

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

Christopher Gleason,
Candidate for
Supervisor of Elections,
Pinellas County, Elector,
Citizen, and Taxpayer,

Plaintiff,

vs.

Case No.: 24-3995-CI
**PRIORITY HEARING REQUESTED
PER FLA. STAT. § 102.168**

Julie Marcus,
in her official capacity
as Supervisor of Elections for Pinellas County,
in her capacity as incumbent candidate for
Supervisor of Elections, Pinellas County

and **Pinellas County Canvassing Board,**

Defendants.

**VERIFIED COMPLAINT TO CONTEST ELECTION BASED ON FRAUD, OFFICIAL
MISCONDUCT, ILLEGAL REQUESTING OF VOTE-BY-MAIL BALLOTS,
CONCEALMENT OF PUBLIC RECORDS, AND VIOLATION OF LEGAL
REQUIREMENTS FOR VOTE-BY-MAIL BALLOTS**

Plaintiff, Christopher Gleason, pursuant to § 102.168, Florida Statutes, and other applicable law, files this Verified Complaint to Contest the Election held on August 20, 2024 in Pinellas County, Florida, and alleges as follows:

INTRODUCTION

This action challenges the integrity of the election process in Pinellas County, Florida, based on substantial evidence of fraud, official misconduct, illegal requesting and distribution of vote-by-mail ballots, and violations of legal requirements governing such ballots, the administration of the

election with electronic voting systems connected to the internet via wireless modems which resulted in the EAC Certification being void in its entirety. The administering of elections with electronic voting systems that do not meet the Florida statutory requirements for accuracy (1 Error in 1,000,000 Occurrences). The administration of the election night results reporting using VR Systems Inc, resulting in a statewide crash due to massive misfeasance, malfeasance and neglect of duty in securing the technology used in the tabulation and reporting of ballots cast by voters. Plaintiff seeks to disqualify all 219,675 vote-by-mail ballots requested on June 23, 2024, and all 22,011 vote-by-mail ballots sent to undeliverable addresses or to voters who no longer resided at those addresses but were returned and counted. Plaintiff seeks to invalidate the election in its entirety and hold a new election without the illegal vote by mail ballots, and the voting systems that had void certifications and exceeded the maximum allowable error rates required under Florida Statute. Such pervasive and systemic violations of law mandate judicial intervention to ensure the integrity of the electoral process.

JURISDICTION AND VENUE

1. On August 20, 2024, the Primary Election was held.
2. This is an action to contest the election of Pinellas County Supervisor of Elections in Pinellas County, Florida, pursuant to § 102.168, Florida Statutes.
3. This Court has jurisdiction over this matter pursuant to Article V, Section 5 of the Florida Constitution and § 102.1685, Florida Statutes.
4. Venue is proper in Pinellas County, Florida, as the acts and omissions complained of occurred in Pinellas County, and the defendants are officials of Pinellas County.

5. **A statement of the grounds of contest may not be rejected, nor the proceedings dismissed, by the court for any want of form if the grounds of contest provided in the statement are sufficient to clearly inform the defendant of the particular proceeding or cause for which the nomination or election is contested.**

6. The Canvassing Board is assembled under §102.141, Fla. Stat., and performs important duties related to vote-counting, vote-ascertaining, and certifying the results of elections for Pinellas County under the Florida Election Code. The Canvassing Board is a necessary and indispensable party to an action, including this one, under § 102.168, Fla. Stat.

7. Under § 102.168(1), Fla. Stat., this Court has jurisdiction over this election contest, while §102.168(4) requires that this election contest be brought against both Marcus and the Canvassing Board.

8. Any candidate, qualified elector, or taxpayer presenting such a contest to a circuit judge is entitled to an immediate hearing. However, the court in its discretion may limit the time to be consumed in taking testimony, with a view therein to the circumstances of the matter and to the proximity of any succeeding election.

PARTIES

4. Plaintiff, Christopher Gleason, is a registered elector, citizen, taxpayer of Pinellas County, Florida, and a candidate for the office of Supervisor of Elections in the 2024 primary election.

5. Defendant, Julie Marcus, is the Supervisor of Elections for Pinellas County, Florida, responsible for overseeing the conduct of elections in the county, and the incumbent candidate for

Supervisor of Elections for Pinellas County also on the ballot in the August 20, 2024 Primary Election.

6. Defendant, Pinellas County Canvassing Board, is the entity responsible for canvassing the election returns in Pinellas County and certifying the results.

