June 14, 2024

Ann Welniak

3720 W. Princess Pine Dr.

Loretta, WI 54896

**Sent via USPS**

**Re: Complaint Filed with Wisconsin Elections Commission**

**EL 24-65 Ann Welniak v. Elizabeth Klein et al**

Dear Ms. Welniak:

I am in receipt of the complaint filed with the Wisconsin Elections Commission (Commission), received on May 31, 2024, against Elizabeth Klein, Clerk for the Town of Draper. 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 I find your complaint to be timely and states allegations that could lead to a finding of probable cause, I also find that your complaint is not sufficient to form. 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).

Your complaint is not sufficient as to form because it does not cite any provision of law that Clerk Klein is alleged to have violated. In order for Clerk Klein to be properly notified of the allegations against her, your complaint must cite specific provisions of Chapter 5 through 10 and 12. In your complaint, you include the following citation “Wis. Stat. 8.5.06(1)” but this is not a valid citation to existing Wisconsin law. Wisconsin statutes are easily organized and accessible online for free at this link: <https://docs.legis.wisconsin.gov/statutes/prefaces/toc>.

Conclusion

I am returning the complaint, without prejudice, pursuant to Wis. Admin. Code § EL 20.04(2), as it is not sufficient as to form. I have specified the defects in the complaint (form) as well as provided direction for how the deficiency can be remedied. The deficiency of this complaint can be cured generally if it is refiled and includes specific citations to Wisconsin law that Clerk Klein, or her staff, allegedly violated.

Sincerely,



Meagan Wolfe

Administrator

Wisconsin Elections Commission

cc: Members, Wisconsin Elections Commission