

**IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
IN AND FOR PINELLAS COUNTY, FLORIDA
CIRCUIT CIVIL**

CHRISTOPHER GLEASON,
A Florida citizen, Elector, and
Candidate for Supervisor of
Elections, Pinellas County

Plaintiff,

vs.

**CASE NO.: 24-003717-CI
IMMEDIATE HEARING
REQUESTED**

JULIE MARCUS, in her official
capacity as Supervisor of Elections of
Pinellas County, Florida, **DUSTIN**
CHASE, in his official capacity as
Deputy Supervisor of Elections of
Pinellas County Florida, **MATT**
SMITH, in his official capacity as
General Counsel for Pinellas County
Supervisor of Elections, 99 John Does,
Individually; 99 Jane Does,
Individually

Defendants.

MOTION FOR RECONSIDERATION

Plaintiff Christopher Gleason, respectfully moves this Honorable Court to reconsider its ruling requiring the Plaintiff to complete a form that is not specified in Florida

Statutes Chapter 101.62 or Chapter 119 as a condition for obtaining public records.

In support of this Motion, Plaintiff states as follows:

I. Introduction

The Court's ruling requiring the Plaintiff to complete a form before accessing public records is not supported by the statutory framework governing public records in Florida. Furthermore, the County Attorney's representation to the Court that such a form was required constitutes a material misrepresentation of both facts and law. The records requested in their original, unaltered format as generated, transmitted and stored format would take less than 10 minutes to provide. The false assertion that providing electronic records would take 18,000 hours to produce further supports allegations of official misconduct under Florida Statutes § 838.022. The time-sensitive nature of the requested public records, which directly relate to the administration of the August 20, 2024, election contest between Plaintiff Christopher Gleason and Defendant Julie Marcus, constitutes a significant willful, knowing and intentional delay in the communication of information related to the commission of felonies by public officials within the Pinellas County government and the Supervisor of Elections Office. These misrepresentations and delays violate the Florida Constitution, the Florida Public Records Act, and other relevant statutes.

II. Legal Framework

1. Florida Constitution

Article I, Section 24 of the Florida Constitution provides a right of access to public records, stating that "every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf, except with respect to records exempted pursuant to this section or specifically made confidential by this Constitution." The actions of the Defendants, in delaying and obstructing access to these public records, directly contravene this constitutional right.

2. Public Records Act (Chapter 119, Florida Statutes)

Florida Statutes § 119.07(1)(a) mandates that every person who has custody of a public record must allow the record to be inspected and copied by any person desiring to do so, without imposing additional requirements unless specifically authorized by law. There is no provision in this statute or in Chapter 101.62 requiring the completion of any specific form as a prerequisite to obtaining public records related to the actual requesting of vote-by-mail ballots.

Right to Access Public Records Without Unreasonable Barriers

In *Wells v. Aramark Food Service Corp.*, 888 So. 2d 134 (Fla. 4th DCA 2004), the court reversed a dismissal where unreasonable barriers were imposed on accessing public records. The court emphasized that such barriers violate the public's right to access records, which is protected under Chapter 119.

Similarly, in *New York Times Co. v. PHH Mental Health Services, Inc.*, 616 So. 2d 27 (Fla. 1993), the Florida Supreme Court ruled that private entities acting on behalf of public agencies are subject to the Public Records Act and must comply without imposing unnecessary procedural requirements.

- **Attorney General Opinion (AGO 2003-26):** This opinion reinforces the requirement that public records must be made available without unreasonable delay and that any requirements imposed on access must have a clear statutory basis. The Attorney General emphasized that any delay in providing records, particularly when they are readily accessible, constitutes a violation of the Florida Public Records Act.
- **Attorney General Opinion (AGO 99-41):** This opinion highlights that public agencies cannot impose additional conditions or require forms that are not explicitly required by law. The opinion underscores the principle that the right to access public records should not be obstructed by administrative hurdles that lack statutory support.

- **Attorney General Opinion (AGO 2013-03):** This opinion further clarifies that public records custodians cannot impose barriers, such as excessive fees or procedural requirements, unless expressly authorized by law. The opinion also supports the argument that any unnecessary delay in providing public records is contrary to the intent of the Public Records Act.
- **Attorney General Opinion (AGO 2002-53):** The Florida Attorney General has opined that public agencies cannot impose additional procedural barriers, such as requiring the completion of a specific form, unless explicitly authorized by statute. This principle aligns with the Court’s ruling in *Schwab, Twitty & Hanser Architectural Group, Inc., 596 So. 2d 1029 (Fla. 1992)*, where the imposition of unreasonable conditions on access to public records was deemed unlawful.

3. Specificity of Requested Records

The Oath of Acquisition For List of Voters Requesting Vote-By-Mail Ballots pertains only to requesting the list of voters who have requested vote-by-mail ballots. This list is publicly available from the Florida Secretary of State’s website at the following URL:

<https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports>).

However, this is not what the Plaintiff requested. The Plaintiff specifically requested electronic records maintained by the Supervisor of Elections Office, including:

- The log and public records of telephone requests for vote-by-mail ballots.
- The log and public records of in-person requests made in writing, particularly those made after 04/17/2024, which should include a DS-DE160 form.
- The log and public records of requests made via the Supervisor of Elections website through the VR Systems Inc software called VoterFocus.

See Exhibit A for the detailed requests made by the Plaintiff.

III. Grounds for Reconsideration

1. Material Misrepresentation of Law and Facts

The County Attorney's assertion that the Plaintiff was required to complete a specific form to access public records was a material misrepresentation. This form was neither required under Florida Statutes Chapter 119 nor under Chapter 101.62. The misrepresentation of such facts and law to the Court is a serious violation of ethical standards and professional conduct.

- **Attorney General Opinion (AGO 2002-53):** Supports the assertion that additional procedural requirements, such as completing a form, cannot be imposed unless explicitly authorized by law. The imposition of such a requirement by the County Attorney, without statutory basis, constitutes a clear misrepresentation.

- **Attorney General Opinion (AGO 2003-26):** Supports the assertion that additional procedural requirements cannot be imposed unless explicitly authorized by law. The imposition of such a requirement by the County Attorney, without statutory basis, constitutes a clear misrepresentation.
- **Attorney General Opinion (AGO 99-41):** Further supports the argument that the imposition of unnecessary procedural requirements is unlawful and a violation of the Florida Public Records Act.

2. False Assertion Regarding Time Estimate to Produce Records

The County Attorney's claim that providing electronic records stored on a computer in the custody of the Supervisor of Elections Office would take 18,000 hours to produce is patently false and unreasonable. The records requested in their original, unaltered format as generated, transmitted and stored format would take less than 10 minutes to provide. This assertion serves as prima facie evidence of a violation of Florida Statutes § 838.022, which addresses "Official Misconduct." Such an exaggerated estimate suggests an intent to obstruct access to public records, conceal information, or mislead the Court and the public.

- **Case Law - Gadd v. News-Press Publishing Co., 412 So. 2d 894 (Fla. 2d DCA 1982):** This case underscores that intentional misrepresentations to

obstruct access to public records constitute unlawful concealment and misconduct. The misrepresentation of the time required to produce records in this case aligns with the misconduct identified in Gadd.

3. Time-Sensitive Nature of the Requested Records

The requested records are not merely administrative in nature but are critically time-sensitive as they pertain to the administration of the August 20, 2024, election contest between Plaintiff Christopher Gleason and Defendant Julie Marcus. The Plaintiff's requests for records were directly related to verifying the legality and integrity of the election process, specifically concerning the potential illegal casting of ballots. The willful and knowing delay in providing these records has effectively obstructed the Plaintiff's ability to timely address potential election fraud and other felonies committed by public officials within the Pinellas County government and the Supervisor of Elections Office.

