

**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**

50. Defendant Julie Marcus and her co-conspirators made numerous false and malicious statements to the Tampa Bay Times about Gleason and the statutory definition of what a 100% Blank Ballot was, labeling Gleason as an “Election Denier”, and claiming that Gleason’s claims were debunked and categorically false. **See Exhibit R**

51. Defendant Julie Marcus unlawfully used public funds to help promote her campaign via advertising in publications to get out the vote and to sign up to receive a vote-by-mail ballot. Then concealed and delayed the costs related to the production of, mailing of and mailing of these electioneering material paid solely with Pinellas County Taxpayer fund. **See Exhibit S**

52. Defendant Julie Marcus unlawfully used public funds to corruptly promote her candidacy by sending out sample ballots to Pinellas County Voters with a VOTE logo, next to a picture of Julie Marcus, then her name, the Supervisor of Elections. This unlawful use of Public Funds and resources is particularly egregious due to the total expenditure of taxpayer funds for marketing her campaign. **See Exhibit T**

53. Defendant Julie Marcus and her co-conspirators then unlawfully concealed and delayed these expenditures made with public funds that she used to market her campaign using “Official Election Mail”. **See Exhibit U**

54. For numerous years Marcus had previously falsely claimed that the ES&S voting systems were not connected to the internet. After whistleblowers came forward and provided evidence that they did have modems and they were connected to the internet Marcus retaliated against the whistleblowers.

55. On election night the ES&S voting systems “were connected” to the internet via wireless modems to transmit election results.

56. VR Systems Election Night Reporting systems all went down resulting in a statewide crash of election results of most Florida counties.

57. The Pinellas County Canvassing Board and Julie Marcus the incumbent Supervisor of Elections rushed to certify the election results before an investigation of the VR Systems Inc failures related to election night reporting of results and an investigation into the 219,675 illegally made requests for vote-by-mail ballots also made via VR Systems Inc on Sunday June 23, 2024 a day that no requests for vote-by-mail ballots could be made other than by the same Pinellas County Supervisor of Elections website that was provided by VR Systems Inc as part of their contracts with the Pinellas County Supervisor of Elections Office.

58. Defendant Julie Marcus knowingly and willingly allowed non-US Citizens to register to vote in Pinellas County Elections by intentionally not verifying if these newly registered voters were in fact United States citizens. violating her Constitutional duty to ensure only US Citizens were being registered to vote.

COUNT I: ELECTION CONTEST BASED ON FRAUD

59. Plaintiff re-alleges and incorporates by reference the allegations in paragraphs 1 through 58 as if fully set forth herein.

60. The unauthorized requesting and issuance of 219,675 vote-by-mail ballots, subsequently then returned, cast and counted votes on the 114,739 illegally requested, vote-by-mail ballots, as well as the 22,011 undeliverable ballots, that also were reflected as being returned, cast and counted, then the conspiracy to delay and conceal related public records/election records documenting the unlawful requests constitute fraud under § 102.168(3)(a), Florida Statutes.

Section 104.047, Florida Statutes: Governs fraudulent acts related to absentee ballots, including

the illegal possession and marking of ballots. “[W]hen there is present fraud and intentional wrongdoing, which clearly affect the sanctity of the ballot and the integrity of the election process, courts must not be reluctant to invalidate those elections to ensure public credibility in the electoral process.” (*See Bolden v. Potter (1984) 452 So. 2d 564, 566.*)

61. These fraudulent actions violated **Section 104.047, Florida Statutes** which governs fraudulent acts related to absentee ballots, including the illegal possession and marking of ballots. Violations under this statute are felonies, making them a crucial point in challenging election results, directly impacted the integrity of the election, rendering the results unreliable and void. The number of illegal ballots cast far exceeds the margin of victory, which necessitates judicial intervention to protect the sanctity of the electoral process.

