Filing # 207993048 E-Filed 10/01/2024 10:36:03 AM

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

CHRISTOPHER GLEASON,

Plaintiff,

CASE NO.: 24-003995-CI
UCN:522024CA003995XXCICI

v.

JULIE MARCUS, in her official capacity as Pinellas County Supervisor of Elections; and the **CANVASSING BOARD OF PINELLAS COUNTY**
Defendants.

AFFIDAVIT OF CHRISTOPHER GLEASON REGARDING CHAIN OF CUSTODY AND ANALYSIS FOR STATEWIDE VOTE BY MAIL EARLY VOTING LIST

STATE OF FLORIDA
COUNTY OF PINELLAS

BEFORE ME, the undersigned authority, personally appeared Christopher Gleason, who, being duly sworn, deposes and says as follows:

1. Affiant's Identity:

ELECTRONICALLY FILED 10/01/2024 10:36:02 AM: KEN BURKE, CLERK OF THE CIRCUIT COURT, PINELLAS COUNTY

My name is Christopher Gleason, and I am the plaintiff in the above-captioned case. I am over the age of 18, competent to make this affidavit, and have personal knowledge of the facts stated herein.

2. Purpose of Affidavit:

This affidavit is made to establish the chain of custody for the Statewide Vote By Mail Early Voting List (the "Voting List") that I obtained directly from the Florida Division of Elections at the following url:

https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports

3. Acquisition of Voting List:

On or about and between the dates of 07/14/2024 – 09/29/2024, I personally accessed the Florida Division of Elections secure online system for authorized individuals as clearly stated in FL Stat 101.62 and FAC 1S-2.043. I used the following secure URL:

https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports

provided to me by the Division of Elections to download the daily updates of the Statewide Vote By Mail Early Voting List.

4. Secure Download Process:

The Florida Division of Elections provided me access to the Voting List via the following secure link

https://countyballotfiles.floridados.gov/VoteByMailEarlyVotingReports/Reports , which required my unique login credentials provided by the Division. These credentials were assigned specifically for my use as a registered recipient of the Voting List after directly registering with the State at the following url: https://countyballotfiles.floridados.gov/Account/Register

5. Receipt of Voting List:

Upon logging into the secure platform between the dates of 07/14/2024 to 09/29/2024, I downloaded the Voting List, which was provided in .txt and/or .zip format. I saved the downloaded files directly to my computer under secure conditions, ensuring that the data was not altered.

6. Handling and Storage:

After downloading the Voting List, I took immediate steps to preserve the integrity of the data. The files were securely stored on my computer, which is protected by encryption and password protection. No unauthorized individuals had access to the Voting List from the time I downloaded it until it was submitted in connection with this case.

7. Integrity of the Data:

I affirm that the Voting List downloaded from the Florida Division of Elections has not been altered, modified, or tampered with in any way. The files I obtained

are in the same condition as when I downloaded them directly from the Division's secure platform.

8. Submission of Voting List:

I am submitting the Voting List as evidence in this case. The data submitted is a true and accurate copy of what I obtained from the Florida Division of Elections, and it is presented in its original, unaltered form.

9. Affirmation of Chain of Custody:

I attest that I was the sole individual who downloaded, handled, and maintained the Voting List from the time of its acquisition until its submission in this case. The chain of custody has remained intact, and there have been no unauthorized accesses or alterations to the Voting List.

10. Illegally Requested Vote By Mail Ballots/ Altered Vote By Mail Election Records

I attest that on 09/03/2024 I reviewed the Pinellas County Vote By Mail Ballot Reports.

The Pinellas County Report showed that 219,675 Vote By Mail Ballots were requested on Sunday 06/23/2024. The Pinellas County Supervisor of Elections Office was closed for business on 06/23/2024.

I attest that on 09/29/2024 I reviewed the Pinellas County Report, it showed that there were now 20 Requests for Vote By Mail Ballots requested on 06/23/2024 and that now 198,166 requests for Vote By Mail Ballots were made on 09/09/2024.