- **Florida Constitution, Article I, Section 24:** The delays and obstructions violate the Plaintiff's constitutional right to timely access public records, which is essential for ensuring transparency and accountability in the electoral process.
- **Florida Statutes § 838.022:** The knowingly, willful, intentional delays made by the Defendants, Julie Marcus, Dustin Chase, Matt Smith and misrepresentation by the County Attorney in this case constitute official

misconduct, as these actions have willfully concealed, delayed and obstructed information crucial to the integrity of the election. Their conspiracy to knowingly and intentionally obtain a benefit for themselves, and cause unlawful harm to Plaintiff, as a candidate for office, other candidates for office, all Pinellas County electors and Pinellas County taxpayers by Concealing, covering up, destroying, mutilating, or altering any official record or official document, and Obstructing, delaying, or preventing the communication of information relating to the commission of a felony that directly involves or affects the government entity served by the public servant or public contractor.

- **Attorney General Opinion (AGO 2013-03):** Reinforces that delays in providing public records, particularly when those records are essential for the timely administration of justice, are contrary to both the letter and spirit of the Public Records Act.

4. Timeliness of Motion

The Plaintiff acknowledges that the defense may argue that this Motion for Reconsideration is untimely or that there has been no new evidence or change in the law to justify reconsideration. However, this Motion is based on correcting a material misrepresentation that was not fully addressed or realized in the initial ruling. The

seriousness of the misrepresentation directly impacts the integrity of the judicial proceedings, thereby reinforcing the timeliness and necessity of this Motion.

- **Case Law - Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 247-48 (1986):**
The importance of maintaining the integrity of judicial proceedings and ensuring that decisions are based on accurate information supports the need for reconsideration in this case.

5. No Misrepresentation Defense

The defense might contend that the County Attorney's actions were based on a reasonable interpretation of the law or that any misstatement was unintentional and did not impact the ruling. However, the intentional nature of the misrepresentation, as evidenced by the clear statutory language and the disregarded Attorney General opinions, indicates that the misrepresentation was deliberate.

- **Case Law - Parsons & Whittemore, Inc. v. Metropolitan Dade County, 429 So. 2d 343 (Fla. 3d DCA 1983):** The court emphasized the importance of transparency and truthfulness in legal proceedings. This case supports the argument that the misrepresentation was not a mere error but a deliberate attempt to mislead the Court, warranting reconsideration and sanctions.

IV. Conclusion

For the reasons stated, Plaintiff respectfully requests that this Honorable Court reconsider its previous ruling and grant immediate access to the requested public records without requiring the completion of any form not specified in the relevant Florida statutes. The time-sensitive nature of these records and the intentional delays imposed by the Defendants have caused significant harm to the Plaintiff and undermined the integrity of the election process. The knowing, willful and intentional misrepresentation by the County Attorney is a serious breach that requires correction to maintain the integrity of these proceedings.

EXHIBITS ATTACHED:

1. EXHIBIT A: PUBLIC RECORDS REQUESTED
2. EXHIBIT B: OATH OF ACQUISITION FORM FOR LIST OF VOTERS REQUESTING VOTE-BY-MAIL BALLOTS

Respectfully submitted this 30th day of August 2024.

/s/ Christopher Gleason

Christopher Gleason

1628 Sand Key Estates Court

Clearwater, FL 33767

727-480-2059 Phone

gleasonforpinellas@gmail.com

ProSe

EXHIBIT A

VIDEO OF VERBAL REQUEST MADE ON AUGUST 20, 2024 FOR PUBLIC RECORDS RELATED TO: THE REQUESTING OF PUBLIC RECORDS RELATED TO THE ORDERING OF 219,695 VOTE BY MAIL BALLOTS BEING REQUESTED ON SUNDAY JUNE 23,2024

<https://x.com/immutablechrist/status/1828985966582759537/video/1>

MADE AT PINELLAS COUNTY SUPERVISOR OF ELECTION OFFICE IN THE OBSERVATION ROOM – A PUBLIC EVENT AUGUST 20, 2024 ON ELECTION NIGHT DURING CANVASSING OF BALLOTS AND REPORTING OF ELECTION RESULTS WHERE THERE IN NO REASONABLE EXPECTATION OF PRIVACY



Christopher Gleason <gleasonforpinellas@gmail.com>

Public Records Request: 2024-378 from Christopher Gleason

1 message

publicrecordsrequest <publicrecordsrequest@votepinellas.gov>
Reply-To: "McKnight-Taylor, Ashley" <ataylor@votepinellas.gov>
To: "gleasonforpinellas@gmail.com" <gleasonforpinellas@gmail.com>

Tue, Aug 20, 2024 at 7:03 PM

Dear Christopher Gleason,

This will acknowledge receipt of your public records request. We are reviewing our records to determine if there are any records responsive to your request. Once this has been determined, we will provide either the records, or for more extensive requests, an estimate of the cost to provide these records.

You requested the following records:
"Undeliverable data for VBM ballots, 8-20-24 election"

To inquire about the status of your public records request, please call 727-464-8683.

Thank you,

Communications Department,
Pinellas County Supervisor of Elections Office

Public Records Request 4th Request Gleason vs Marcus, et al

2 messages

Christopher Gleason <gleasonforpinellas@gmail.com>

Tue, Aug 27, 2024 at 8:36 AM

To: Matt <masmith@votepinellas.gov>, Dustin Chase <dchase@votepinellas.gov>, publicrecordsrequest <publicrecordsrequest@votepinellas.gov>, cliff.tinapeters@gmail.com, Charles Kelly <kellylitigation@gmail.com>, John Siamas <johnsiamas@gmail.com>, John Siamas <johnsiamas@johnsiamas.com>, cgoodyear@gop.com, "McKnight-Taylor, Ashley" <ataylor@votepinellas.gov>, OECS@dos.myflorida.com, Roger Handberg <roger.handberg@usdoj.gov>, Maria.Matthews@dos.myflorida.com, "Byrd, Cord" <cord.byrd@dos.myflorida.com>, citizenservices@myfloridalegal.com, clerkspbpublic@mypinellasclerk.gov, votedaniellemarolf@gmail.com, ErikaPicard4SchoolBoard@gmail.com
Cc: Rogan O'Handley <dcdraino@gmail.com>, tuckercarlson@gmail.com

Bcc:

Pinellas County Custodian of Records,

I find it deeply troubling that the Pinellas County Supervisor of Elections and its public official and election officials willfully and knowingly have been intentionally concealing and delaying public records in an effort to convey a benefit for Julie Macus and her co-conspirators.

This ongoing pattern of corruption and official misconduct, has robbed the electors, candidates for office, the taxpayers and the citizens of Pinellas County of their voice in government, their voters intent, for far too long.

As per Florida Statute 101.572

Candidates, PC's and Parties shall have reasonable access to Election Materials & Public Inspection of Election Materials at no cost.

- 2024 Primary Election - Logic and Accuracy Tests - PRE ELECTION & POST ELECTION
- 2024 Presidential Primary Election - Logic and Accuracy Tests
- 2022 November General Election - Logic and Accuracy Tests

Please provide all information below including all data fields that exist in the Election Voting System that are available for each report:

1. PDF's of all Test Decks used in the Logic and Accuracy testing.
2. Please provide the following public records / official election records / reports related to the Test Deck and Public L&A Testing performed:
 - a.) Pre-Election Logic and Accuracy Checklist
 - b.) Pre-L&A Control Results
 - c.) Pre L&A ZERO Report for all devices tested publicly
 - d.) Pre L&A Configuration Report for all devices tested publicly
 - e.) Pre L&A Final Results Summary Results Report showing overvotes, undervotes, blank ballots, and write-ins
3. Please provide the following public records / official election records / reports related to the ES&S Systems used to administer the L&A Testing in their original unaltered electronic file format as they were generated, transmitted and stored.
 - a.) EL155.lst – aka (CVR's) –
 - b.) EL45.lst – aka Official and/or Unofficial Summary Report – Group Detail with overvotes, undervotes, blank ballots, and write-ins; -
 - c.) EL45a.lst – aka Official and/or Unofficial Summary Report – Group Detail with overvotes, undervotes, blank ballots, and write-ins;
 - d.) EL30.lst – aka Official and/or Unofficial Precinct Summary Report / Precinct by Precinct Report – Group Detail with overvotes, undervotes, blank ballots, and write-ins;
 - e.) EL30a.lst – aka Official Precinct Summary Report / Precinct by Precinct Report – Group Detail with overvotes, undervotes, blank ballots, and write-ins;
 - f.) EL52 – aka Canvassing Report
 - g.) EL152.lst – aka Event Log. –
 - h.) ES&S AUDIT LOG for each Device/Component Used During L&A Testing
 - i.) All Video Security Footage and Facility Access Logs from June 23, 2024

j.) .pdf Copies of the operator and administrator manuals for ES&S, Clear Ballot, Runbeck, SOE Software aka Scytl, VR Systems Inc and the EVID machines that were used to administer the 2024, 2022 elections in Pinellas County Florida

k.) USPS CASS Certification Documents for the Vote By Mail Ballots sent out for the 2024 Primary Election and the 2022 General Election.

