

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CIVIL ACTION NO. 2:26-cv-2429

UNITE 4 FREEDOM, INC.;
GREGORY STENSTROM, PRO SE;
ROBERT C. MANCINI, PRO SE;

Plaintiffs,

v.

AL SCHMIDT, in his official capacity as
Secretary of the Commonwealth of Pennsylvania;
PENNSYLVANIA DEPARTMENT OF STATE;

Defendants.

COMPLAINT FOR DECLARATORY RELIEF

I. INTRODUCTION

1. This action concerns statutory compliance with federal election law. It does not allege fraud and does not challenge any past election outcome.
2. Plaintiffs seek a declaration of the governing legal requirements for certification of federal elections under controlling federal statutes.
3. The issue presented is whether Defendants may lawfully certify federal election results where required election records, system inputs, and system outputs cannot be reconciled through preserved and auditable records.

4. Federal law requires preservation of election records sufficient to reconstruct federal elections and verify their integrity.¹
5. Federal law further requires public inspection of voter registration records and the use of auditable voting systems capable of verification.²
6. The Court must determine whether certification is lawful where reconciliation cannot be performed from preserved records.
7. Where reconciliation cannot be performed, the statutory requirement is not satisfied.
8. Failure to apply controlling statutory requirements constitutes reversible error.³
9. This controversy is capable of repetition yet evading review. Defendants have certified prior federal elections without reconciliation of inputs, records, and outputs and continue to apply the same certification practices as a matter of official policy and practice. Because certification occurs on a compressed timeline and is completed before judicial review can be obtained, the same statutory violations are likely to recur in future elections, including the 2026 primary and general elections.⁴

¹ 52 U.S.C. § 20701 (requiring preservation of election records sufficient to reconstruct federal elections and verify their integrity).

² 52 U.S.C. § 20507(i)(1) (requiring public inspection of voter registration records); 52 U.S.C. § 21081(a)(1)(A), (a)(2) (requiring auditable voting systems capable of verification); *see also* **FEC v. Akins**, 524 U.S. 11, 21 (1998) (holding that the denial of information subject to a statutory disclosure requirement constitutes a concrete and particularized injury sufficient to satisfy Article III standing).

³ **Koon v. United States**, 518 U.S. 81, 100 (1996) (failure to apply controlling law constitutes reversible error).

⁴ **S. Pac. Terminal Co. v. ICC**, 219 U.S. 498, 515 (1911); **FEC v. Wis. Right to Life, Inc.**, 551 U.S. 449, 462 (2007) (capable of repetition yet evading review doctrine).

II. JURISDICTION AND VENUE

10. This Court has jurisdiction under 28 U.S.C. § 1331.
11. This action is further brought pursuant to 42 U.S.C. § 1983 to redress deprivation of rights secured by federal law.
12. Declaratory relief is authorized under 28 U.S.C. §§ 2201–2202.
13. Venue is proper under 28 U.S.C. § 1391(b).
14. This action seeks prospective declaratory relief against a state official to determine ongoing compliance with federal law and is not barred by sovereign immunity.
15. This action does not depend on whether any error, fraud, or misconduct has occurred or will occur. It presents a present and purely legal question of whether Defendants can satisfy mandatory federal verification requirements from preserved records.

III. PARTIES

16. Plaintiff Unite 4 Freedom, Inc. (“U4F”) is a nonprofit organization engaged in election data analysis, statutory compliance verification, and public reporting of election system integrity. U4F relies on access to preserved election records, certification artifacts, and publicly required datasets in order to perform its core function of verifying compliance with federal election law. Defendants’ policies, directives, and practices have denied U4F access to such records in a form permitting inspection, extraction, and verification,

thereby impairing its organizational mission and depriving it of statutorily required information.⁵

17. Plaintiff Gregory Stenstrom is a registered voter, election observer, and authorized participant in election-related observation and inspection activities under Pennsylvania law, including functions recognized by the Pennsylvania Election Code.⁶ Plaintiff Stenstrom has participated in election observation and record inspection and is entitled to statutory rights of access to election records and processes necessary to verify compliance with federal and state law.⁷ Plaintiff Stenstrom has sought access to election records, certification materials, and related documentation required to be preserved under federal law and has been denied access to such records in a form permitting verification, reconstruction, or meaningful inspection.⁸

18. Plaintiff Robert C. Mancini is a registered voter and authorized participant in election-related observation and record inspection activities under Pennsylvania law.⁹ Plaintiff Mancini submitted formal requests for election records, including absentee ballot records, cast vote records, and ballot-related information. As reflected in sworn declarations, such requests were denied or limited to in-person inspection without the ability to copy, photograph, or extract information necessary for verification.¹⁰ These restrictions

⁵ *Havens Realty Corp. v. Coleman*, 455 U.S. 363, 379 (1982) (holding that an organization suffers injury in fact when defendant's actions perceptibly impair its ability to carry out its mission).

⁶ 25 P.S. § 2687(a) (providing for appointment and presence of watchers at polling places as authorized participants in the election process).

⁷ 25 P.S. §§ 3146.8(g)(1.1), 3150.12(g)(1.1) (permitting authorized representatives and watchers to be present during pre-canvassing and canvassing of mail-in and absentee ballots).

⁸ 52 U.S.C. § 20701 (requiring retention of all records and papers relating to federal elections sufficient to permit reconstruction and verification).

⁹ 25 P.S. § 2687(a) (recognizing authorized watchers and representatives as participants in election observation activities).