THE ELECTION

7. The vote results, aggregating votes made on the election day, early vote and vote-by-mail purportedly show Marcus defeating Gleason by 133,141 to 24,937 votes. **See Exhibit A**

8. The Canvassing Board met on August 23, 2024 and confirmed this final vote tally. On this basis, the Canvassing Board certified Marcus as the winner of the Seat and, upon information and belief, issued a certificate to Marcus under § 102.155, Fla. Stat, that certifies Marcus as the winner of the seat.

FACTUAL ALLEGATIONS

Illegal Requesting and Issuance of Vote-by-Mail Ballots

9. According to official election records that the Pinellas County Supervisor of elections submitted to the Florida Secretary of State Division of Elections, on Sunday, June 23, 2024, a day that the Pinellas County Supervisor of Elections was closed, 219,675 vote-by-mail ballots were illegally requested in violation of Fla. Stat. § 101.62.

10. Fla. Stat. § 101.62 mandates that vote-by-mail ballot requests must be made by the voter or an immediate family member designated by the voter.

11. According to Fla. Stat. § 101.62 there are only three methods for a voter to request the vote-by-mail ballot: A request may only be made in person, in writing, by telephone, or through the supervisor's website. This statute requires strict compliance, as the Florida Supreme Court has

long held that any deviation from statutory requirements that affects the integrity of the ballot must be strictly scrutinized. In *Boardman v. Esteva*, 323 So. 2d 259, 269 (Fla. 1975), the Court emphasized that “[t]he purpose of the election laws is to ascertain the will of the people, and any substantial failure to comply with those laws that could affect the results of an election cannot be overlooked.” The Court further noted that even minor deviations from statutory requirements that compromise the integrity of the voting process must be scrutinized.

12. In the context of vote-by-mail ballots, Florida law is explicit in its requirements for requesting and processing such ballots. Under Fla. Stat. § 101.62, a vote-by-mail ballot request must be made by the voter or by an immediate family member or legal guardian on behalf of the voter. This statute mandates strict compliance, and any deviation from these requirements renders the ballots void as a matter of law.

13. The systemic issue of illegally requested and sent vote-by-mail ballots is a clear violation of the strict compliance standard established by the Florida Supreme Court. The unlawful ordering of 219,675 vote-by-mail ballots in Pinellas County on a day when the Supervisor of Elections' office was closed, and the subsequent use of these ballots, violates both Fla. Stat. § 101.62 and established case law, such as *Beckstrom v. Volusia County Canvassing Board*, 707 So. 2d 720 (Fla. 1998). In *Beckstrom*, the Court emphasized that election laws are to be strictly followed, particularly when dealing with absentee or vote-by-mail ballots, as any deviation could lead to the disenfranchisement of voters or the alteration of election outcomes.

14. It is mathematically impossible to claim that on Sunday June 23, 2024, so many Pinellas County voters (219,675) would suddenly decide to request a vote-by-mail ballot.

15. If the Pinellas County Supervisor of Elections Office was closed on 06/23/2024 as it was a Sunday, there is no way possible for voters to have made the request via telephone, or in person, in writing.

16. There is only one possible legal explanation available, this would be if all 219,675 Pinellas County voters decided to request their vote by mail ballots via the Pinellas County Supervisor of Elections website, via VR Systems Inc voter focus functionality all on the same day. If this was the case there would be a log available that shows each voter logging in and requesting their vote-by-mail ballot. This explanation is also mathematically impossible.

17. The only logical and feasible possible explanation is that either Julie Marcus and her co-conspirators requested these vote-by-mail ballots for all 219,675 Pinellas County voters or someone at VR Systems Inc requested these vote-by-mail ballots. In either case Fla Stat. § 101.62 and § 104.0616 are being violated willingly and knowingly in a widespread and systematic fraudulent manner.

18. Despite the clear statutory mandate of Fla. Stat. § 101.62, these 219,675 illegal requests were processed without proper verification, and the 219,675 illegally requested vote-by-mail ballots made on Sunday June 23, 2024 without the required statutory consent or knowledge of the voters. **See Exhibit B**

19. On or around July 16, 2024, approximately 234,733 vote by mail ballots were sent out to Pinellas County voters. This is according to the Florida Department of State, Division of Elections Statewide Vote By Mail Early Voting Report available for direct download for candidates at the following url:
<https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports> ,

20. Of the 219,675 illegally requested vote-by-mail ballots that were sent to Pinellas County Voters, there were 35,756 vote-by-mail ballots sent out to voters at mailing addresses where the registered voters no longer resided, to addresses that were classified as vacant or undeliverable as addressed or with some classification that guaranteed the voter would not receive the vote by mail ballot. This determination was via the United State Postal Service deliverability database and the National Change of Address Databases. **See Exhibit C**

21. These 35,756 undeliverable vote-by-mail ballots should have been returned to the Pinellas County Supervisor of Elections office by the United States Postal Service in accordance with the law and United States Postal regulations.