As concerned citizens, we believe it is essential to promote transparency and ensure the integrity of our electoral process.

We understand that some of this information may already be publicly available, but we are seeking the official and comprehensive records directly from the county's election authorities to ensure accuracy and completeness.

Warmest Regards,

Christopher Gleason

Chase, Dustin <dchase@votepinellas.gov> Tue, Aug 27, 2024 at 10:41 AM
To: Christopher Gleason <gleasonforpinellas@gmail.com>, "Smith, Matt" <masmith@votepinellas.gov>, publicrecordsrequest <publicrecordsrequest@votepinellas.gov>, "cliff.tinapeters@gmail.com" <cliff.tinapeters@gmail.com>, Charles Kelly <kellylitigation@gmail.com>, John Siamas <johnsiamas@gmail.com>, John Siamas <johnsiamas@johnsiamas.com>, "cgoodyear@gop.com" <cgoodyear@gop.com>, "McKnight-Taylor, Ashley" <ataylor@votepinellas.gov>, "OECS@dos.myflorida.com" <OECS@dos.myflorida.com>, Roger Handberg <roger.handberg@usdoj.gov>, "Maria.Matthews@dos.myflorida.com" <Maria.Matthews@dos.myflorida.com>, "Byrd, Cord" <cord.byrd@dos.myflorida.com>, "citizenservices@myfloridalegal.com" <citizenservices@myfloridalegal.com>, Clerk SPB Public <clerkspbpublic@mypinellasclerk.gov>, "votedaniellemarolf@gmail.com" <votedaniellemarolf@gmail.com>, "ErikaPicard4SchoolBoard@gmail.com" <ErikaPicard4SchoolBoard@gmail.com>
Cc: Rogan O'Handley <dcdraino@gmail.com>, "tuckercarlson@gmail.com" <tuckercarlson@gmail.com>

Hey Chris –

We received request and will respond in a timely manner.

Warm regards,

Dustin Chase, Deputy Supervisor of Elections

Representing Julie Marcus, Pinellas County Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

Phone: (727) 464-4988

Fax: (727) 464-6239

dchase@votepinellas.gov

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Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. -- F.S. 668.6076

Conforme a la legislación de Florida, las direcciones de correo electrónico son registros públicos. Si no desea que su correo electrónico se divulgue como respuesta a una solicitud de registros públicos, no envíe un correo electrónico a esta entidad. En su lugar, póngase en contacto con esta oficina por teléfono o por escrito. -- F.S. 668.6076

[Quoted text hidden]



Christopher Gleason <gleasonforpinellas@gmail.com>

Public Records Request: 2024-383 from Christopher Gleason

1 message

publicrecordsrequest <publicrecordsrequest@votepinellas.gov>
Reply-To: "McKnight-Taylor, Ashley" <ataylor@votepinellas.gov>
To: "GleasonforPinellas@gmail.com" <GleasonforPinellas@gmail.com>

Fri, Aug 23, 2024 at 9:58 AM

Dear Christopher Gleason,

This will acknowledge receipt of your public records request. We are reviewing our records to determine if there are any records responsive to your request. Once this has been determined, we will provide either the records, or for more extensive requests, an estimate of the cost to provide these records.

You requested the following records:

"Chain of custody documents of mail ballots returned to all drop boxes for the August 20, 2024 Primary Election, chain of custody documents of ballots returned by sheriff deputies, and all documentation regarding the June 23, 2024 vote-by-mail requests. "

To inquire about the status of your public records request, please call 727-464-8683.

Thank you,

Communications Department,
Pinellas County Supervisor of Elections Office

(no subject)

Chase, Dustin <dchase@votepinellas.gov>

Fri, Aug 23, 2024 at 11:11 AM

To: Christopher Gleason <gleasonforpinellas@gmail.com>, publicrecordsrequest <publicrecordsrequest@votepinellas.gov>

Good morning, Mr. Gleason:

We received your request and will respond in a timely manner.

Please note: the OFFICIAL results were lawfully certified around 11:00 a.m., today August 23, 2024.

Sincerely,

Dustin Chase, Deputy Supervisor of Elections

Representing Julie Marcus, Pinellas County Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

Phone: (727) 464-4988

Fax: (727) 464-6239

dchase@votepinellas.gov

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From: Christopher Gleason <gleasonforpinellas@gmail.com>

Sent: Friday, August 23, 2024 10:42 AM

To: publicrecordsrequest <publicrecordsrequest@votepinellas.gov>

Subject:

Per Florida Statute 119, Chapter 286.011 ("Public Records Law." provides that any records made or received by any public agency in the course of its official business are available for inspection).

I am requesting the following records and copies of Receipts for the August 20th, 2024 Primary election: **Please provide the following records and copies by Monday, August 26th, 2024:**

1. All communications, memos and statements from VR Systems regarding the SOE and Website outages/blackouts/shutdowns on Election day August 20, 2024.
2. Any audits or reports from cyber security experts pertaining to the website and election system outages/blackouts/shutdowns at any time during the Primary Election of August 20, 2024.
3. Voter Cast Records with all details of votes cast
4. All of the Vote By Mail ballot Request forms for every voter who requested a VBM.
5. ES&S and Dominion machine configuration reports, audit logs for the Tabulators, EL68A.LST EL52, EL45A, EL30A for all precincts for the entire election.
6. Completed ballot chain of custody forms used for transfer of completed ballots from the Post Office to the counting center
7. Completed ballot chain of custody forms used for transfer of completed ballots from drop boxes to the counting center
8. Completed ballot chain of custody forms used for transfer of completed ballots from election offices to the counting center
9. UOCAVA facsimile logs
10. Post Office billing records, if return ballot postage is paid for by the Supervisor of Election
11. BallotTrax reports on the number of ballots returned, if BallotTrax is used by the Supervisor of Election
12. Absentee Totals report
13. Examination of the Election Day poll tapes from each precinct tabulator printed on Election Day. I will need to take photos of these tapes.
14. Election Night and Early Voting Ballot Count per Exhibit 5(k)1.1 in your security plan
15. Election Day Precinct reports for all Precincts within District 23 per Exhibit 5(g)1b.2 (ED) in your security plan

16. If the Election Day precinct report does not include the count of e-pollbook tickets, I will need to view and count the e-pollbook tickets
17. Election Day completed ballot chain of custody forms
18. Daily Early Voting Reports for all Precincts in CD23 for each day per Exhibit 5(g)1b.2 in your security plan
19. Exception Reports per Exhibit 5(h)3.3 in your security plan
20. Completed Ballot Accounting Forms per Exhibit 5(o)7.5 in your security plan
21. Early Voting ballot transport chain of custody forms
22. If the number of e-pollbook tickets is not listed on the Early Voting Reports, I will need to view and count the e-pollbook tickets.
23. A copy of the county Supervisor of Election reconciliation report to the state as required by s 98.0981 within 10 days of election certification
24. Copy of contracts with SOE Software located in Tampa Florida

The above is required in a timely manner so that I can complete my analysis prior to the certification of the election.

I reserve the right to request more data in the future, as it pertains to this election.