¹⁰ *Hawthorne Decl.* ¶¶ 8–9 (Dec. 17, 2025); *Allen Aff.* ¶¶ 7–9.

rendered inspection ineffective and deprived Plaintiff Mancini of the ability to perform statutorily contemplated observation and verification functions.¹¹

19. Defendant Al Schmidt is sued in his official capacity as Secretary of the Commonwealth of Pennsylvania and is responsible for certification of federal elections and for issuing directives, guidance, and instructions governing election administration throughout the Commonwealth.¹² Defendant Schmidt, through official policies and directives, establishes the standards applied by county election officials with respect to record access, system verification, and certification practices.¹³ These directives are relied upon by counties in limiting public access to election records and in defining the methods by which voting system integrity is evaluated, including the position that system initialization or operational readiness procedures are sufficient for validation of voting system software, in lieu of independent verification against preserved records capable of reconstruction and audit.¹⁴ County election officials act pursuant to and in reliance upon directives and certification standards established by Defendant Schmidt, and the relief sought requires uniform statewide compliance.

20. Defendant Pennsylvania Department of State administers elections, oversees certification of voting systems, and maintains election-related records.¹⁵ The Department has asserted that certain election records are not maintained at the state level and instead reside with

¹¹ *FEC v. Akins*, 524 U.S. 11, 21 (1998) (holding that denial of statutorily required information constitutes a concrete and particularized injury).

¹² **25 P.S. § 2621(a)** (establishing Secretary of the Commonwealth's authority over election administration and certification duties).

¹³ **Id. § 2621(d)** (authorizing the Secretary to issue directives and guidance governing election procedures and administration).

¹⁴ **52 U.S.C. § 21081(a)(1)(A), (a)(2)** (requiring voting systems to produce permanent paper records and permit independent verification and auditability).

¹⁵ **25 P.S. § 2621(a)** (assigning the Department of State responsibility for election oversight and administration).

county entities, while counties simultaneously restrict meaningful access to such records, resulting in a circular and ineffective access structure that prevents verification.¹⁶

IV. STATUTORY FRAMEWORK

21. Federal law requires:

- a) preservation of election records sufficient to reconstruct federal elections;
- b) maintenance and public inspection of voter registration records;
- c) voting systems that produce auditable records and permit verification;
- d) election administration capable of validation against preserved records.

22. These statutory requirements operate as a unified structure:

Inputs → Records → Processing → Outputs → Verification

23. Where verification cannot be performed through preserved records, compliance is not established.

V. FACTUAL ALLEGATIONS

A. Quantified Record Discrepancies

24. Plaintiffs' analysis of official election data reflects material discrepancies between election inputs, preserved records, and certified outputs.

25. These discrepancies are quantified and derived from official datasets.

26. The record reflects the following post-certification changes in voter participation data:

¹⁶ *Hawthorne Decl.* ¶¶ 8–9 (Dec. 17, 2025).

- a) approximately 2,039,593 changes in the 2024 General Election dataset;
- b) approximately 259,219 changes in the 2022 General Election dataset;
- c) approximately 385,122 changes in the 2020 General Election dataset.

27. These changes include:

- a) voters recorded as having voted later recorded as not voting;
- b) voters recorded as not voting later recorded as voting;
- c) additions and deletions of voter participation records;
- d) alterations to voter history data after certification.

28. These figures are derived from official voter record comparisons.

29. These discrepancies require reconciliation under federal law.

30. Because federal law requires preservation of records sufficient to reconstruct federal elections, unreconciled discrepancies reflect the absence of records necessary to satisfy that statutory requirement.¹⁷

B. Unreconciled Election Outputs

31. The record reflects inconsistencies between official reports, including:

- a) differing voter participation totals;
- b) inconsistencies between voter history records and tabulated results;
- c) discrepancies between county and statewide totals.

32. The record further reflects:

- a) 98,095 unreconciled blank ballots;

¹⁷ **52 U.S.C. § 20701** (requiring preservation of election records sufficient to reconstruct federal elections and verify their integrity).

b) 82,356 unreconciled blank ballots.

33. The record further reflects:

a) 5,625 voters recorded as having voted who reported they did not vote.

C. Registration and Voting Irregularities

34. The record reflects:

a) 79,349 apparent registration violations;

b) 62,075 voting irregularities in 2020;

c) 27,623 voting irregularities in 2022.

35. These include duplicate registrations, inactive inconsistencies, invalid addresses, and records associated with deceased individuals.

D. Failure of Reconciliation

36. Federal law requires records sufficient to reconstruct elections.¹⁸

37. Defendants have not produced records sufficient to reconcile inputs, records, and outputs.

38. The record reflects that reconciliation has not been performed.

E. Informational Injury

39. Plaintiffs have requested records sufficient to verify compliance.

40. Defendants have not produced such records in a form permitting verification.

¹⁸ 52 U.S.C. § 20701 (requiring preservation of election records sufficient to reconstruct federal elections and verify their integrity).

41. The denial of access to statutorily required information constitutes a concrete informational injury.⁷

F. Certification Without Verification

42. Defendants continue to certify election results despite unreconciled discrepancies and absence of required records.

43. If federal law requires verification, and verification cannot be performed, certification is unlawful as a matter of law.

44. Plaintiffs do not bear the burden of establishing that verification is impossible. Rather, where federal law requires verification as a condition of certification, Defendants must demonstrate that such verification can be performed from preserved records. The absence of such demonstration, together with the denial of access to the records necessary to perform verification, establishes a present failure of statutory compliance.

VI. STANDING

45. Plaintiffs satisfy Article III standing requirements.¹⁹

46. Plaintiffs have suffered concrete and particularized injuries arising from denial of access to election records required to be preserved and made available under federal law.