Undeliverable Ballots Returned and Counted

22. Subsequent Statewide Vote By Mail Early Voting Reports revealed that of the 35,756 the vote-by-mail ballots that were sent to addresses where the voters no longer resided at or were classified as vacant or undeliverable as addressed, many thousands ended up being shown as having been cast and counted in the vote-by-mail canvassing.

23. Shockingly, 22,011 of the 35,756 vote-by-mail ballots were fraudulently shown as cast and counted in the election, which is a direct violation of the principles established by the Florida Supreme Court in *Beckstrom v. Volusia County Canvassing Board*, 707 So. 2d 720 (Fla. 1998), which emphasized that strict compliance with statutory election procedures is essential to maintaining the integrity of the electoral process.

24. Furthermore, the subsequent Statewide Vote-By-Mail Early Voting Report shows 114,739 vote-by-mail ballots of the 219,675 illegally requested vote-by-mail ballots, being shown as counted and cast.

25. The 114,739 illegally requested vote-by-mail ballots and the 22,011 vote-by-mail ballots sent to addresses where the voters no longer resided or to undeliverable as addressed materially affected the outcome of every single race in the August 20, 2024 election and raises significant concerns about the accuracy and legitimacy of the election results.

Concealment of Public Records – Concealment of Election Records

26. Plaintiff as a qualified candidate for the office of Supervisor of Elections requested the detailed information related to all the vote by mail ballots that had been returned as undeliverable to the Pinellas County Supervisor of Elections Office. Defendant Julie Marcus and her co-conspirators unlawfully concealed and delayed these critical ballot chain of custody requests in an attempt the prevent the Plaintiff from being able to identify the fraudulently cast vote-by-mail ballots in a timely manner in order to obtain a significant benefit Defendant Julie Marcus and others. **See Exhibit D**

27. Plaintiff as a qualified candidate for the office Supervisor of Elections, as well as other affected Pinellas County voters made public records requests for the election records of the 219,675 illegally requested vote by mail ballots made on Sunday June 23, 2024 pursuant to Fla. Stat. 101.62, and Chapter 119. Again, Defendant Julie Marcus and her co-conspirators willfully, knowingly and unlawfully concealed and delayed these critical ballot chain of custody requests in an attempt the prevent the Plaintiff from being able to identify the fraudulently requested vote-by-mail ballots in order to benefit Defendant Julie Marcus and others. See attached sworn affidavits from Pinellas County Voters stating that they did not request vote by mail ballots to be sent to them on 06/23/2024 as was reported by Defendants Julie Marcus, Dustin Chase and Matt Smith. **See Exhibit E**

28. Plaintiff Gleason requested public records and official election records related to the chain of custody for the returned vote by mail ballots and for the illegally requested vote by mail ballots via the USPS and via Pinellas County Drop boxes. These requests too were willfully and knowingly concealed, delayed, or denied by the Defendant Julie Marcus, Supervisor of Elections and her co-conspirators. **See Exhibit F**

29. These election records have unlawfully been withheld from the Plaintiff in direct violation of 101.62, Chapter 119 and in violation of Fla. Stat. § 838.022, which criminalizes the falsification, concealment, delay or destruction of official records. The Florida Supreme Court has consistently held that such concealment violates the transparency required in the electoral process and further undermines public confidence in the election (*Gore v. Harris*, 772 So. 2d 1243 (Fla. 2000)).

30. The willful and knowing concealment, and unlawful delays by Defendants Julie Marcus, the Pinellas County Supervisor of Elections and her co-conspirators Dustin Chase and Matt Smith of these records has intentionally been used to impede the ability to verify the legality of the ballots cast, significantly compromising the transparency and integrity of the election.

31. This unlawful activity by Defendant Julie Marcus and her co-conspirators to knowingly and intentionally obtained a benefit for Defendant Julie Marcus and her co-conspirators and has caused significant unlawful harm to Pinellas County Electors, other Pinellas County Candidates for office, and taxpayers.