Christopher Gleason



Christopher Gleason <gleasonforpinellas@gmail.com>

Public Records Request - 2024 PPP -

Chase, Dustin <dchase@votepinellas.gov>

Fri, Jul 26, 2024 at 9:55 AM

To: Christopher Gleason <gleasonforpinellas@gmail.com>

Cc: publicrecordsrequest <publicrecordsrequest@votepinellas.gov>, Charles Kelly <kellylitigation@gmail.com>, "Daniel@sctb.org" <Daniel@sctb.org>, "nick@newhopepalmharbor.com" <nick@newhopepalmharbor.com>, "pastorstancil@yahoo.com" <pastorstancil@yahoo.com>, "Nick@faithchristianchurch.com" <Nick@faithchristianchurch.com>, "almcd65@gmail.com" <almcd65@gmail.com>, "mphillipswka@yahoo.com" <mphillipswka@yahoo.com>

Mr. Gleason,

My apologies, you're correct. I sent you the wrong record. Attached is the Runbeck contract.

Sincerely,

Dustin Chase, Deputy Supervisor of Elections

Representing Julie Marcus, Pinellas County Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

Phone: (727) 464-4988

Fax: (727) 464-6239

dchase@votepinellas.gov

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From: Christopher Gleason <gleasonforpinellas@gmail.com>

Sent: Friday, July 26, 2024 8:36 AM

To: Chase, Dustin <dchase@votepinellas.gov>; Smith, Matt <masmith@votepinellas.gov>; OECS@dos.myflorida.com; Byrd, Cord <cord.byrd@dos.myflorida.com>; Maria.Matthews@dos.myflorida.com; fec@myfloridalegal.com; rgualtieri@pcsonet.com; Bartlett, Bruce <BruceBartlett@flsa6.gov>; Jacques, Berny <berny.jacques@myfloridahouse.gov>; Roger Handberg <roger.handberg@usdoj.gov>; mphillipswka@yahoo.com; Adam Ross <Chairman@pinellasrepublicans.com>

Cc: Charles Kelly <kellylitigation@gmail.com>; publicrecordsrequest <publicrecordsrequest@votepinellas.gov>; McLynas4Sheriff@gmail.com; Daniel@sctb.org; nick@newhopepalmharbor.com; pastorstancil@yahoo.com; Nick@faithchristianchurch.com; almcd65@gmail.com

Subject: Re: FW: Public Records Request - 2024 PPP -

Dustin,

Why are you sending me Fulton County Georgia Ballot Printing information and not Pinellas County?

1. " Certified Official" 2024 PPP Election: DS-DE 132 - Election Coding Statement

We have no records responsive to your request.

Page 16 - Supervisor of Elections Guide to the Division of Elections

Supervisor of Elections' Guide to the Division of Elections Reports, Downloads, and Uploads

Election Coding Statement

References: [Rule 1S-2.015\(5\)\(d\)2, F.A.C.](#)

Compliance: The Supervisor of Elections or his/her designee must provide a copy of the "Election Coding Statement" signed by an individual or entity who is creating an election definition when an election definition is not created by a Supervisor of Elections employee.

Purpose: To ensure that the election is properly coded according to specified procedures for the certified system when the election definition is created by someone other than an SOE employee.

Record Retention: [General Records Schedule - GS3 Election Records](#)
Federal Elections Item #146: 22 months after certification of the last election in which the election parameters were used.

State and Local Elections Item #147: 1 anniversary year after certification of the last election in which the election parameters were used.

Form(s) to be Used: [DS-DE 132 - Election Coding Statement](#)

Submission Date: Within 24 hours after any logic and accuracy (L&A test). (Note: A public L&A is required to be conducted within the 10-day period preceding the start of early voting in the respective county. See s. [101.5612, F.S.](#))

Submission Method: SOE File Transfer Utility on SOE portal:
<https://soesecure.elections.myflorida.com/SOEAdminServices/>

If utility is unavailable, submit by:
Email: BVSC.Reports@DOS.MyFlorida.com

Division Contact: Bureau of Voting Systems Certification at 850-245-6220.

Instructions: Complete the DS-DE 132 Election Coding Statement and submit via SOE File Transfer Utility.

Page 16

Just to clarify, this is yet another glaring example of the willful, wanton, reckless and knowing violations of Florida Statute 838.022(c) Obstructing, delaying, or preventing the communication of information relating to the commission of a felony that directly involves or affects the government entity served by the public servant or public contractor.

Official Misconduct occurring within the Pinellas County Supervisor of Elections Office.

This is not transparency.

This is not legal.

This is not acceptable.

119.07 Inspection and copying of records; photographing public records; fees; exemptions.—

(1)(a) Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time, under reasonable conditions, and under supervision by the custodian of the public records.

(b) A custodian of public records or a person having custody of public records may designate another officer or employee of the agency to permit the inspection and copying of public records, but must disclose the identity of the designee to the person requesting to inspect or copy public records.

(c) A custodian of public records and his or her designee must acknowledge requests to inspect or copy records promptly and respond to such requests in good faith. A good faith response includes making reasonable efforts to determine from other officers or employees within the agency whether such a record exists and, if so, the location at which the record can be accessed.

(d) A person who has custody of a public record who asserts that an exemption applies to a part of such record shall redact that portion of the record to which an exemption has been asserted and validly applies, and such person shall produce the remainder of such record for inspection and copying.

(e) If the person who has custody of a public record contends that all or part of the record is exempt from inspection and copying, he or she shall state the basis of the exemption that he or she contends is applicable to the record, including the statutory citation to an exemption created or afforded by statute.

(f) If requested by the person seeking to inspect or copy the record, the custodian of public records shall state in writing and with particularity the reasons for the conclusion that the record is exempt or confidential.

Once again, kindly provide the requested documents as they are generated, transmitted and stored.

Election Coding Statement

References: Rule 15-2.015(5)(d)2, F.A.C.

Compliance: The Supervisor of Elections or his/her designee must provide a copy of the “Election Coding Statement” signed by an individual or entity who is creating an election definition when an election definition is not created by a Supervisor of Elections employee.

On Thu, Jul 25, 2024 at 4:57 PM Chase, Dustin <dchase@votepinellas.gov> wrote:

Mr. Gleason,

Please see below in red.

Thank you,

Dustin Chase, Deputy Supervisor of Elections

Representing Julie Marcus, Pinellas County Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

Phone: (727) 464-4988

Fax: (727) 464-6239

dchase@votepinellas.gov

Follow us [@VotePinellas](#)

Like us on [Facebook](#)

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. -- F.S. 668.6076

Conforme a la legislación de Florida, las direcciones de correo electrónico son registros públicos. Si no desea que su correo electrónico se divulgue como respuesta a una solicitud de registros públicos, no envíe un correo electrónico a esta entidad. En su lugar, póngase en contacto con esta oficina por teléfono o por escrito. -- F.S. 668.6076

From: Christopher Gleason <gleasonforpinellas@gmail.com>

Sent: Monday, July 22, 2024 12:35 PM

To: Chase, Dustin <dchase@votepinellas.gov>; Smith, Matt <masmith@votepinellas.gov>; OECS@dos.myflorida.com; Maria.Matthews@dos.myflorida.com; Byrd, Cord <cord.byrd@dos.myflorida.com>; publicrecordsrequest@votepinellas.gov

Subject: Public Records Request - 2024 PPP -

Custodian of Records Pinellas County Supervisor of Elections,

Pursuant to Article I, section 24 of the Florida Constitution, and Chapter 119, F.S., I am requesting the following: copies of **reports** within the Hillsborough Supervisor of Elections (SoE) office:

1. " Certified Official" 2024 PPP Election: DS-DE 132 - Election Coding Statement

We have no records responsive to your request.

2) "Official Certified" completed chain of custody forms used to transport ballots from the Secure Ballot Intake Stations to the vote-by-mail counting center

For 2 and 3 - we estimate we have approximately 800 pages of responsive records. The estimated cost to gather, review and redact the records \$1,955.47.

Please note that this is only an estimate. The special service charge reflects the actual labor costs incurred by the Supervisor of Elections Office. Should the fulfillment of this request require additional time and resources, we will request further payment. Conversely, if the task takes less time and/or resources than estimated, we will provide a reimbursement. To proceed with your public records request, please remit payment in cash or check to Julie Marcus, Pinellas County Supervisor of Elections, 13001 Starkey Rd., Largo, FL 33773. If payment is not received within 30 days of this response, we will consider the request closed.