¹⁹ *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560–61 (1992) (holding that Article III standing requires injury in fact, traceability to the challenged conduct, and redressability by the requested relief, and that well-pleaded allegations must be accepted as true at the pleading stage).

47. Plaintiffs, including Plaintiffs Stenstrom and Mancini, are authorized participants in election observation and record inspection activities under Pennsylvania law and have exercised those rights through requests for election records, including ballot-related records, cast vote records, and certification-related materials.²⁰
48. Plaintiffs requested access to such records for purposes of inspection, verification, and reconstruction of election processes. Defendants denied access to such records in a form permitting meaningful inspection, copying, or extraction, and in certain instances limited access to in-person viewing without the ability to preserve or analyze the contents of such records.²¹
49. These limitations rendered inspection functionally ineffective and deprived Plaintiffs of the ability to perform statutorily contemplated observation and verification functions.
50. Defendants further asserted that requested records were not maintained at the state level and were instead held by county entities, while county officials simultaneously restricted meaningful access to such records, resulting in a circular access structure in which records required to be preserved cannot be obtained in a usable form.²²

²⁰ 25 P.S. §§ 2687(a), 3146.8(g)(1.1), 3150.12(g)(1.1) (providing for authorized watchers and representatives to observe election processes, including pre-canvassing and canvassing of ballots).

²¹ *Allen Aff.* ¶¶ 7–9; *Hawthorne Decl.* ¶¶ 8–9 (Dec. 17, 2025).

²² *Hawthorne Decl.* ¶¶ 8–9 (Dec. 17, 2025).

51. As a result of Defendants' conduct, Plaintiffs are unable to verify whether Defendants have satisfied mandatory federal statutory requirements governing election record preservation, auditability, and verification.
52. The denial of access to statutorily required information constitutes a concrete informational injury.²³
53. These injuries are not generalized grievances but arise from Plaintiffs' direct efforts to obtain access to specific categories of election records and from Defendants' denial of such access.
54. These injuries are ongoing and capable of repetition yet evading review, as Defendants continue to apply the same policies and certification practices on compressed timelines that preclude pre-certification judicial review.²⁴
55. The injuries are fairly traceable to Defendants' conduct, including policies, directives, and practices governing record access and system verification, and are redressable by declaratory relief establishing the governing statutory requirements for preservation, reconciliation, and verification of election records.²⁵
56. Plaintiffs' claims do not require exhaustion of any state administrative process. This action arises under federal law and seeks judicial determination

²³ *FEC v. Akins*, 524 U.S. 11, 21 (1998) (holding that denial of information subject to a statutory disclosure requirement constitutes a concrete and particularized injury sufficient to confer standing).

²⁴ *S. Pac. Terminal Co. v. ICC*, 219 U.S. 498, 515 (1911) (recognizing exception where challenged conduct is capable of repetition yet evading review); *FEC v. Wis. Right to Life, Inc.*, 551 U.S. 449, 462 (2007) (applying doctrine to time-limited governmental actions likely to recur).

²⁵ *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560–61 (1992) (holding that Article III standing requires injury in fact, traceability to the challenged conduct, and redressability by the requested relief, and that well-pleaded allegations must be accepted as true at the pleading stage).

of statutory compliance, not administrative enforcement. Exhaustion is not required where Congress has not expressly mandated it, where claims are brought under federal civil rights law, or where the issues presented are purely legal and administrative remedies are inadequate.²⁶

57. Plaintiffs plausibly allege denial of access to statutorily required information and resulting inability to verify compliance with mandatory federal law. At the pleading stage, these allegations must be accepted as true and are sufficient to state a claim for relief.²⁷

58. Failure to apply the governing standing standard and accept Plaintiffs' allegations as true constitutes reversible error.²⁸

59. This action does not seek review of any prior election outcome or relitigation of previously adjudicated claims. It presents a prospective question of statutory compliance based on current and ongoing certification practices.

VII. CLAIM FOR DECLARATORY RELIEF

60. Plaintiffs incorporate all preceding paragraphs as if fully set forth herein and incorporate Exhibits A, B, and C as factual support for the quantified

²⁶ *Patsy v. Bd. of Regents*, 457 U.S. 496, 516 (1982) (holding that exhaustion of state administrative remedies is not required for § 1983 claims); *Darby v. Cisneros*, 509 U.S. 137, 146–47 (1993) (holding exhaustion is required only where expressly mandated by statute); *McCarthy v. Madigan*, 503 U.S. 140, 147–48 (1992) (holding exhaustion is not required where issues are purely legal or remedies are inadequate).

²⁷ *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (holding that a complaint must contain sufficient factual matter to state a plausible claim and that courts must accept well-pleaded facts as true at the pleading stage).

²⁸ *Koon v. United States*, 518 U.S. 81, 100 (1996) (holding that failure to apply controlling law constitutes reversible error).

discrepancies, denial of access to election records, and unreconciled conditions alleged in this Complaint. Plaintiffs' Memorandum of Law is filed contemporaneously as legal amplification of the statutory framework presented; however, this Complaint independently states a claim for relief as a matter of law.