11. Public Records Requests Made To Miami Dade and Pinellas County Supervisor of Elections Offices.

I attest that Public Records Requests were made to the Pinellas County Supervisor of Elections Office for the Public Records/ Election Records documenting the Vote By Mail Ballot Requests by voters.

An estimate of 18,000 hours to complete this task was provided. To provide the responsive records, this information would take less than 5 minutes to generate.

VR Systems publicly available product documentation for Vote By Mail Reports can be readily found available on the internet at the following url:

https://content.vrsys.co/help/vf/Content/Vote_by_Mail/List_of_Vote-by-Mail_Reports.htm See Exhibit 2

A request was made for the IP Addresses of the voters who made the Vote By Mail Ballot Requests on 06/23/2024 via the Supervisor of Elections Office.

See Exhibit 3

The Pinellas County Supervisor of Elections custodian of records stated that there were no "Responsive Records" related to these Vote By Mail Requests.

See Exhibit 4

This information could also be easily provided via the VR Systems Reporting Functionality as documented on the VR Systems publicly available website url:

https://content.vrsys.co/help/vf/Content/Vote_by_Mail/Dialog_Web_Vote-by-Mail_Request_Queue.htm . See Exhibit 5

12. Numerous Requests For Vote By Mail Ballots Being Returned As Undeliverable Were Made

I attest that this information was never provided in a timely manner, despite the fact that to provide this information could have easily been generated in under 5 minutes. The information related to generating and processing undeliverable vote by mail ballots is well documented at the following publicly available VR Systems website url:

https://content.vrsys.co/help/vf/Content/Voter_Registration/How_to_Process_Undeliverable_Mail%20and%20Third-Party%20Address%20Changes.htm
See Exhibit 6

FURTHER AFFIANT SAYETH NAUGHT.

Dated this 29th day of Sept, 2024.

Christopher Gleason

Plaintiff

NOTARY ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF PINELLAS

SWORN TO and subscribed before me this 29th day of Sept, 2024 by Christopher Gleason, who is personally known to me or who has produced FL Drivers License as identification.

Notary Public

State of Florida

My Commission Expires: [insert date]

[Seal]

NOTARY PUBLIC STATE OF FLORIDA

CHRISTINE PETERS
Commission # HH 496653
Expires February 26, 2028

EXHIBIT 2

List of Vote-By-Mail Reports

Reports Generated as By-Products of Program Runs

- Absentee Audit Report
- Absentee Requests Created for All Elections Voters
- Ballots Issued in Deliver Ballots Run
- Canvassing Referral Sheet
- Envelope Reader Referred Ballots by Tray
- Ordered List of Absentee Labels
- Requests Copied from Election to Election
- UOCAVA Voters Not Yet Notified that their ballot has been received
- UOCAVA Voters Not Yet Notified that their request has been received
- Voters Not Yet Notified of Free Access System

Reports Replaced by Vote-By-Mail Flexible Report

- Absentee Status for All Absentee Voters
- Absentee Status for Domestic Voters
- Absentee Status for Email/Fax-Delivery Voters
- Absentee Status for Military & Civilian Overseas Voters
- Unsent Email/Fax Absentee Ballots
- FWAB Ballots Received

Reports for Generic Envelope Reader Interface

- Export Mail-Ballot Status Data
- Envelope Reader Referred Ballots by Tray Report

Reports Available on Reports Dialog

Summary Totals Reports

- Absentee Request Totals by How Requested
- Absentee Totals for an Election
- Countywide Demographic Totals for Absentee and Early Voting
- Demographic Totals by District for Absentee and Early Voting
- Demographic Totals by Precinct for Absentee and Early Voting
- Party Totals by District for Absentee and Early Voting