3) "Official Certified" The completed chain of custody forms used to transport vote-by-mail ballots from the USPS P.O. Box to the vote-by-mail counting center

For 2 and 3 - we estimate we have approximately 800 pages of responsive records. The estimated cost to gather, review and redact the records \$1,955.47.

Please note that this is only an estimate. The special service charge reflects the actual labor costs incurred by the Supervisor of Elections Office. Should the fulfillment of this request require additional time and resources, we will request further payment. Conversely, if the task takes less time and/or resources than estimated, we will provide a reimbursement. To proceed with your public records request, please remit payment in cash or check to Julie Marcus, Pinellas County Supervisor of Elections, 13001 Starkey Rd., Largo, FL 33773. If payment is not received within 30 days of this response, we will consider the request closed.

4) The "Official Certified" facsimile logs for the UOCAVA ballots received via fax.

Attached is the record responsive to your request.

5) The "Official Certified" Post Office billing records for outbound ballots

We estimate it will take approximately one hour to search, review and redact the records responsive to your request at a cost of \$77.72.

Please note that this is only an estimate. The special service charge reflects the actual labor costs incurred by the Supervisor of Elections Office. Should the fulfillment of this request require additional time and resources, we will request further payment. Conversely, if the task takes less time and/or resources than estimated, we will provide a reimbursement. To proceed with your public records request, please remit payment in cash or check to Julie Marcus, Pinellas County Supervisor of Elections, 13001 Starkey Rd., Largo, FL 33773. If payment is not received within 30 days of this response, we will consider the request closed.

6) The "Official Certified" VBM/Early Voting daily reports sent to the Division of Elections

This is confidential and exempt from disclosure pursuant to Section 101.62(2), F.S.

7) "Official Certified" Latest Absentee Totals report –

Unknown. Please clarify your request.

8) The "Official Certified" Completed Ballot accounting reports

Unknown. Please clarify your request.

9) The "Official Certified" Ballot Printer contract for ballots and services

Attached is the record responsive to your request.

10) The "Official Certified" Ballot on Demand printer audit log

We estimate it will take approximately 20 hours to search, review and redact the records responsive to your request at a cost of \$1,181.13.

Please note that this is only an estimate. The special service charge reflects the actual labor costs incurred by the Supervisor of Elections Office. Should the fulfillment of this request require additional time and resources, we will request further payment. Conversely, if the task takes less time and/or resources than estimated, we will provide a reimbursement. To proceed with your public records request, please remit payment in cash or check to Julie Marcus, Pinellas County Supervisor of Elections, 13001 Starkey Rd., Largo, FL 33773. If payment is not received within 30 days of this response, we will consider the request closed.

As per Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes, the campaign expects a prompt response to this request. If, for any reason, the SOE office cannot comply with this request within the specified timeframe, please provide a written explanation for the delay and indicate when we can expect the records to be made available.

Please consider this letter as a formal request for disclosure under the Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes. Please provide these records in a format that is consistent with the requirements of the Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes.

Please take appropriate steps to ensure that records responsive to this request are not deleted by your office before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records. To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner and that extraneous costs are not incurred.

By working together at the outset, we can decrease the likelihood of costly and time-consuming litigation in the future. Where possible, please provide responsive material in electronic format by email or via a shared online drive.

Again, thank you beforehand for your time and attention to this request.

Kind Regards,

Christopher Gleason

Public Records Request - 2024 PPP -

Chase, Dustin <dchase@votepinellas.gov>
To: Christopher Gleason <gleasonforpinellas@gmail.com>
Cc: publicrecordsrequest <publicrecordsrequest@votepinellas.gov>

Mon, Jul 22, 2024 at 12:44 PM

We have no records responsive to your request.

Dustin Chase, Deputy Supervisor of Elections

Representing Julie Marcus, Pinellas County Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

Phone: (727) 464-4988

Fax: (727) 464-6239

dchase@votepinellas.gov

Follow us [@VotePinellas](#)

Like us on [Facebook](#)

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. -- F.S. 668.6076

Conforme a la legislación de Florida, las direcciones de correo electrónico son registros públicos. Si no desea que su correo electrónico se divulgue como respuesta a una solicitud de registros públicos, no envíe un correo electrónico a esta entidad. En su lugar, póngase en contacto con esta oficina por teléfono o por escrito. -- F.S. 668.6076

From: Christopher Gleason <gleasonforpinellas@gmail.com>
Sent: Monday, July 22, 2024 12:35 PM
To: Chase, Dustin <dchase@votepinellas.gov>; Smith, Matt <masmith@votepinellas.gov>; OECS@dos.myflorida.com; Maria.Matthews@dos.myflorida.com; Byrd, Cord <cord.byrd@dos.myflorida.com>; publicrecordsrequest <publicrecordsrequest@votepinellas.gov>
Subject: Public Records Request - 2024 PPP -

Custodian of Records Pinellas County Supervisor of Elections,

Pursuant to Article I, section 24 of the Florida Constitution, and Chapter 119, F.S., I am requesting the following: copies of **reports** within the Hillsborough Supervisor of Elections (SoE) office:

- 1) " Certified Official" 2024 PPP Election: DS-DE 132 - Election Coding Statement
- 2) "Official Certified" completed chain of custody forms used to transport ballots from the Secure Ballot Intake Stations to the vote-by-mail counting center
- 3) "Official Certified" The completed chain of custody forms used to transport vote-by-mail ballots from the USPS P.O. Box to the vote-by-mail counting center
- 4) The "Official Certified" facsimile logs for the UOCAVA ballots received via fax.
- 5) The "Official Certified" Post Office billing records for outbound ballots

6) The "Official Certified" VBM/Early Voting daily reports sent to the Division of Elections

7) "Official Certified" Latest Absentee Totals report

8) The "Official Certified" Completed Ballot accounting reports

9) The "Official Certified" Ballot Printer contract for ballots and services

10) The "Official Certified" Ballot on Demand printer audit log

As per Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes, the campaign expects a prompt response to this request. If, for any reason, the SOE office cannot comply with this request within the specified timeframe, please provide a written explanation for the delay and indicate when we can expect the records to be made available.

Please consider this letter as a formal request for disclosure under the Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes. Please provide these records in a format that is consistent with the requirements of the Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes.

Please take appropriate steps to ensure that records responsive to this request are not deleted by your office before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records. To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner and that extraneous costs are not incurred.

By working together at the outset, we can decrease the likelihood of costly and time-consuming litigation in the future. Where possible, please provide responsive material in electronic format by email or via a shared online drive.

Again, thank you beforehand for your time and attention to this request.

Kind Regards,

Christopher Gleason



Christopher Gleason <gleasonforpinellas@gmail.com>

PUBLIC RECORDS REQUEST - BLANK BALLOTS - EAC STATUTORY SURVEY - TAMPA BAY TIMES

Chase, Dustin <dchase@votepinellas.gov>

Wed, Jul 17, 2024 at 4:55 PM

To: Christopher Gleason <gleasonforpinellas@gmail.com>

Cc: "Chase, Dustin" <dchase@votepinellas.gov>, "McKnight-Taylor, Ashley" <ataylor@votepinellas.gov>, "Smith, Matt" <masmith@votepinellas.gov>

We received your request and will respond in a timely manner.