61. An actual controversy exists regarding whether federal law requires reconciliation prior to certification.
 62. Plaintiffs contend that federal law requires verification through preserved records.
 63. Defendants' conduct reflects certification without reconciliation.
 64. This action presents a pure question of statutory compliance. Where a complaint alleges the existence of mandatory federal requirements and pleads facts demonstrating the absence of the conditions necessary to satisfy those requirements, dismissal at the pleading stage would require the Court to either disregard well-pleaded facts or decline to apply controlling law. Neither is permissible under governing Rule 12 standards.
 65. Because the question presented is purely legal and does not depend on resolution of disputed facts, it is particularly suited for judicial determination at this stage.
 66. A judicial declaration is necessary.
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VIII. REQUEST FOR DECLARATORY RELIEF

Plaintiffs respectfully request that this Court:

1. Declare that federal law requires preservation sufficient to reconstruct elections;
2. Declare that reconciliation is required prior to certification;
3. Declare that certification without reconciliation violates federal law;
4. Grant such further relief as appropriate.

Respectfully submitted,

Renee Mazer

Renee Mazer

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Counsel for Plaintiff
Unite 4 Freedom, Inc.
Date: April 13, 2026

Gregory Stenstrom

Gregory Stenstrom, Pro Se

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Date: April 13, 2026

Robert Mancini

Robert C. Mancini, Pro Se

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Date: April 13, 2026

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

UNITE 4 FREEDOM, INC.; GREGORY STENSTROM, PRO SE; ROBERT C. MANCINI, PRO SE;

(b) County of Residence of First Listed Plaintiff Delaware County, PA (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Renee Mazer, PA Bar No. 57666, Gregory Stenstrom, Pro Se, Robert C. Mancini, Pro Se

DEFENDANTS

AL SCHMIDT, in official capacity as Sec of Comm of PA PENNSYLVANIA DEPARTMENT OF STATE;

County of Residence of First Listed Defendant Dauphin County, PA (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Main table for Nature of Suit with categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, INTELLECTUAL PROPERTY RIGHTS, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 42 U.S.C. § 1983

Brief description of cause: Declaratory relief for violation of federal election law requiring preservation, auditability, and verification of election records and certification process

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DOCKET NUMBER

DATE

13APR2026

SIGNATURE OF ATTORNEY OF RECORD

Renee Mazer, Gregory Stenstrom, Pro Se, Robert C. Mancini, Pro Se

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

Place of Incident: Commonwealth of Pennsylvania (statewide election certification and record keeping practices)

RELATED CASE IF ANY: Case Number: NONE Judge: N/A

- 1. Does this case involve property included in an earlier numbered suit Yes
2. Does this case involve a transaction or occurrence which was the subject of an earlier numbered suit Yes
3. Does this case involve the validity or infringement of a patent which was the subject of an earlier numbered suit Yes
4. Is this case a second or successive habeas corpus petition, social security appeal, or pro se case filed by the same individual Yes
5. Is this case related to an earlier numbered suit even though none of the above categories apply Yes
If yes, attach an explanation.

I certify that, to the best of my knowledge and belief, the within case is / is not related to any pending or previously terminated action in this court.

C. Litigation Categories

A. Federal Question Cases:

- 1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Wage and Hour Class Action/Collective Action
6. Patent
7. Copyright/Trademark
8. Employment
9. Labor-Management Relations
10. XX Civil Rights
11. Habeas Corpus
12. Securities Cases
13. Social Security Review Cases
14. Qui Tam Cases
15. XX Cases Seeking Systemic Relief see certification below
16. All Other Federal Question Cases. (lease specify):

B. Diversity Jurisdiction Cases:

- 1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (lease specify):
7. Products Liability
8. All Other Diversity Cases: (lease specify)

I certify that, to the best of my knowledge and belief, that the remedy sought in this case does not have implications beyond the parties before the court and does not seek to bar or mandate statewide or nationwide enforcement of a state or federal law including a rule, regulation, policy, or order of the executive branch or a state or federal agency, whether by declaratory judgment and/or any form of injunctive relief.

ARBITRATION CERTIFICATION (CHECK ONLY ONE BOX BELOW)

I certify that, to the best of my knowledge and belief: April 13, 2026 /s/ Renee Mazer (attorney); Gregory Stenstrom, Pro Se; Robert C. Mancini, Pro Se
XX Pursuant to Local Civil Rule 53.2(3), this case is not eligible for arbitration either because (1) it seeks relief other than money damages (2) the money damages sought are in excess of 150,000 exclusive of interest and costs (3) it is a social security case, includes a prisoner as a party, or alleges a violation of a right secured by the U.S. Constitution, or (4) jurisdiction is based in whole or in part on 28 U.S.C. 1343.
None of the restrictions in Local Civil Rule 53.2 apply and this case is eligible for arbitration.

NOTE: A trial de novo will be by jury only if there has been compliance with F.R.C.P. 38.

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Plaintiffs,

v.

AL SCHMIDT, in his official capacity as
Secretary of the Commonwealth of Pennsylvania;
PENNSYLVANIA DEPARTMENT OF STATE;

Defendants.

**PLAINTIFFS' MEMORANDUM OF LAW IN SUPPORT OF THE
COMPLAINT**

I. ISSUE PRESENTED

The Court must determine whether federal election statutes require verification of election results through preserved records and reconciliation of inputs, records, and outputs.

If the statute requires verification, and the record reflects unreconciled discrepancies and absence of required records, then certification without reconciliation is unlawful as a matter of law.

This action does not depend on whether any error, fraud, or misconduct has occurred or will occur. It presents a present and purely legal question of whether

Defendants can satisfy mandatory federal verification requirements from preserved records.

II. LEGAL IDENTITY OF THE ACTION

This action concerns statutory compliance and prospective relief.

It does not seek:

- review of past election outcomes;
- mandamus relief;
- discretionary intervention in election administration.

It seeks only:

- declaratory interpretation of federal statutory requirements; and
- prospective compliance with those requirements.

This distinction is dispositive.