Vote-By-Mail Voter Lists

- Absentee Alert Report
- Absentee Ballots Not Voted
- Absentee Ballots where Return Is Blocked
- Absentee Requests by Non-Family Requesters
- Active Voters Without Absentee Requests
- Canceled and Ineligible Absentee Requests
- Count of Absentee Returns by Operator
- Export Email List for an Election
- FPCA and All-Elections Voters
- In-Office Absentee Voters
- Line Printer Absentee Status Report
- Vote-By-Mail Flexible Report
- Voters Reactivated by Absentee Request
- Voters Voting Absentee Ballots
- Voters Voting Both Advance and Absentee Ballots
- Voters Who Returned Absentee Ballots

Vote-By-Mail Ballot Reports

- Absentee Ballot Balance Sheet
- Absentee Ballots Issued by Ballot Style
- Absentee Ballots Issued by Operator
- Affidavit to Cure Unsigned Ballots
- Ballots Returned Temporarily Away
- Count of Absentee Requests by Ballot Style
- Count of In-Office Absentee Ballots Issued by Ballot Style
- Export of Returned Absentee Ballot by Batch Number
- Pending Web Absentee Requests
- Replacement Ballots Issued
- Returned Absentee Ballots by Batch Number
- Unreviewed and Referred Absentee Ballots

Vote-By-Mail Audit Reports

- Absentee Activity Dump
- Absentee Ballot Style Changes
- Absentee Request Activity
- Possible Voting Irregularities
- Referred Absentee Ballots

Fraud Detection Reports

- Active Cases
- Approved Addresses
- Blocked Vote-By-Mail Requests
- Inactive Cases
- Questionable Web Requests for an Election

Relia-Vote Reports

- Relia-Vote Missing Valid Envelopes Report
- Relia-Vote Status Report

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EXHIBIT 3

PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

To Defendant: Julie Marcus

From: Plaintiff John Liccione

Case No.: 24-003939-CI, *John Liccione vs Julie Marcus, et al*

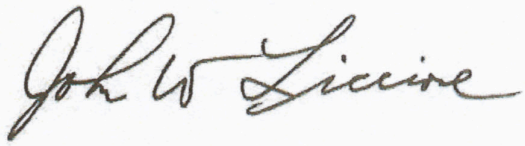
Plaintiff John Liccione hereby submits to Defendant Julie Marcus, Pinellas County Supervisor of Elections, this first Request for Production of Documents.

All non-privileged computer session and transaction logs and reports which captured and stored the computer forensic details, metadata, and voter data which together serve to document the submittal of vote-by-mail ballot requests to Pinellas County Supervisor of Elections' (SOE) computer systems directly over the Internet or otherwise, or indirectly through the computer systems of the SOE's contractors, or, loaded via physical insertion of removable storage devices (i.e., thumb drives, portable hard drives), **solely on the date of June 23, 2024:** Said metadata and data to include but not be limited to the following:

1. The source IP addresses of all vote-by-mail ballot requester user sessions and submittal transactions that resulted in the successful or unsuccessful submittal of vote-by-mail ballot requests.
2. The names, and addresses of the submitters.
3. The type of web client used to submit the requests.
4. The date/time of submittal.
5. The names and versions of each software application used to receive, process, store, and report out the above ballot requests, as was fielded in production on the date of June 23, 2024, and any subsequent versions the applications may have been updated to or roll-ed back from after June 23, 2024.
   SOE and contractor firewall logs which captured and recorded the above vote-by-mail ballot submittal sessions.

If Defendant Marcus or any SOE vendor working for SOE, such as VR Systems, claims privilege over any such data as legal grounds for not complying with this request, state the nature and legal grounds for the privilege and the reason which such information cannot be provided if maintained under court seal.

Respectfully submitted,



John W Liccione
Plaintiff, Pro Se
443-698-8156
jliccione@gmail.com
September 11, 2024

EXHIBIT 4

The Crabber

John Liccione <john@thecrabber.com>

Public Records Request: 2024-392 from John Liccione

5 messages

publicrecordsrequest <publicrecordsrequest@votepinellas.gov> Fri, Aug 30, 2024 at 7:33 PM
Reply-To: "McKnight-Taylor, Ashley" <ataylor@votepinellas.gov>
To: "john@thecrabber.com" <john@thecrabber.com>