62. “Chapter 104 by the 1951 enactment, makes unlawful a variety of acts which subvert the elective process, e.g., false swearing, fraud in connection with casting a vote, corruptly influencing voters, illegal voting, and any act by an official who wilfully and fraudulently violates any of the provisions of the election code.” (*See State v. Brown (1974) 298 So. 2d 487, 489.*)

“Section 104.041, Florida Statutes...forbids fraudulent conduct in connection with any vote...” (*See Trushin v. State (1980) 384 So. 2d 668, 678.*)

“The offense against the purity of elections and good morals would be just as flagrant if, by means of money, one should induce another who was not registered to fraudulently cast a vote to which he was not entitled, as if the corrupted voter was duly entitled to vote.” (*See id; State v. McCrocklin (1917) 186 Ind. 277, 115 N.E. 929.*)

“It is possible that one who has not registered may, by assuming to be a person whose name appears upon the list, fraudulently induce the election managers to allow him to vote, and certainly, if he was induced to vote this fraudulent ticket by the use of money, he who induced him to commit this double crime would come as much in the purview of the statute as one who corrupted the franchise of a voter duly registered.” (See *id.*)

63. Plaintiff seeks an order from this Court declaring the election results void and disqualifying all 219,675 vote-by-mail ballots requested on June 23, 2024, all 114,739 illegally requested and returned, cast and counted vote by mail ballots, and all 22,011 ballots that were sent to undeliverable addresses or to voters who no longer resided at those addresses yet were returned as being cast. **State ex rel Whitley v. Rhinehart, 192 So. 818 (Fla. 1939)**: This case supports the principle that absentee voting laws, being in derogation of common law, must be strictly construed. This would argue against any leniency or substantial compliance in cases involving absentee ballots.

COUNT II: ELECTION CONTEST BASED ON OFFICIAL MISCONDUCT

64. Plaintiff re-alleges and incorporates by reference the allegations in paragraphs 1 through 58 as if fully set forth herein.

65. The actions of the Supervisor of Elections in authorizing or failing to prevent the unauthorized requesting and subsequent issuance of illegal vote-by-mail ballots, the counting of fraudulently cast undeliverable ballots, and the concealment of related chain of custody records constitute official misconduct under § 102.168(3)(b), and 838.022 Florida Statutes.

66. The official misconduct materially affected the election results, requiring the election to be set aside. The Florida Supreme Court’s decision in *Beckstrom v. Volusia County*

Canvassing Board confirms that strict compliance with election laws is not optional but mandatory, particularly when such violations have the potential to alter the election outcome.

67. Plaintiff seeks an order from this Court declaring the election results void and ordering a new election for the offices contested in the August 20, 2024 election.

**COUNT III: ILLEGAL REQUESTING OF VOTE-BY-MAIL BALLOTS,
ILLEGAL DELIVERY OF VOTE-MAIL-BALLOTS AND ILLEGAL CASTING OF
VOTE-BY-MAIL BALLOTS**

68. Plaintiff re-alleges and incorporates by reference the allegations in paragraphs 1 through 58 as if fully set forth herein.

69. The issuance of 219,675 vote-by-mail ballots without proper requests, including those made by unauthorized individuals, violates § 101.62 and § 104.0616, Florida Statutes, and constitutes an illegal act that affected the outcome of the election.

70. The strict compliance standard articulated by the Florida Supreme Court in *Boardman v. Esteva* mandates that such illegal activities invalidate the affected ballots and any election results based on them. **State ex rel Whitley v. Rhinehart, 192 So. 818 (Fla. 1939)**: supports the principle that absentee voting laws, being in derogation of common law, must be strictly construed. This would argue against any leniency or substantial compliance in cases involving absentee ballots. **Spradley v. Bailey, 292 So. 2d 27 (Fla. 1st DCA 1974)**: Reinforces the notion that strict compliance with absentee voting requirements is mandatory. Any deviations from statutory mandates in the processing of absentee ballots could be grounds for invalidation of those ballots.

71. Sections 104.041 and 104.051 of the Florida Statutes governs fraud in connection with casting a vote. The rule states that “[a]ny person perpetrating or attempting to perpetrate or aid in the perpetration of any fraud in connection with any vote cast, to be cast, or attempted to

be cast, is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.” (See Fla. Stat. § 104.04.)