III. GOVERNING LEGAL FRAMEWORK

A. Federal Statutes Create Mandatory, Not Discretionary, Duties

Federal election law imposes mandatory obligations on state officials.

These include:

- a) preservation of election records sufficient to reconstruct federal elections;¹
- b) public inspection of voter registration records;²
- c) use of auditable and verifiable voting systems;³

These requirements are statutory commands, not discretionary guidelines.

Where a statute uses mandatory language, compliance is required as a matter of law.

Where a statute imposes a mandatory obligation, neither administrative convenience nor discretionary judgment permits non-compliance. The Court must enforce the statute as written.

B. Statutory Structure Requires Verification Through Reconstruction

The statutes operate as a system:

Inputs → Records → System Processing → Outputs → Verification

The preservation requirement exists so that election processes can be reconstructed and verified.⁴

If reconstruction cannot be performed, the statutory purpose fails.

Where statutory purpose fails, compliance is not established.

¹ 52 U.S.C. § 20701 (requiring preservation of election records sufficient to permit reconstruction of federal elections).

² 52 U.S.C. § 20507(i)(1) (requiring public inspection of voter registration records).

³ 52 U.S.C. § 21081(a)(1)(A), (a)(2) (requiring auditable and verifiable voting systems).

⁴ *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (complaint must contain sufficient factual matter to state a plausible claim).

Where required verification cannot be performed from preserved records, the statutory condition precedent to lawful certification is not satisfied.

C. Courts Must Enforce Statutory Compliance

Courts do not defer to non-compliance.

The Court's role is to interpret statutory requirements and determine whether they are satisfied.

This is a judicial function, not an administrative one.

D. No Exhaustion of Administrative Remedies Is Required

Defendants cannot require Plaintiffs to exhaust any state administrative process before seeking judicial relief. This action arises under federal law and presents a question of statutory compliance, not administrative enforcement.

The Supreme Court has made clear that exhaustion of administrative remedies is required only where Congress expressly mandates it. HAVA contains no such mandatory exhaustion requirement.

Moreover, Plaintiffs assert claims under 42 U.S.C. § 1983, for which exhaustion is not required.

Exhaustion is also not required where the issue presented is purely legal or where administrative remedies are inadequate or unavailable.

Because this action seeks judicial determination of whether Defendants have satisfied mandatory federal statutory requirements, and does not invoke any administrative enforcement mechanism, no exhaustion requirement applies.⁵

IV. RULE 12 STANDARD

To survive a Rule 12(b)(6) motion, a complaint must:

- a) state a plausible claim for relief;
- b) provide sufficient factual matter;
- c) permit the Court to draw a reasonable inference of liability.

A complaint survives if the facts, taken as true, establish entitlement to relief under governing law.⁶

At this stage, all well-pleaded factual allegations must be accepted as true.

V. THE COMPLAINT SATISFIES RULE 12

A. Plaintiffs Plead Concrete, Quantified Facts

The Complaint, together with Exhibit A incorporated therein, alleges specific, measurable discrepancies, including:

⁵ *Darby v. Cisneros*, 509 U.S. 137, 146–47 (1993) (holding that exhaustion of administrative remedies is required only where Congress expressly mandates it by statute); *Patsy v. Board of Regents of the State of Florida*, 457 U.S. 496, 516 (1982) (holding that plaintiffs bringing claims under 42 U.S.C. § 1983 are not required to exhaust state administrative remedies before filing suit in federal court); *McCarthy v. Madigan*, 503 U.S. 140, 147–48 (1992) (holding that exhaustion is not required where the issue presented is purely legal or where administrative remedies are inadequate or unavailable).

⁶ *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (complaint must contain sufficient factual matter to state a plausible claim).

- 2,039,593 post-certification record changes (2024);
- 259,219 post-certification record changes (2022);
- 385,122 post-certification record changes (2020);
- 98,095 and 82,356 unreconciled blank ballots;
- 5,625 voters recorded as voting who reported they did not vote;
- 79,349 registration irregularities;
- 62,075 voting irregularities (2020);
- 27,623 voting irregularities (2022);

These are not conclusions.

These figures are derived from official state datasets and are presented for purposes of illustrating the existence of unreconciled discrepancies, not as expert opinion or statistical inference.

Rule 12 does not permit the Court to disregard such facts.

B. Plaintiffs Plead a Clear Statutory Violation

The Complaint alleges:

1. Federal law requires preservation and verification;
2. The record reflects unreconciled discrepancies;
3. Defendants cannot produce reconciliation or verification;

This establishes a direct statutory violation.

No further inference is required.

C. Plaintiffs Do Not Rely on Speculation

The Complaint does not allege:

- intent;
- fraud;
- wrongdoing.

It alleges only:

- statutory requirements;
- factual discrepancies;
- absence of required records;

Plaintiffs' inability to verify compliance is further established by denial of access to records required for such verification.

This is sufficient under Rule 8 and Rule 12.

D. Plaintiffs' Theory Is Legally Cognizable

The Complaint presents a legal question:

Whether statutory compliance requires reconciliation.

Courts routinely adjudicate statutory compliance claims.

This is a standard legal determination.

VI. STANDING IS ESTABLISHED

A. Informational Injury

Plaintiffs allege denial of access to records required by statute.

The denial of statutorily required information constitutes a concrete injury.⁷

This alone establishes standing.

This injury exists independently of any election outcome and arises from the denial of statutory rights to information required by federal law.

B. Concrete and Particularized Harm

Plaintiffs allege:

- inability to verify election compliance;
- inability to reconcile official data;
- impairment of statutory rights;

These are specific and particularized injuries.

