



Wisconsin Elections Commission

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(608) 266-8005 | elections@wi.gov | elections.wi.gov

November 4, 2024

Peter Bernegger
1806 Brynnwood Tree.
New London, WI 54961

Sent via email: pmbmap123@gmail.com

Re: Complaint Filed with Wisconsin Elections Commission
Peter Bernegger v. Michelle Nelson and Christina Oppeneer (EL 24–114)

Dear Mr. Bernegger,

I am in receipt of the complaint filed with the Wisconsin Elections Commission (“the Commission”), received on November 4, 2024, against Clerk Michelle Nelson and Deputy Clerk Christina Oppeneer of the City of Kenosha. The administrative rules governing the Commission’s processing of complaints require that I review the complaint and determine within 10 business days whether the complaint is timely, is sufficient as to form, and states probable cause. Wis. Admin. Code EL § 20.04(1).

While your complaint is timely and makes allegations that could form the basis of a finding of probable cause, your complaint is insufficient regarding form because you are not an elector served by either of these election officials. Therefore, I am returning the complaint to you without prejudice pursuant to Wis. Stat. § 5.06 and Wis. Admin. Code § EL 20.04(1) and (2).

Issue of Form:

The issue regarding form is that a § 5.06 complaint may only be filed by an “elector of a jurisdiction or district served by an election official [who] believes that a decision or action of the official” is contrary to law or an abuse of discretion. Wis. Stat. § 5.06(1). In this case, both respondents are election officials, but you are not an elector of their jurisdiction, and thus you are not able to file a Wis. Stat. § 5.06 complaint against them. Given your address, your municipal clerk is Nicole Ryerson of the City of New London. Were you to become a resident of the City of Kenosha, you would then be served by Clerk Nelson and Deputy Clerk Oppeneer and could file a § 5.06 complaint against them. Alternately, an individual who is currently a resident of the City of Kenosha could file a § 5.06 complaint against them.

Conclusion:

I am returning the complaint, without prejudice, pursuant to Wis. Admin. Code § EL 20.04(2), after specifying that it is not sufficient as to form, as well as sending a copy of this letter to Clerk Nelson and Deputy Clerk Oppeneer.

Wisconsin Elections Commissioners

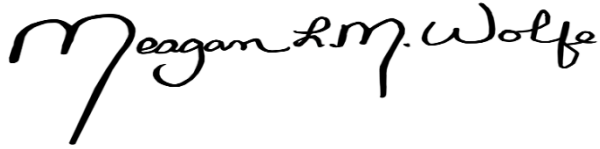
Ann S. Jacobs, chair | Marge Bostelmann | Don M. Millis | Carrie Riepl | Robert Spindell | Mark L. Thomsen

Administrator
Meagan Wolfe

Regarding form, should you choose to refile the complaint, you must ensure that all respondents in a § 5.06 complaint are named election officials in your own jurisdiction, or that another elector of that jurisdiction is the complainant. Accordingly, the Commission now considers this complaint to be disposed of pursuant to Wis. Stat. § 5.06(2).

Please feel free to contact our office if you have any additional questions regarding this complaint.

Sincerely,

A handwritten signature in black ink that reads "Megan Wolfe". The signature is written in a cursive style with a large, stylized initial 'M'.

Meagan Wolfe
Administrator

WISCONSIN ELECTIONS COMMISSION

Cc: Commission Members