury, 286 Ga. App. 322, 333 (2007) (quoting O.C.G.A. § 13-8-1). "[F]or the purpose or object of a contract to be illegal, thereby making the contract void, the contract must require a violation of law when performed." Hays v. Adam, 512 F. Supp. 2d 1330, 1342 (N.D. Ga. 2007) (citing Shamondoah, Inc. v. Smith, 140 Ga. App. 200, 202, 230 S.E.2d 351, 352 (1976)).

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NOTICE TO ALL MEMBERS OF ELECTION BOARDS AND ELECTION SUPERVISORS

The purpose of this NOTICE is to elucidate and inform all who read this document on the authorities vested in county election officials vis a vis the authority of the Secretary of State. The fact is that the Secretary of State has no lawful authority over county elections officials as is plainly stated below by Judge Timothy Batten in his order in the Pearson v Kemp case cited below.

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machines in Cobb, Gwinnett, and Cherokee Counties. The Court conducted a Zoom hearing at 7:45 p.m. EST to consider Plaintiffs' motion.

During the hearing, Defendants' counsel argued that the secretary of state has no lawful authority over county election officials, citing *Jacobson v. Florida Secretary of State*, 974 F.3d 1236, 1256-58 (11th Cir. 2020). Plaintiffs' counsel responded that Plaintiffs could amend

Download Judge Batten's order for yourself here:

https://storage.courtlistener.com/recap/gov.uscourts.gand.284055/gov.uscourts.gand.284055.14.0_6.pdf

The only authority over elections granted in the Constitution for the State of Georgia to the Secretary of State is to certify election results submitted by the counties.

Within the Official Code of Georgia Title 45, Chapter 13 no language exists granting the Secretary of State authority over how counties run their elections. Read it for yourself here: [O.C.G.A. § 45-13-20](#).

Throughout the Official Code of Georgia Title 21 there are no references to authorities granted to the Secretary of State to control county election officials, there are only references to the performance of ministerial duties mandated by law duly passed by the Legislature that the Secretary of State must perform. Read it for yourself here: [O.C.G.A. Title 21](#).

Any assertions or actions made by the Secretary of State or persons representing the office of the Secretary of State, contrary to lawful authorities, are usurpations of powers not granted to the office.

More than one judge in cases involving the Secretary of State, or the office of the Secretary of State have written in their opinions that contentions made by counsel for the Secretary of State were "not credible."

The Secretary of State makes the assertion that the Dominion Voting System equipment must be used in all elections, citing O.C.G.A. § 21-2-300, (a)(1) The equipment used for casting and counting votes in county, state, and federal elections shall be the same in each county in this state and shall be provided to each county by the state, as determined by the Secretary of State.

Please note that nowhere within that code section is any language mandating counties to actually use any equipment at all. If indeed it were the case that all votes must be cast strictly with the proscribed "equipment" then Absentee ballots would not be lawful since they are not produced using the "equipment" as is also the case with UOCAVA ballots, which is alluded to in subparagraph 2, "...unless otherwise authorized by law."

Furthermore, the "unless otherwise authorized by law" may be construed as a reference to O.C.G.A. § 21-2-334 which states, "...voting on any question is prescribed by law, in which the use of voting machines is not possible or practicable, or in case, at any primary or election, the number of candidates seeking nomination or nominated for any office renders the use of voting machines for such office at such primary or election impracticable, or if, *for any other reason*, at any primary or election the use of voting machines wholly or in part is not practicable, the superintendent may arrange to have the voting for such candidates or offices or for such questions conducted by paper ballots."

In Judge Amy Totenberg's October 11, 2020 opinion in *Curling V Raffensperger* it was found that the Dominion Voting System violates both O.C.G.A. § 21-2-2 (7.1) and O.C.G.A. § 21-2-300 (a)(2). Read it for yourself on pages 81 and 82 of the order found here:

<https://www.documentcloud.org/documents/7224814-Curling-v-Raffensperger-Rulling-101120.html>

As elected officials, having sworn an oath to uphold the laws of Georgia, and deferring to the common definition of impracticable as being "incapable of being performed or accomplished by the means employed," it is a reasonable conclusion that using a voting system that does not comply with Georgia law renders the voting system impracticable and therefore no further justification is necessary to arrange voting conducted on paper ballots.

Georgia is a Home Rule state and regardless of the guidance issue by the Secretary of State or County Attorneys, counties are free to decide how to run their elections.

In Liberty,

Ted Metz

Members of the County Board of Elections

The People of the great state of Georgia want fair and transparent elections. This crosses party lines. It is equally imperative to our Nation.

A strong push by **The People** is beginning for the legislature to request the Governor to call a special session. The purpose of the special session is to return to hand-marked, hand-counted paper ballots.

Regardless of the outcome of this legislative change, it is law NOW to properly certify GA elections. Transferring figures from a machine tape to a document is NOT proper certification and leaves each of you personally liable. Please look up the definition of "CERTIFY" for yourself. Guarantee accuracy.

As described in this packet, **The People** want the paper hand counted. Pick a spontaneous race or 2 on the ballot. Hand count using workers from both parties to count. Watchers and managers watching/videoing as counted. Reconcile the machine tapes. Election night. At each precinct. You have authority and duty.

We ask that you also take the time to revisit your oath. Your values and honor of upholding that oath in times of challenges and adversity is the measure to which you will be held by those whom you have pledged to serve.

As appointees, you take your oath in front of witnesses, those who are representative of the community you serve. Your allegiance is not to any elected official, political appointee, or government agency, but to the laws of this state, this country.

When you speak the words "I do solemnly swear..." you are formally before witnesses, publicly declaring, to execute to a standard that is considered honor-bound, even sacred, and to hold to this commitment.

Do you know the gravity of your oath?

Oaths most often contain underlying implied principles. Those of honesty, openness, values, and commitment to those you have sworn to serve. These implied principles have a direct correlation to public trust. Public trust in today's political environment must be a consideration as you endeavor to perform your duties.

Do you hold your values sacred, on behalf of the citizens to whom you are honor-bound to serve?

The oath's intent is to make you think about your role as a citizen and the additional significance of your responsibilities when assuming service to others.

When a select few are empowered to govern, representing their fellow citizens, the oath of office must take precedence. With every decision you make or action you take in the role as a member of the Board of Elections consciously consider that oath.

Emulate the noble and the brave of all great patriots who have gone before you. Remain steadfast and strong with those citizens with whom you have formed a union within our great state in the face of today's challenges. Serve with fortitude and dignity those who have entrusted you. Ultimately you will have served yourself well.