C. Redressability

The requested relief—production of records and compliance with statutory requirements—directly remedies the injury.

Standing is satisfied.⁸

VII. DEFENSE ARGUMENTS FAIL AS A MATTER OF LAW

A. “Generalized Grievance”

This action does not allege generalized dissatisfaction.

⁷ *FEC v. Akins*, 524 U.S. 11, 21 (1998) (denial of statutorily required information constitutes concrete injury).

⁸ *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560–61 (1992) (defining standing requirements).

It alleges denial of statutory rights to specific information.

This is a recognized injury.⁹

B. “Political Question”

This action does not challenge policy or outcomes.

It seeks enforcement of statutory requirements.

Courts routinely adjudicate statutory compliance.

C. “Speculation”

The Complaint alleges quantified discrepancies and absence of records.

These are facts, not speculation.

D. “Failure to State a Claim”

The Complaint:

- identifies statutory requirements;
- alleges specific facts;
- connects facts to statutory violations;

This satisfies Rule 12.

VIII. DECISION PATH

The Court must determine:

⁹ *FEC v. Akins*, 524 U.S. 11, 21 (1998) (denial of statutorily required information constitutes concrete injury).

1. Whether federal law requires verification through preserved records;
2. Whether the record reflects unreconciled discrepancies and absence of required records;

If both are true, the Court must conclude that certification without verification is unlawful as a matter of law.

IX. EXHIBITS

Plaintiffs rely upon the following exhibits incorporated in the Complaint:

- **Exhibit A** – Quantified voter record discrepancies derived from official datasets
 - **Exhibit B** – Affidavit of James Allen regarding limitations on access to election records
 - **Exhibit C** – Declaration of Janelle Hawthorne regarding absence of records at the state level
-

X. CONCLUSION

The Complaint alleges:

- specific statutory requirements;
- quantified factual discrepancies;
- absence of reconciliation and required records;

These allegations, taken as true, state a claim as a matter of law.

Any motion to dismiss must be denied.

Where a complaint alleges specific statutory requirements, pleads concrete and quantified facts, and demonstrates the absence of conditions required for lawful action, dismissal would require failure to apply controlling law. The failure to apply controlling statutory requirements constitutes reversible error.

Respectfully submitted,



Renee Mazer
PA Bar No. 57666

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

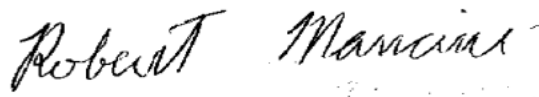
Counsel for Plaintiff
Unite 4 Freedom, Inc.
Date: April 13, 2026



Gregory Stenstrom, Pro Se

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Date: April 13, 2026



Robert C. Mancini, Pro Se

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Date: April 13, 2026

EXHIBIT A



"Congress seeks. . . to guard the election of members of Congress against any possible unfairness by compelling, under its pains and penalties, everyone concerned in holding the election to a strict and scrupulous observance of every duty devolved upon him while so engaged. . . . The evil intent consists in disobedience to the law." —In re Coy, 127 U.S. 731 (1888)

Pennsylvania 2024 General Election Validity Scorecard

★ 1. Were the voter rolls accurate, as required by the National Voter Registration Act of 1993?

Registrations with material errors and omissions as per the Civil Rights Acts of 1964	Number of Instances*	28.8% REGISTRATION ERROR RATE
Illegal duplicate registrations	35,431	
Vote history invalid or illogical	46,443	
Questionable inactive status	9,442	
Voted while inactive	94	
Backdated registrations	68,810	
Modified date prior to registration date	83,693	
Invalid or illogical registration date	457,428	
Illegal or invalid registration changes	641,169	
Age discrepant registrants	8,413	
Registrants with questionable address	205,621	
Registrations with altered votes	1,308,467	
TOTAL REGISTRATION VIOLATIONS PROHIBITED BY LAW:	2,865,011	
UNIQUE REGISTRATIONS PROHIBITED BY LAW:	2,555,665	

★ 2. Were the votes counted from eligible voters, as required by the US Constitution?

Registrations with material errors and omissions whose votes were counted	Votes cast in 2024 GE****	21.7% VOTE ERROR RATE
Illegal duplicate registrations	23,366	
Vote history invalid or illogical	33,439	
Questionable inactive status	2,317	
Voted while inactive	78	
Backdated registrations	47,461	
Modified date prior to registration date	340	
Invalid or illogical registration date	409,359	
Illegal or invalid registration changes	1,014,957	
Age discrepant registrants	6,166	
Registrants with questionable address	131,378	
TOTAL VOTING VIOLATIONS PROHIBITED BY LAW:	1,668,861	
UNIQUE VOTES PROHIBITED BY LAW:	1,527,639	

★ 3. Was the number of votes counted equal to the number of voters who voted?

Official Source	Reported Total by Official Source
State Official Certified Total (Votes counted)	7,030,541
Actual Vote Records in the Data (Voters who voted—at time of certification)	7,043,363
DIFFERENCE (LESS votes counted than voters who voted):	-12,822

★ 4. Was the number of ballots in error valid according to the Help America Vote Act of 2002?