Dear John Liccione,

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:
"A .csv file or excel spreadsheet report showing the source IP address of each and every individual who submitted an absentee ballot request to the Pinellas Supervisor of Elections over the Internet on June 23, 2024. The report need not provide any personally identifiable information, just the following 2 columns: (1) Date/Time of submission; (2) Source IP Address of submitter. It is noted that this type of metadata is typically available as a cybersecurity standard practice in web server logs, firewall logs, cloud service provider (e.g., Cloudflare) reports, and other off-the-shelf IT logging and reporting systems. It would typically take an IT person with proper access credentials less than 30 minutes to generate it and export it to a csv or Excel file."

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

Thank you,

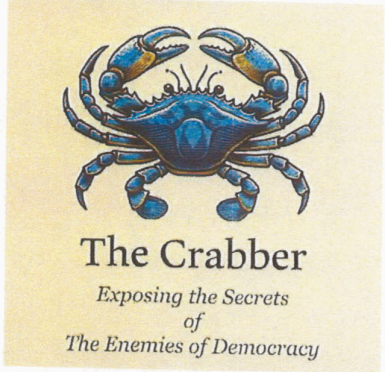
Communications Department,
Pinellas County Supervisor of Elections Office

John Liccione <john@thecrabber.com> Fri, Aug 30, 2024 at 7:48 PM
To: Christopher Gleason <GleasonForPinellas@gmail.com>

Hi Chris,

I just submitted this laser-focused record request on source IP addresses of 6/23 ballot-requesters to the SOE in my persona as CEO of my new media company, "The Crabber," which I just incorporated on 8/15/24.

John Liccione
Founder and CEO
The Crabber News, LLC
thecrabber.com
john@thecrabber.com



[Quoted text hidden]

Smith, Matt <masmith@votepinellas.gov> Tue, Sep 17, 2024 at 10:07 AM
To: "john@thecrabber.com" <john@thecrabber.com>
Cc: publicrecordsrequest <publicrecordsrequest@votepinellas.gov>

Mr. Liccione,

We have no records responsive to your request.

Thanks,

Matt Smith

General Counsel

Representing Julie Marcus, Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

(727) 464-5751

masmith@votepinellas.gov

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Under Florida law, email addresses are public records. If you do not want your email 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: publicrecordsrequest <publicrecordsrequest@votepinellas.gov>
Sent: Friday, August 30, 2024 7:33 PM
To: john@thecrabber.com
Subject: Public Records Request: 2024-392 from John Liccione

Dear John Liccione,

[Quoted text hidden]

John Liccione <john@thecrabber.com> Tue, Sep 17, 2024 at 6:33 PM
To: "Smith, Matt" <masmith@votepinellas.gov>
Cc: publicrecordsrequest <publicrecordsrequest@votepinellas.gov>

Mr Smith,

I'd like to schedule a meeting with you and whomever on PSOE staff you deem appropriate on this records request at your earliest convenience.
Please let me know if you're willing to discuss this matter at your offices and if so, when.

Regards,

John Liccione
[Quoted text hidden]

Smith, Matt <masmith@votepinellas.gov> Wed, Sep 18, 2024 at 1:58 PM
To: John Liccione <john@thecrabber.com>
Cc: publicrecordsrequest <publicrecordsrequest@votepinellas.gov>

Mr. Liccione –

As we have provided you with a response to your public records request, we consider the request complete and the matter closed.

Since you have made this public records request an issue in your current lawsuit against this office (24-003939-CI), please refer all future correspondence regarding this matter to our litigation attorneys.