Thank you,

Dustin Chase, Deputy Supervisor of Elections

Representing Julie Marcus, Pinellas County Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

Phone: (727) 464-4988

Fax: (727) 464-6239

dchase@votepinellas.gov

Follow us [@VotePinellas](#)

Like us on [Facebook](#)

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. -- F.S. 668.6076

Conforme a la legislación de Florida, las direcciones de correo electrónico son registros públicos. Si no desea que su correo electrónico se divulgue como respuesta a una solicitud de registros públicos, no envíe un correo electrónico a esta entidad. En su lugar, póngase en contacto con esta oficina por teléfono o por escrito. -- F.S. 668.6076

From: Christopher Gleason <gleasonforpinellas@gmail.com>

Sent: Wednesday, July 17, 2024 8:16 AM

To: Smith, Matt <masmith@votepinellas.gov>; Maria.Matthews@dos.myflorida.com; Grimes, Wendy <WGrimes@votepinellas.gov>; Byrd, Cord <cord.byrd@dos.myflorida.com>; Chase, Dustin <dchase@votepinellas.gov>; OECS@dos.myflorida.com; citizenservices@myfloridalegal.com; CFO.Patronis@myfloridacfo.com; roger.handberg@usdoj.gov; GovernorRon.Desantis@eog.myflorida.com; Jacques, Berny <berny.jacques@myfloridahouse.gov>; rturner@sarasotavotes.gov; publicrecords@votehillsborough.gov; Peterschorsch@floridapolitics.com; news@wfla.com; desk@charter.com; truthometer@politifact.com; miami@ap.org; newstips@wfts.com; FOX13tampanews@fox.com; Bartlett, Bruce <BruceBartlett@flsa6.gov>; rgualtieri@pcsonet.com; adam.mcgill.ross@gmail.com

Cc: tmcmanus@tampabay.com; dgonyea@npr.org; mebrow@ap.org; McLynas4Sheriff@gmail.com

Subject: PUBLIC RECORDS REQUEST - BLANK BALLOTS - EAC STATUTORY SURVEY - TAMPA BAY TIMES

Dear Custodian of Records,

I am writing to submit an open records request under the Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes seeking access to public records, Florida State Election Records, and Federal Election Records related to the following:

- Electronic Copies of any and all EAC Statutory Surveys completed by Maria Matthews and her predecessor for the years 2010, 2012, 2014, 2016 in which the definition of BLANK BALLOT and UNDER VOTE is clearly defined under Florida Statute. See attached document.

- Electronic Copies of any and all communications, text messages, group chats or emails related to the EAC Surveys completed by Maria Matthews and or the legal definitions of "BLANK BALLOT" and "UNDER VOTE"
- Any and all Electronic Copies of ES&S Operator Manuals showing the definition of a "BLANK BALLOT" and an "UNDER-VOTE" as defined in the EAC Statutory Surveys completed by Maria Matthews the Director of the Florida Division of Elections in 2010, 2012, 2014 and 2016.
- Electronic Copies of Clear Ballot Audit System Operators Manual showing the definition of a "BLANK BALLOT" and an "UNDER VOTE".
- Electronic Copies of any and all correspondence related to altering the information about "BLANK BALLOTS" , "DUPLICATED BALLOTS" and other changes made to the DS-DE 40 Form to conceal, and no longer report the number of "BLANK BALLOTS" and "DUPLICATED BALLOTS" and "UNDER VOTES"

I am requesting these public records in the electronic file format .PDF.

I understand that some of this information may already be publicly available, but I are seeking the official and comprehensive records directly from the county's election authorities to ensure accuracy and completeness.

Please consider this letter as a formal request for disclosure under the Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes.

Please provide these records in a format that is consistent with the requirements of the Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes If possible, We request that the records be provided electronically, via email or a secure file-sharing platform.

If portions of the requested records are exempt from disclosure under the Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes, please provide us with a written explanation of the specific legal basis for any redactions or withholdings.

We request that this public records request be processed promptly and in accordance with the statutory timelines for response and production of records under the Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes.

I hereby certify that I will not:

(A) Use any list of name(s) or addresses contained in or derived from the records or information for the purpose of selling or offering for sale any property or service to any person listed or to any person who resides at any address listed

(B) Sell, give, or otherwise make available to any person any list of name(s) or addresses contained in or derived from the records or information for the purpose of allowing that person to sell or offer for sale any property or service to any person listed or to any person who resides at any address listed.

As per Article I, section 24 of the Florida Constitution, and Chapter 119, Florida Statutes, we expect a prompt response to this request. If, for any reason, you cannot comply with this request within the specified timeframe, please provide a written explanation for the delay and indicate when we can expect the records to be made available.

Please take appropriate steps to ensure that records responsive to this request are not deleted by your office before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records. To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner and that extraneous costs are not incurred.

By working together at the outset, The Justice Society and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or via a shared online drive.

Warmest Regards,

Christopher Gleason

Candidate for Supervisor of Elections Pinellas County, Florida

Public Records Request

5 messages

Christopher Gleason <gleasonforpinellas@gmail.com>

Tue, Aug 27, 2024 at 8:37 AM

To: Matt <masmith@votepinellas.gov>, Dustin Chase <dchase@votepinellas.gov>, publicrecordsrequest <publicrecordsrequest@votepinellas.gov>, OECS@dos.myflorida.com, "McKnight-Taylor, Ashley" <ataylor@votepinellas.gov>

Cc: Charles Kelly <kellylitigation@gmail.com>

Bcc: [REDACTED]

As per Florida Statute 101.572

Candidates, PC's and Parties shall have reasonable access to Election Materials & Public Inspection of Election Materials at no cost.

I Christopher Gleason am requesting:

1. The scanned image of ALL mail ballot envelopes processed at the Pinellas County SOE offices. From the very first ballot received on August 18, 2024 11:59pm though August 19, 2024 11:59pm (24 hours)
From the August 20, 2024 Primary Election

2. A scanned image of all ballots (original and duplicate) opened from that specific date —even if they were opened at a later date.

3. Include all scanned images of Chain of Custody logs/forms pertaining to the above materials.

4. Chain of Custody Documents for Vote By Mail Ballots

- Completed ballot chain of custody forms used for transfer of completed ballots from the Post Office to the counting center
- Completed ballot chain of custody forms used for transfer of completed ballots from drop boxes to the counting center
- Completed ballot chain of custody forms used for transfer of completed ballots from election offices to the counting center
- UOCAVA facsimile logs
- Post Office billing records, if return ballot postage is paid for by the Supervisor of Election
- BallotTrax reports on the number of ballots returned, if BallotTrax is used by the Supervisor of Election
- Absentee Totals report

5. Machine Logs/Machine Configuration Reports for ES&S DS300 and DS950 Tabulators

6. ES&S Event Service Logs

7.

We kindly request access to the following ES&S (Election Systems & Software) election reports and audit logs for the specified election years: **November 2020 & November 2022**

- **EL68**
- **EL68A**
- **Machine Configuration Reports**
- **Tabulators - System Audit Logs**
- **Electionware EMS System Audit Logs**
- **Election Reporting Manager Audit Logs**

ES&S RESPONSE

The EMS network environment is hardened with specific roles for different users to protect from potential intentional and unintentional alterations. Each product in the system maintains its own log and has its own security. These are detailed below.

DS200

The removable media where the audit log is stored is in a sealed, locked compartment. In addition, the audit log files are signed to detect any unauthorized alteration.

DS850

The audit logs for the DS850 are stored on the hard disk drive and are available only through the application. When exported, the file is still maintained on the machine and is the exported log is digitally signed and verified on export into the EMS.

AutoMARK

The records in the AutoMARK log files are encoded and not in textual form. A program must interpret the codes to convert it to user meaningful format.

ExpressVote

The removable media where the audit log is stored is in a sealed, locked compartment. In addition, the audit log files are signed to detect any unauthorized alteration.

Electionware

The EMS runs on a closed network and should be housed in a secure environment with the recommended user roles and access controls in place. In addition to physical security, Electionware is a secure system which allows the user access to the data only through the application to ensure data integrity and security.

The tables in the Electionware database are not directly accessible by the Electionware user accounts. All access to the audit tables are done through stored procedures which execute as the database administrator. The only stored procedures to access the audit tables are an insert procedure to add to the audit tables and a select procedure to read from the table. It is also recommended that the password for the system administrator and the database administrator are split between two individuals to ensure additional protection against intentional alteration.

Election Reporting Manager

The records in the ERM audit log file are encoded in a proprietary format. All ERM log entries are also written to the unalterable Windows event log and only accessible by the system administrator. They are in a relative file which has a propriety format. Any manual modification will render the file unusable.

ES&S RESPONSE

Each product in the system maintains its own log and has its own method of access. These are detailed below.