32. Through a conspiracy to obstruct, delay, and prevent the communication of information relating to the commission of no less than 219,675 individual felonies, that directly involves or affects the government entity served by the public servant or public contractor.

Defendant Julie Marcus has caused significant harm to Plaintiff, other Pinellas County electors and taxpayers and created a constitutional crisis that must be remedied by the court.

33. Defendants Julie Marcus, Dustin Chase, Matt Smith and their co-conspirators have engaged in this similar pattern of fraudulent activity and official misconduct over numerous election cycles beginning under her time as Deputy Supervisor of Elections going back as far as 2009.

34. Defendant Marcus and her co-conspirators have illegally administered elections beginning on 2009 on ES&S electronic voting systems that connect to the internet via modems. The connectivity of modems, network devices and FIPS modules to the ES&S Tabulators voided the United States Election Assistance Commission Certifications in their entirety. **See Exhibit G**

35. The Florida Election System certification depends upon the United States Election Assistance Commission (EAC) Certification. If the EAC certification is void in its entirety so is the Florida State Certification. **See Exhibit H**

36. The ES&S electronic voting systems do not meet the Federal standards for maximum allowable error rate of 1 error in 125,000 occurrences. **See Exhibit I**

37. The ES&S electronic voting systems do not meet the Florida standards of accuracy of 1 error in 1,000,000 occurrences. **See Exhibit J**

38. To conceal the evidence of the ES&S systems failure to meet minimum security standards and minimum accuracy standards Defendant Julie Marcus and her co-conspirators have unlawfully withheld, concealed and altered election records.

39. The use of uncertifiable voting systems, with certifications that were void in their entirety has effectively disenfranchised every single voter in Pinellas County Florida.

40. The ES&S voting systems, in use in Pinellas County since 2009 are responsible for the illegal adjudication of voters ballots as being 100% Blank when they were not in fact 100% Blank. **See Exhibit K**

41. This scheme to administer elections with these highly defective voting systems has created a Constitutional crisis where voters ballots and their votes have been deleted. These fraudulent actions have actually disenfranchised Pinellas County Voters and nullified the electors will and intent.

42. Defendant Julie Marcus and her co-conspirators have repeatedly and falsely claimed that a Blank Ballot is not a 100% Blank Ballot. Despite the fact that there is overwhelming and irrefutable evidence to the contrary. **See Exhibit K**

43. Defendant Julie Marcus and her co-conspirators have repeatedly and falsely claimed that a Blank Ballot is an “under vote ballot”. This false statement made by Marcus and her co-conspirators is in direct conflict with numerous United States Election Assistance Commission Statutory Surveys, including the ones personally submitted by Maria Matthews the current Florida Director of Elections for the years 2012, 2014, and 2016. **See Exhibit L**

44. Defendant Julie Marcus and her co-conspirators altered official election reports to conceal the 100% Blank Ballot scheme that actually disenfranchised many thousands of Pinellas County Voters and Candidates during the 2018, 2020, 2022 and now 2024 elections. **See Exhibit**

M

45. Defendant Julie Marcus and her co-conspirators illegally withheld ES&S Operator Manuals using false declarations of copyright, trade secret claims or unreasonable special service charge fees and unreasonable delays of time. Despite there being a Florida Attorney General opinion AGO 2003-26 advising that the manuals were in fact public records open to inspection by the public. <https://www.myfloridalegal.com/print/pdf/node/2169> **See Exhibit N**

46. Defendant Julie Marcus and her co-conspirator also falsely claimed that the Machine Configuration Reports, Machine Logs and Audit logs were not subject to public records requests due to false claims and denials based on trade secrets, copyright and critical infrastructure exemptions to disclosure. **See Exhibit O**

47. Defendant Julie Marcus also conspired to hide public records regarding the administration of elections and ballot chain of custody in order to conceal the fraudulent activities and official misconduct of her and her co-conspirators.

48. Perhaps, one of the most egregious concealment, delays and unlawful refusals to provide elections records, was when during the 2020 election Defendant Julie Marcus conspired with Sheriff Bob Gualtieri to allow then candidate Bob Gualtieri and his deputies to take possession of the very same ballots that Bob Gualtieri and Julie Marcus were both candidates on. **See Exhibit P**

49. When Public records requests were made for the chain of custody documents for the Pinellas County Sheriff and his deputies taking possession of ballots and the delegated legal authority for candidates for office to handle the very same ballots that they were candidates Defendant Marcus claimed that there were no responsive records. **See Exhibit Q**