72. “Any official who performs his or her duty as prescribed by this election code fraudulently or corruptly is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.” (See Fla. Stat. § 104.05.)

73. Plaintiff seeks an order from this Court disqualifying all 219,675 vote-by-mail ballots requested on June 23, 2024, and declaring the election results void.

COUNT IV: CONCEALMENT OF PUBLIC RECORDS

74. Plaintiff re-alleges and incorporates by reference the allegations in paragraphs 1 through 58 as if fully set forth herein.

75. The willful, knowing, intentional delay, concealment, removal, alteration, and/or destruction of official public records related to elections by the Defendant Julie Marcus and her co-conspirators. This 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, and 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, constitutes prima facie evidence of the violation of § 838.022, Florida Statutes titled Bribery – Official Misconduct, and a clear violation of 52 U.S. Code § 20702 - Theft, destruction, concealment, mutilation, or alteration of records or papers; penalties

76. This concealment was willingly, knowingly and intentionally done with the intent to obstruct the investigation into the illegal issuance and fraudulent casting of ballots, directly impacting the outcome of the election. The Florida Supreme Court in *Gore v. Harris* emphasized

the need for transparency and the unlawful nature of such concealment. *Gadd v. News-Press Publishing Co.*, 412 So 2d 894 (Fla. 2d DCA 1982): underscores that the intentional misrepresentation to obstruct access to public records constitutes unlawful concealment and misconduct. This misrepresentation of the time to produce records in this case aligns with the misconduct identified in Gadd.

77. The unlawful refusals, concealment and delays of information related to chain of custody of vote-by-mail ballots has materially impacted the outcome of the election and has harmed the Plaintiff, other candidates for office and the electors of Pinellas County.

78. Plaintiff seeks an order from this Court declaring the election results void and disqualifying all ballots associated with the concealed records and all ballots tabulated using uncertifiable voting systems, which were connected to the internet via a wireless modem or network device which voided the EAC certification for the voting system in its entirety.

COUNT V: FRAUD RELATED TO CASTING BALLOTS RETURNED AS UNDELIVERABLE

79. Plaintiff re-alleges and incorporates by reference the allegations in paragraphs 1 through 58 as if fully set forth herein.

80. The fraudulent casting of 22,011 ballots that had been returned as undeliverable constitutes a serious violation of Florida election laws, undermining the integrity of the election. The Florida Supreme Court has held that such systemic violations justify the voiding of affected ballots (*Beckstrom v. Volusia County Canvassing Board*). The fraudulent actions materially affected the outcome of the election, requiring judicial intervention to ensure the accuracy and fairness of the election results. It is well settled that “§ 104.041 includes within its proscriptions attempts to perpetrate the prohibited conduct. Thus whether or not the ballot was valid, one can be

guilty of an attempt to perpetrate a fraud prohibited by the statute.” (*See Trushin v. State (1980) 384 So. 2d 668, 678.*)

81. Plaintiff seeks an order from this Court declaring the election results void and disqualifying all 219,696 illegally requested vote -by-mail ballots and 22,011 vote-by-mail ballots that were sent to undeliverable addresses or to voters who no longer resided at those addresses yet were fraudulently returned as being cast.

COUNT VI: FRAUD RELATED TO REGISTERING NON-US CITIZENS TO VOTE

82. Plaintiff re-alleges and incorporates by reference the allegations in paragraphs 1 through 58 as if fully set forth herein.

83. Defendant Julie Marcus and her co-conspirators have not conducted proper voter roll maintenance, and have allowed non-US Citizens to register to vote by not verifying that every voter on the voter roll is in fact a US Citizen. This is a clear violation of her Constitutional duty and a clear violation of numerous provisions of **HAVA (Help America Vote Act), 52 U.S. Code § 20507.**

84. Any official who performs his or her duty as prescribed by this election code fraudulently or corruptly is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

COUNT VII: FRAUD RELATED ADMINISTERING ELECTIONS ON VOTING SYSTEMS THAT EXCEED MAXIMUM, ALLOWABLE ERROR RATES, CONNECED TO THE INTERNET, WITH VOID CERTIFICATIONS

85. Plaintiff re-alleges and incorporates by reference the allegations in paragraphs 1 through 58 as if fully set forth herein.