Ballots with apparent voting violations in the 2024 GE according to Official State data	1,527,639
Allowable machine error rate is 1/10,000,000 ballot positions or 1/125,000 ballots	57
Total excess ballots counted in error: Provable accuracy fails to meet any protective legal standard	1,527,582

★ TOTAL ELECTION ERRORS (Sections 2+3) **1,540,461** **21.9%**

TOTAL
ELECTION
ERROR RATE

Extracted from an official copy of the Pennsylvania voter database provided by Pennsylvania Department of State, dated January 13, 2025

EXHIBIT B

AFFIDAVIT

James Allen, pursuant to 18 P.S. § 4904, deposes and states as follows:

1. I am the Director of Elections for the County of Delaware Board of Elections (the “BOE”).
2. The BOE responds to requests for records as set forth in the Pennsylvania Election Code.
3. The BOE does not have its own Open Records Officer for responding to RTKL requests.
4. The County’s Open Records Officer is not an employee of the BOE and cannot unilaterally coordinate, grant, or oversee inspection of election records requests in accordance with the Election Code 25 P.S. § 2648.
5. The County Open Records Officer forwarded me two (2) requests (the “Requests”) from Robert Mancini (“Requester”) for the following:

[Request 1]

“Please provide the an [sic] official copy of the all [sic] absentee ballots of the nov 2024 presidential; [sic] elections. Section 1309 of Act 77 declares these to be public. The official copy is the CVR electronic file. Note in *Previte v. Erie County Board of Elections* election records can be obtained through the RTK law.”

[Request 2]

“Please provide the [sic] access of the [sic] all absentee ballots for the nov 2024 presidential; [sic] elections. Section 1309 of Act 77 declares these to be public. Note in n [sic] *Previte v. Erie County Board of Elections* election records can be obtained through the RTK law.”

6. I have reviewed the Requests and conclude that Request 2 should be granted to permit Requester to access and inspect the absentee ballots in person at the Bureau of Elections, in accordance with 25 P.S. § 2648. However, Requester should not be able to photograph, copy, or otherwise take notes detailing the contents of the absentee ballots due to the constitutional ballot secrecy concerns set forth below in ¶ 5.

7. I conclude that Request 1 should be denied under the Election Code and Article 7, Section 4 of the Pennsylvania Constitution.

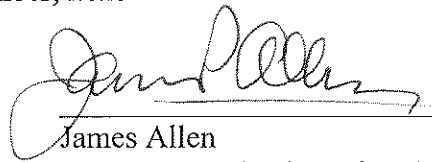
- a. Although Requester is entitled to inspect the absentee ballots in person, he is not entitled to an “official copy” of same. While acknowledging absentee ballots are publicly available records, the BOE is not able to provide information regarding an individual’s identification under 25 P.S. § 3146.9 and

Article 7, Section 4 of the Pennsylvania Constitution. In the November 2024 general election, the County’s absentee ballots included a barcode as a security feature to ensure that no ballot could be scanned or counted more than once. While this barcode does not display the voter’s identification number, it does encode a unique number that could be exploited to compromise ballot secrecy. If that number were publicly recorded and matched against other available election data, the ballot could be linked back to an individual voter. Specifically, cross-referencing the barcode with public information from the SURE system, including the Statewide Mail Ballot File (which provides point-in-time data), ballot-tracking information generated through BlueCrest software integrated with SURE, and envelope images reflecting receipt and processing dates, could allow a third party to infer the identity of the voter who cast a particular ballot. The risk is heightened in smaller precincts or where only a handful of ballots are processed in the final batches on election night – or in the days that follow based on voters who verify their IDs within the statutorily allowed six days after Election Day. In such cases, it becomes easier to deduce who cast specific ballots based on the timing of their arrival through the mail or at a drop box.

- b. Requester is not entitled to a CVR—a “Cast Vote Record” —as these electronic files are deemed “contents of ballot boxes” that are not public records pursuant to 25 P.S. § 2648. *Honey v. Lycoming Cty. Offs. of Voter Servs.*, 312 A.3d 942 (Pa. Cmwlth. 2024), *appeal pending*, No. 79 MAP 2024 (Pa. 2024). Further, the CVRs are not official “copies” of the ballots and instead are the programmed interpretation of the marks on the ballots by the system used for tabulating votes.

8. There were approximately 89,000 absentee ballots cast in Delaware County in the November 2024 general election, which includes the approximately 1,600 military-overseas ballots which are not public records under 25 P.S. § 3146.9.

Executed this 29th day of September, 2025



James Allen
Director of Elections for the County of Delaware
Board of Elections

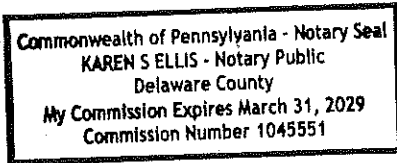
[acknowledgement follows on next page]

ACKNOWLEDGEMENT

COMMONWEALTH OF PENNSYLVANIA :
 : SS
COUNTY OF DELAWARE :

On the 29th day of September, 2025 before me, the subscriber, a Notary Public in and for the Commonwealth and County aforesaid, personally appeared JAMES ALLEN, who acknowledged that she, being authorized to do so, executed the foregoing affidavit for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Karen S Ellis
Notary Public
My Commission Expires: 3-31-2029

Karen S. Ellis, Notary Public
Print Name

EXHIBIT C

DECLARATION

I, Janelle S. Hawthorne, do hereby state that I am employed by the Commonwealth of Pennsylvania's Department of State, and verify that the statements made below are true and correct to the best of my knowledge, information and belief. I understand that false statements made herein are subject to the penalties of 18 Pa. C.S.A. Section 4904 relating to unsworn falsification to authorities and am making this statement under penalty of perjury.

