



Wisconsin Elections Commission

201 West Washington Avenue | Second Floor | P.O. Box 7984 | Madison, WI 53707-7984
(608) 266-8005 | elections@wi.gov | elections.wi.gov

February 6, 2023

Rick Pease
1926 13th Dr.
Friendship, WI 53934

Adams-Friendship Area School District
201 W. 6th Street
Friendship, WI 53934

Sent via email: rpease80@hotmail.com; smith_n@afasd.net; LLubinsky@axley.com

Re: Complaint Filed with Wisconsin Elections Commission
EL 23-13: Rick Pease v. Adams-Friendship Area School District

Dear Mr. Pease,

On January 26, 2023, the Wisconsin Elections Commission (Commission) received a sworn complaint from you that names the Adams-Friendship Area School District as the respondent. Wis. Admin. Code § EL 20.04(1) requires that our office review the complaint and determine within 10 business days whether the complaint is timely, is sufficient as to form, and states probable cause.

Timeliness

Wis. Stat. § 5.06(3) requires that a complaint challenging the decision of an election official “shall be filed promptly so as not to prejudice the rights of any other party.” For complaints related to ballot access decisions made by local election officials, the deadline for filing a complaint with the Commission is 10 days: “In no case may a complaint relating to nominations, qualifications of candidates or ballot preparation be filed later than 10 days after the complainant knew or should have known that a violation of law or abuse of discretion occurred or was proposed to occur.” Wis. Stat. § 5.06(3).

In this case, the January 26, 2023, filing of this complaint took place 16 days after the Adams-Friendship Area School District made its ballot access decisions for the 2023 Spring Election candidate filing period in its January 10, 2023, meeting. Because this complaint was not filed within 10 days of when the Adams-Friendship Area School District held its candidate verification and ballot order lot drawing meeting, this complaint was not timely filed and cannot be considered.

Conclusion

In fairness to all parties who must comply with complaint deadlines established by the Legislature and the Administrative Code provisions established by the Commission, I am required to dismiss your complaint. I am returning your complaint as untimely pursuant to Wis. Admin. Code § EL 20.04(2). As required by that provision, I have specified the defect in the complaint (timeliness). As to the information which would be appropriate to cure the defect, unfortunately I am unaware of any such information that I can provide to cure the late filing of the complaint. Your complaint is therefore dismissed.

Wisconsin Elections Commissioners

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

Administrator
Meagan Wolfe

The Commission now considers this matter closed.

Sincerely,

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

Meagan Wolfe
Administrator
Wisconsin Elections Commission

cc: Members, Wisconsin Elections Commission