86. Defendant Julie Marcus, has knowingly and willingly administered elections, using voting systems, that were connected to the internet via wireless modems, voiding the United States Elections Assistance Commission certification in its entirety.

87. Defendant Julie Marcus knowingly and willingly administered elections using electronic voting systems that illegally adjudicated voters ballots as being 100% Blank, in such scope and scale that it materially impacted every election that she administered. Defendant Julie Marcus also conspired to conceal and delay the communication of this information in a manner that prevented the communication of information related to the commission of felonies being committed within the Pinellas County Supervisor of Elections Office, a clear violation of Fla. Stat. 838.022(c).

88. Defendant Julie Marcus repeatedly misrepresented the facts about these activities to the public and to the voters of Pinellas County Florida.

COUNT VIII: MISCONDUCT, CORRUPTION, USE OF PUBLIC FUNDS, RESOURCES FOR ELECTIONEERING PURPOSES

89. Plaintiff re-alleges and incorporates by reference the allegations in paragraphs 1 through 58 as if fully set forth herein.

90. **Fla. Stat. 104.31(2)** restricts certain political activities by public officers, employees, and candidates, such as using their authority to influence elections. Violations of this statute, involving election officials using their office to interfere with the election process, are considered "misconduct."

91. **Fla. Stat. 106.113(1)** prohibits local governments from spending public funds to promote or oppose any candidate or ballot measure. Defendant Julie Marcus, Supervisor of Elections engaged in this activity, and directly violated this statute and constitutes "misconduct"

under **Fla. Stat. 102.168**, by sending out Sample Ballots that clearly and prominently were printed saying VOTE: Julie Marcus Supervisor of Elections and were used as electioneering/campaign marketing materials in such a manner in which these marking/electioneering materials affected the election outcome.

92. Defendant Julie Marcus Supervisor of Elections' violations of these statutes involved exerting undue influence over the election, altering the electoral process, and engaged in activity that lead to biased results, indeed serve as valid grounds for an election challenge based on "misconduct."

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, Christopher Gleason, respectfully requests that this Court:

1. Take jurisdiction over this matter and grant Plaintiff a hearing on this Complaint;
2. Declare the results of the August 20, 2024 election in Pinellas County, Florida, void due to fraud, official misconduct, illegal requesting of vote-by-mail ballots, the concealment of public records, the fraudulent casting of ballots returned as undeliverable, the use of uncertifiable voting systems that connected to the internet via wireless modems and network devices that voided the voting systems certifications in their entirety, and the cyber security issues related to the reporting of election data and election results by VR Systems Inc massive failure in every Florida County that they served.
3. Disqualify all 219,675 vote-by-mail ballots requested on June 23, 2024, and all 22,011 vote-by-mail ballots that were sent to undeliverable addresses or to voters who no longer resided at those addresses yet were returned as being cast;

4. Cancel any illegally requested vote by mail ballots, made by Defendant Julie Marcus and her co-conspirators, and ensure that strict compliance with Fla Stat. 101.62 is in place going forward.

5. Order a new election for the offices contested in the August 20, 2024 election; to be administered on one day, with no early voting or vote-by-mail ballots, and manual hand count of all paper ballots cast.

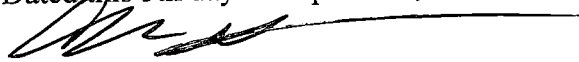
6. Grant Plaintiff an award of attorneys' fees and costs, if applicable; and

7. Grant such other and further relief as this Court deems just and proper.

VERIFICATION

I, Christopher Gleason, verify under penalty of perjury that the facts stated in this Verified Complaint are true and correct to the best of my knowledge and belief.

Dated this 5th day of September, 2024.



/s/ Christopher Gleason

Christopher Gleason

1628 Sand Key Estates Court

Clearwater, FL 33767

727-480-2059

gleasonforpinellas@gmail.com

ProSe

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished by process server to Julie Marcus and the Pinellas County Canvassing Board this 5th day of September 2024.

Christopher Gleason