DS200

The signed audit logs are written to the log directory on the removable media. The audit log events can be accessed on the DS200 onscreen or through a printed report. When the media is read back into the EMS the audit logs are also retrievable from the EMS through a machine audit log report or exported in a comma separated format.

DS850

The audit logs for the DS850 are stored on the hard disk drive and are available only through the application. When the media is read back into the EMS the audit logs are also retrievable from the EMS through a machine audit log report or exported in a comma separated format.

AutoMARK

The AutoMARK has three log files located in the root directory of the CF card containing the election definition. These are the OP.ELF, SCN.ELF and SERVICE.ELF. The logs are accessed

We are requesting these public records in their original unaltered unredacted electronic file format, this might be .LST, .txt or .CSV as generated via the ES&S ELECTION REPORTING MANAGER currently in use.

We are also requesting .pdf copies of the user/operator/administrator manuals for the ES&S Components currently being used to administer elections in your county. To include the following components:

- Tabulators any in use
- Electionware
- Election Reporting Manager (ERM)
- ES&S Event Log Service

These manuals/guides are currently either in your possession or available to you from ES&S in .PDF format. Kindly provide to use in that format.

We understand that some of this information may already be publicly available, but we are seeking the official and comprehensive records directly from the county's election authorities to ensure accuracy and completeness.

Smith, Matt <masmith@votepinellas.gov>

Tue, Aug 27, 2024 at 9:00 AM

To: Christopher Gleason <gleasonforpinellas@gmail.com>, "Chase, Dustin" <dchase@votepinellas.gov>, publicrecordsrequest <publicrecordsrequest@votepinellas.gov>, "McKnight-Taylor, Ashley" <ataylor@votepinellas.gov>

Cc: Charles Kelly <kellylitigation@gmail.com>

As per Florida Statute 101.572

*Candidates, PC's and Parties shall have reasonable access to Election Materials & Public Inspection of Election Materials **at no cost.***

[Quoted text hidden]

<gleasonforpinellas@gmail.com>

Tue, Aug 27, 2024 at 11:02 AM

To: "Smith, Matt" <masmith@votepinellas.gov>, OECS@dos.myflorida.com, "Byrd, Cord" <cord.byrd@dos.myflorida.com>, citizenservices@myfloridalegal.com, cgoodyear@gop.com, CFO.Patronis@myfloridacfo.com, John Siamas <johnsiamas@gmail.com>, John Siamas <johnsiamas@johnsiamas.com>, Roger Handberg <roger.handberg@usdoj.gov>, clerkspublic@mypinellasclerk.gov
Cc: "Chase, Dustin" <dchase@votepinellas.gov>, publicrecordsrequest <publicrecordsrequest@votepinellas.gov>, "McKnight-Taylor, Ashley" <ataylor@votepinellas.gov>, Charles Kelly <kellylitigation@gmail.com>, tuckercarlson@gmail.com, Rogan O'Handley <dcdraino@gmail.com>
Bcc: [REDACTED]

I am requesting electronic records... That are in the possession of the Pinellas County Supervisor of Elections Office... I am not looking for paper printouts.

<https://www.myfloridalegal.com/print/pdf/node/2479>

But, thank you Matt. The electronic records that I am requesting appear to be covered by the Florida Attorney General Opinion letter...

Do you need me to provide a copy of the 2024 Sunshine Manual as well?

How many felonies and election crimes are you intent on covering up via your willful and knowing Official Misconduct Matt?

[Quoted text hidden]



<kellylitigation@gmail.com>

Tue, Aug 27, 2024 at 11:14 AM

To: "Smith, Matt" <masmith@votepinellas.gov>
Bcc: gleasonforpinellas@gmail.com

Mr. Smith,
This is the last time I will tolerate your harassment. I do not now, nor have I ever, represented Mr. Gleason. I have known Mr. Gleason since before I was an attorney. I have had "those conversations" with Mr. Gleason, but as he is a friend I put up with his indiscretions. You are not my friend, so please stop harassing me by emailing or cc'ing me on your correspondence with Mr. Gleason.

You are mistaken if you think I assisted Mr. Gleason with his current case against you and the Pinellas SOE, I did not. The Lanz v. Valdez case was from 2022, and had nothing to do with Mr. Gleason.

Mr. Gleason says I am the reason that he does what he does in local Florida elections because I take the time to listen to him, like any friend should. Most people discount what he has to say, but from an election integrity standpoint his perspective is invaluable, which is why there are several Attorneys General and Secretaries of State around the country investigating ActBlue based on Mr. Gleason's investigations, information, and analysis into systemic, institutionalized corruption.

When all you can do is fight him without listening to what he has to say, what am I to think? (Rhetorical)

<https://www.thegatewaypundit.com/2024/08/breaking-attorneys-general-virginia-missouri-wyoming-secretary-state/>

<https://www.thegatewaypundit.com/2024/08/texas-ag-ken-paxton-forces-actblue-tighten-security/>

<https://www.thegatewaypundit.com/2024/06/election-watches-peter-bernegger-exposes-actblue-finance-laundering/>

unless I am counsel of record in a case where you are also counsel of record.

[REDACTED]

Do I make myself clear? (Rhetorical)

(My attorney is BCC'd on this email.)

Good day.

Regards,
Charles

Charles Kelly Law, PLLC
Email: DON'T DO IT

Truth in a time of universal deceit is revolutionary, so do with your pen what in other times was done with the sword.

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Virus-free.www.avg.com

On Tue, Aug 27, 2024 at 10:31 AM Smith, Matt <masmith@votepinellas.gov> wrote:

Mr. Kelly – as you know, it would be an ethical violation for an attorney to communicate directly with a client who is represented. You really should have a conversation with Mr. Gleason if you do not want to be copied on emails that he addresses to us.

Furthermore, it appears that you assisted Mr. Gleason with one of his most recent filings, attached for your reference.

[Mr. Gleason says you are the reason that he does what he does in local Florida elections.](#) He says “it’s all him.” What am I to think?

Thanks,

Matt Smith

General Counsel

Representing Julie Marcus, Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

(727) 464-5751

masmith@votepinellas.gov

~~ILQVRDEHERRRDRROORMRWRWH3LEOOZ~~

~~SHJDRLOGDHPDDBGHVVHVBSEOLFHERGVJIRGRBWRBHPDDBGHVVHOHDHGLBVSROHWRSEOLFHERGVHTHVWGRBWWHQHOHEWRQFPDWR
WKLVBWLVWVHGERVWVWKLVRILFEHESKRBRLOVLOD~~

~~RRBHDHJLVOBLYGHJDRLOGDGLHFFLRBVGHERBRBOHEWYCFRVRBJLVWBVSEOLFVR6LGHVHDVBRBRBOHEWYCFRZHGLYOJBERPRBVSEVWDROLFELWGGHEJLVWBV
SEOLFVRBHVHBRBRBOHEWYCFRBBVWBLGGCOCISYDHHBRWWRERAVWILFLBRWHOPIRBSRBRVFLWRP~~

RP Charles Kelly <kellylitigation@gmail.com>
6HW Tuesday, August 27, 2024 9:20 AM
7R Smith, Matt <masmith@votepinellas.gov>
6EMHEW Re: Public Records Request

Mr Smith,

I have asked previously for you to stop addressing emails to me regarding Mr. Gleason's PRR requests.

Good day.

Best Regards,

Charles Kelly, Esq.