Thank you,

Matt Smith

General Counsel

Representing Julie Marcus, Supervisor of Elections

13001 Starkey Rd., Largo, FL 33773

(727) 464-5751

masmith@votepinellas.gov

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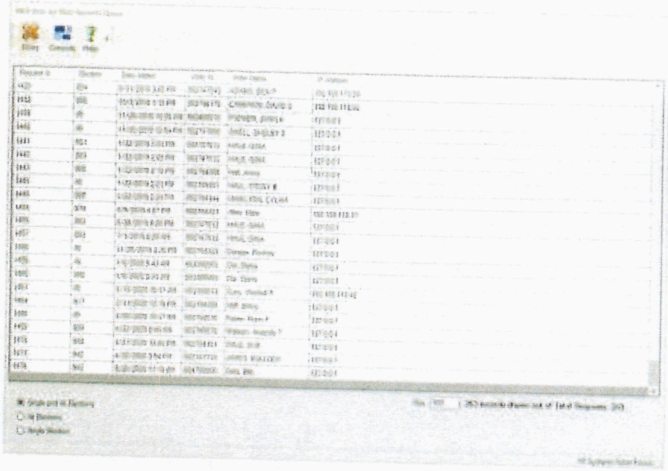
[Quoted text hidden]

EXHIBIT 5

Web Vote-By-Mail Request Queue

To access: **Vote By Mail > Process Web Requests**

This dialog lists the Vote-By-Mail requests that voters have submitted using the Absentee/Mail Ballot Request Form on your website.



Initially, the requests are ordered by when they were added to the queue (that is, the *Date Added* column) and respective of the filters at the bottom of the dialog.

- Select to display **Single and All Elections**, or limit the grid display to only **All Elections** or only **Single Elections**.
- Leave the default **Max** number to display in the queue, which is 500 requests, or change the selection.

> **Note:**
>
> - Changing the Max setting to a significantly greater number may affect the system's response time to load and also re-load (after processing a request and returning to the grid) requests.
> - The system retains changes to the Max setting. The next time you return to the dialog, your last setting remains in effect.

To sort by a different column or change the sort order (ascending or descending), click any column header.

For an overview of the Process Web Requests feature, see About Vote-By-Mail Requests Submitted Online. To learn how to process both single and all-elections requests, review Process Vote-By-Mail Requests Submitted Through Your Website.

> **Note:** If your county uses Vote-By-Mail Fraud Detection, web requests are intercepted before they enter the queue and are not released into the queue

until the Fraud Detection program is run.

Note: to VR Tower Counties In Website Maintenance, you can create a CSV list of request submitted on the website during a specified time period. Use the list to confirm that email notifications are going to the right recipients in the elections office and to verify that web requests are entering the request queue.

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EXHIBIT 6

Process Undeliverable Mail and Third-Party Address Changes

This topic describes how to process undeliverable postal items and notices of a voter address change from third-party agencies.

Important:

For Undeliverable Mail Ballots—

- Do not process an undeliverable Vote-By-Mail ballot as undeliverable mail unless the package contains a change-of-address notice from the Postal Service.
- For undeliverable ballots without a third-party address change, follow the instructions in Process an Undeliverable Vote-By-Mail Ballot.
- For ballots with an address change, refer the return as described in Process an Undeliverable Vote-By-Mail Ballot. Then, process the package as undeliverable mail with a third-party address change, as described below.

When the Postal Service is unable to deliver mail (other than mail ballots) to a voter and returns it to your office, it should be processed as undeliverable mail. In addition to undeliverable postal items, the following items should also be processed as undeliverable mail:

- Jury notices with changes of address
- Changes of address from an NCOA vendor that your county is not processing using the automated NCOA processing facility provided in Voter Focus.
- HSMV lists of voters who have surrendered their Florida driver license in another state and have provided a new out-of-state address.

These items, plus undeliverable mail that includes a change-of-address notice, fall into the category of third-party address changes. Depending on the type of address change (residential or mailing, in-county, or out-of-county) the proper notice will be scheduled to be sent to the voter requesting confirmation of the address change. A log is posted to the voter's audit noting the address change and the notice(s) scheduled.

The processing of undeliverable mail for which there is no change of address schedules the voter to receive a Final Notice and adds an entry to their audit log that the notice is scheduled. When the notice is sent, a record of that event is added to the Comms tab in the voter's record. Should a Final Notice be returned as undeliverable, no further communications are scheduled for the voter, and the voter will be placed in the queue of voters who are ready to be made Inactive. Should the voter subsequently request a mail

ballot or cast a ballot during an election, Voter Focus will remove them from the Inactive queue.