1. I am employed by the Department of State (Department) as the Agency Open Records Officer. As part of my duties, I am to make a good faith effort to determine whether the agency has possession, custody or control of the record requested, pursuant to 65 P.S. § 67.901.
2. As way of background, Robert Mancini previously submitted two (2) Right-To-Know Requests requesting all information/coding information for the barcodes that are printed on mail-in and absentee ballots and the secrecy envelopes for mail-in and absentee ballots. After completing a search for records, the Department denied both Right-To-Know requests and explained that the requested information is not on file with the Department but may be found on file with the counties. Mr. Mancini did not appeal the Department's denial responses to both of his two (2) previous Right-To-Know requests for this information.
3. After the Department denied both of Mr. Mancini's two (2) previous Right-To-Know requests, on Sunday, October 19, 2025, Robert Mancini submitted an email to my individual Commonwealth email address with a Right-To-Know Law request attached that requested: "Record Request Part A On Page 1 of the ballot, in the top left corner this bar code appeared. (See Image Below or on following page). I would like all documents and files that describes what is encoded on my Ballot, how it is encoded and what it means. Record Request Part B On Page 1 of the ballot, in the Bottom left corner this bar code appeared. (See Image Below). I would like all documents and files that describes what is encoded on my Ballot, how it is encoded and what it means. Record Request Part C On Page 1 of the ballot, in the Bottom right corner this bar code appeared. (See Image Below). I would like all documents and files that describes what is encoded on my Ballot, how it is encoded and what it means. Record Request Part D On Page 2 of the ballot, in the Top Left corner this bar code appeared. (See Image Below or on next page). I would like all documents and files that describes what is encoded on my Ballot, how it is encoded and what it means. Record Request Part E On Page 2 of the ballot, in the Bottom Left corner this bar code appeared. (See Image Below or on next page). I would like all documents and files that describes what is encoded on my Ballot, how it is encoded and what it means. Record Request Part F On Page 2 of the ballot, in the Bottom Right corner this bar code appeared. (See Image Below or on next page). I would like all documents and files that describes what is encoded on my Ballot, how it is encoded and what it means. Record Request Part F On Page 2 of the ballot, there is a QR Code that appears. (See Image Below or on next page). I would like all documents and files that describes what is encoded on my Ballot, how it is encoded and what it means."

4. The Department's Right-To-Know Law Policy located on the Department's website states "a written request to the agency under the RTKL must be addressed to the Agency Open Records Officer ("AORO") at: Janelle Hawthorne, Agency Open Records Officer, 306 North Office Building, 401 North Street Harrisburg, PA 17120, Phone: (717) 317-5340, Fax: (717) 214-9899, Email: RA-RTK-DOS@pa.gov."
5. Additionally, the Department's RTKL Office policy posted on the Department's website states that "the regular business hours of the RTKL Office are 8:00 a.m. to 4:30 p.m., Monday through Friday. Any RTKL request received by the RTKL Office after the close of regular business hours shall be deemed to have been received by that office on the following business day."
6. On Monday, October 20, 2025, when I returned to the office, I opened my email box and found Mr. Mancini's October 19, 2025 email with the Right-To-Know Law Request attached in my individual Commonwealth email address inbox. I labeled Mr. Mancini's Right-To-Know request as Right-To-Know Request 2025-416.
7. On October 27, 2025, the Department responded to Right-To-Know Request 2025-416 with an interim response stating the Department required a 30-day extension in order to respond to Right-To-Know Request 2025-416. The new response deadline was November 26, 2025. The interim response was emailed to Mr. Mancini on October 27, 2025.
8. In the Department's search for records, I forwarded Right-To-Know Request 2025-416 to the Department's Bureau of Elections personnel as they are the reasonably likely record custodians of the Department for election records. From the search for records, the Bureau performed a search for records and confirmed that no responsive records were found on file. The Bureau confirmed that the Department does not have a county's mail-in and absentee ballots and secrecy envelopes for mail-in and absentee ballots on file. Instead, the mail-in and absentee ballots and the secrecy envelopes for the mail-in and absentee ballots are on file with the individual county election offices because the individual counties conduct elections, including printing, issuing, and counting mail-in and absentee ballots, not the Department. As a result, the requested barcode coding information for the bar codes printed on the mail-in and absentee ballots and the secrecy envelopes for mail-in and absentee ballots issued by the county election offices would be on file with the counties. The Department does not have any records concerning the information that may be contained in the barcodes as requested.
9. On November 25, 2025, I responded to Right-To-Know Request 2025-416 denying the request because the requested records are not in the Department's possession and explained that the requested records may be found on file with the county.
10. Previously, on October 24, 2025, Mr. Mancini attempted to appeal Right-To-Know Request 2025-416 to the Office of Open Records (Docket Number 2025-3078) prior to the Department issuing its October 27, 2025 interim response. On October 27, 2025, the Office of Open Records issued a Final Determination dismissing the appeal as premature.

11. On Monday, December 8, 2025, I received notice of this appeal that Mr. Mancini submitted to the Office of Open Records on Sunday, December 7, 2025, in order to appeal the Department's November 25, 2025 denial response to Right-To-Know Request 2025-416.
12. In preparing my declaration for this appeal, I reconfirmed with the Department's Bureau of Election personnel that the records being requested are not on file with the Department. The Bureau confirmed that the records are not on file and would likely be on file with the individual county election office.
13. Therefore, I have made a thorough inquiry with the designated and/or reasonably likely records custodians for the Department regarding the requested records noted above, and based on the information provided to me, I do hereby affirm that, to the best of my knowledge, information and belief, that there are no records on file with the Department responsive to Right-To-Know Law Request 2025-416.
14. I reviewed the position statement filed by counsel in this matter and hereby affirm that the facts as stated in that position statement are true and correct to the best of my knowledge, information and belief.

12/17/2025
Date

/s/ Janelle S. Hawthorne
Janelle S. Hawthorne
Department of State