Charles Kelly Law, PLLC

Mail: [2406 E. State Road 60 #613, Valrico, FL 33594](#)

Cell: 813-368-1249

Email: kellylitigation@gmail.com

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[Quoted text hidden]

Your verbal public records request

Smith, Matt <masmith@votepinellas.gov> Tue, Jul 2, 2024 at 1:26 PM
To: Christopher Gleason <gleasonforpinellas@gmail.com>, "Grimes, Wendy" <WGrimes@votepinellas.gov>, "Chase, Dustin" <dchase@votepinellas.gov>, "citizenservices@myfloridalegal.com" <citizenservices@myfloridalegal.com>, "cig@eog.myflorida.com" <cig@eog.myflorida.com>, "rgualtieri@pcsonet.com" <rgualtieri@pcsonet.com>
Cc: Christopher Gleason <cpgleason72@gmail.com>, publicrecordsrequest <publicrecordsrequest@votepinellas.gov>, "dgonyea@npr.org" <dgonyea@npr.org>, "mebrown@ap.org" <mebrown@ap.org>, "tmcmanus@tampabay.com" <tmcmanus@tampabay.com>, "Peterschorsch@floridapolitics.com" <Peterschorsch@floridapolitics.com>, Ann Vandersteel <ann@annvandersteel.com>, "White, Jewel" <jwhite@pinellas.gov>

Mr. Gleason:

In the email sent on June 29, 2024, you assert that "there should be no cost for a candidate or member of the public to come into the office and physically inspect these manuals as they are 'Official Public Records.'" As you are aware, the court ruled against you on this point in "CHRISTOPHER GLEASON Vs. PINELLAS COUNTY SUPERVISOR OF ELECTIONS OFFICE, et al.," Case No. 23-006698-CI, Sixth Judicial Circuit, Pinellas County, Florida ("Doc. 20," attached).

Chapter 119, Florida Statutes, commonly referred to as Florida's Public Records Act, requires a records custodian to determine if the requested records exist, locate them, and review each one to determine if any are exempt from production. The agency may charge the special service charge authorized under s. 119.071(4)(d), F.S., for the cost of reviewing voluminous requested records for exempt material. (&LWRI6W 3HWHUVEJYRUFKVVWHURROGLW//& 331 So. 3d 799, Fla. 2d DCA 2021).

The Public Records Act does not distinguish between a 'candidate,' a 'member of the public,' or someone requesting to review, inspect, and copy records, whether in person, via email, or any other method. The agency is obligated to protect statutorily designated confidential information, such as information related to cybersecurity, and is entitled to recover the actual labor costs incurred to do so (see page 184, [2024 Sunshine Manual](#) "Part II, Public Records, Section G., Fees for Inspecting and Copying Public Records").

The Pinellas County Supervisor of Elections, in conjunction with the Pinellas County Attorney's Office, has a longstanding public records policy, including a policy to collect the special service charge for extensive public records requests. Our public records policy should be recognizable as it was part of the lawsuit referenced above in which the Judge affirmed the special service charge for another voluminous public records request (see "Exhibit A," attached).

Based on your written clarification as to the records you are currently seeking, these are the responsive documents we have located, along with the special service charge estimate for each record:

"ES&S Operators Manual for the Event Logs Services"

- Event Log Service User Guide -EVS (22 pages) \$171.64
- ES&S asserts that this document contains proprietary product information and/or proprietary procedures that are confidential or sensitive to ES&S, pursuant to §§815.045 and 812.081, Florida Statutes. Therefore, once we have received payment, the record will be sent to ES&S for review.
- Once ES&S has completed their review, the document will be reviewed by our office for confidential information pursuant to §119.0725, Florida Statutes.

"ES&S Operators Manual for the Election Management System"

- Election ware® Vol. I: Administrator Guide (116 pages) \$904.99
- Electionware® Vol. II: Define User Guide (184 pages) \$1,435.51
- Electionware® Vol. III: Design User Guide (302 pages) \$2,356.10
- Electionware® Vol. IV: Deliver User Guide (80 pages) \$624.13
- Electionware® Vol. V: Results User Guide (146 pages) \$1,139.04
- Electionware® Vol. VI: Appendices (315 pages) \$2,457.53

- ES&S asserts that these documents contain proprietary product information and/or proprietary procedures that are confidential or sensitive to ES&S, pursuant to §§815.045 and 812.081, Florida Statutes. Therefore, once we have received payment, the record(s) will be sent to ES&S for review.
- Once ES&S has completed their review, the documents will be reviewed by our office for confidential information pursuant to §119.0725, Florida Statutes.


“Event or audit logs from all election equipment for the 2024 Presidential Preference Primary”

- There are at least 7,875 pages responsive to your request. Pursuant to §119.0725, Florida Statutes, we are required to review and redact each page for confidential and/or exempt information. We estimate it will take approximately 131.25 hours to gather and redact the records we have that are responsive to your request, at a cost of \$7,562.63.

Please note, these are only estimates. The special service charge is based on the actual labor costs incurred by the Supervisor of Elections Office. Should further time and resources be required to fulfill this request, additional payment will be requested. Reimbursement will be provided should the task take less time and/or resources to complete than estimated. If you would like us to process your public records request, you must remit payment in cash or check to the Pinellas County Supervisor of Elections Office, [13001 Starkey Rd., Largo, FL 33773](#). If, after 30 days of this response you fail to remit payment, we will consider these public records requests closed.

[Quoted text hidden]

2 attachments

 **Doc 20 23-006698-CI.pdf**
280K

 **Exhibit A 23-006698-CI.pdf**
1368K

- **104.31(3)** prohibits the use of public resources or the authority of one's position to influence an election.

2. Florida Statutes 106.113(1):

- Prohibits the use of public funds for political advertisements or electioneering communications.

The image below would also appear another instance of the use of public funds for political advertisements or electioneering communications.

I look forward to your prompt compliance with my Public Records Request as any intentional delay and concealment of these Public Records would constitute a violation of 838.022(c).

When can I reasonably expect a response?

Warmest regards,

Christopher Gleason

SA6, PublicRecordsRequests <PublicRecordsRequests@flsa6.gov>
To: "gleasonforpinellas@gmail.com" <gleasonforpinellas@gmail.com>

Mon, Aug 19, 2024 at 1:27 PM

Please see attached letter.

Thank you,

Public Records

State Attorney's Office 6th Circuit

30HDVHEHDGYLVHGWKDW)DRULGDKDVDEURDGSEOLFUFHFRUGVODZDQGDQOERUUHVSRQGHQFHYLDHPDLOPDEHMEMHFWWRGL
/DZHPDLODGGUHVMDUHSEOLFUFHFRUG

From: Christopher Gleason <gleasonforpinellas@gmail.com>

Sent: Monday, August 5, 2024 5:40 PM

To: Chase, Dustin <dchase@votepinellas.gov>; Smith, Matt <masmith@votepinellas.gov>; publicrecordsrequest <publicrecordsrequest@votepinellas.gov>; fec@myfloridalegal.com; Grimes, Wendy <WGrimes@votepinellas.gov>; OECS@dos.myflorida.com; Roger Handberg <roger.handberg@usdoj.gov>; citizenservices@myfloridalegal.com; Bartlett, Bruce <BruceBartlett@flsa6.gov>; Maria.Matthews@dos.myflorida.com; Byrd, Cord <cord.byrd@dos.myflorida.com>

Cc: Charles Kelly <kellylitigation@gmail.com>

Subject: Public Records Request: Advertising Expenditures Pinellas County Supervisor of Elections Office

Custodian Public Records,

Pursuant to Article I, section 24 of the Florida Constitution, and Chapter 119, F.S., I am requesting the following: copies of **PUBLIC RECORDS** within the Pinellas Supervisor of Elections (SoE) office:

- **Invoices and receipt of payment for advertising expenditures for the following advertisement. That prominently features the VOTE Logo next to a picture of Julie Marcus, a candidate for Pinellas County Supervisor of Elections.**

- Any other advertisements, copy of advertisements or printings that have been paid for with taxpayer funds that prominently feature the logo VOTE next to the image of Julie Marcus Pinellas County Supervisor of Elections.
- Any and all Invoices and receipt of payment for the advertisements/printing of the above referenced electioneering materials.

The paid advertisement above particularly would appear to be violating the following:

1. ~~838~~ :
 - ~~2~~ prohibits public employees from participating in political campaigns while on duty.
 - ~~2~~ prohibits the use of public resources or the authority of one's position to influence an election.
2. ~~838~~ :
 - Prohibits the use of public funds for political advertisements or electioneering communications.


The image below would also appear another instance of the use of public funds for political advertisements or electioneering communications.

I look forward to your prompt compliance with my Public Records Request as any intentional delay and concealment of these Public Records would constitute a violation of 838.022(c).

When can I reasonably expect a response?

Warmest regards,

Christopher Gleason

 doc08123720240819125949.pdf
71K