If a voter previously made an all-elections or FPCA Vote-By-Mail request, processing undeliverable mail with no change of address or an out-of-state address automatically triggers the cancellation of any outstanding Vote-By-Mail requests for future elections (unless a ballot has already been delivered) and sets the expiration date of the all-elections/FPCA request to today's date. The process also schedules a Cancelled Requests Notice to be sent to the voter.

To process undeliverable mail or a third-party address change:

1. Go to **VOTER REGISTRATION > Record Undeliverable Mail**.
2. Do one of the following:
    - **Scan First enabled**—On the **Process Undeliverable Mail** dialog, double-click on the desired row from the **Images** grid. The **Find a Voter** and **Batch Images** dialogs open. You can clip the signature area of the image, if one exists, to index a copy of the voter's signature. Otherwise, continue to the next step.
    - **Scan First disabled**—On the **Voter Management** dialog, accept today's date or enter an earlier date when the mail (or jury notice) was returned to your office and click **OK**. (The **Comms** tab in the voter's record will show this date in the **Date** column.) The **Find a Voter** dialog opens.
3. If you are working with a bar code wand, wand the bar code to open the voter's record; otherwise, do a local search by name. The **Undeliverable Mail** dialog opens with the voter's information in the fields.

4. Check the date in the **Last Activity Date** field and determine if you have had activity from this voter since you received the mail or jury notice in the office. If the date in **Last Activity Date** is earlier than the date the item arrived in the office, continue with the next step.

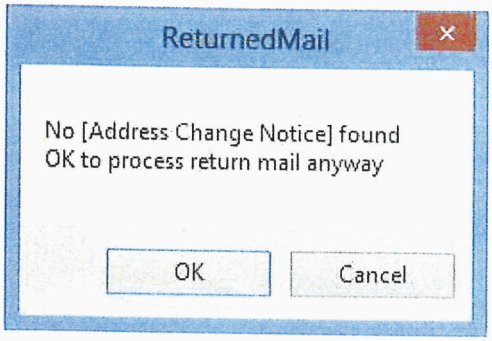
   If the date in the **Last Activity Date** field is later than the date the item arrived, do not process the item, because the voter has either contacted the elections office or voted since you received it. Click **Close** to complete the procedure.
5. If your county wants the note *Address Update Required* to appear with the voter's name on subsequent precinct registers (and EViD screens), select **Change Status to "Address Update Required"**.
6. In the **Mail Type** box, select the type of item you are processing. You can toggle the list of options between **Classic Mail Types** and **Voter Mail Types**. The option **Other Mail** can be any item not covered by the other options, such as a sample ballot or a mail ballot. The selection in this box is sticky for this undeliverable mail session; once you select a mail type, it remains selected for the next voter unless

you change it. This lets you quickly process a batch of similar items for different voters.

Note:

- If the item is a combo card, select **Address Change Notice** as the mail type.
- If the voter was previously sent a Notice of Potential Ineligibility, the notice will also be listed in the **Mail Type** box.

7. Click one of the following:
   - **No Address Change**—If the undeliverable item has no change-of-address notice. You will see the message *An Address Final Notice will be sent to the voter*. Click **OK** to finish processing the item. You can now restart this procedure to process undeliverable mail for another voter.
   - **Forwarding Address**—If the item shows a change of address for the voter. If the mail type you selected does not match with sent mail records in the system, a message displays.



   Verify that you have the right voter and have selected the correct type of mail item. If the mail was truly sent without being recorded in the system, click **OK** to continue processing the undeliverable mail.

Voter doesn't have a mailing address:

Voter has a mailing address:

8. When you finish recording undeliverable mail, go to **Printing > Notices Queue** to print the notices. For mail merge documents, mailing labels may also be printed.

   You can view details about sent notices and temporary forwarding addresses from the Audit and Comms tabs in voter records.

   Undeliverable mail processed by each user is included in the totals in the Operator Additions and Changes report.

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