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Date: 2/24/23

Pages (Including Cover): 18

FROM: Ieshuk Griffin

TO: Attn: Brandon Hunzicker

Company: 414-239-2112

Company: Wisc. Electric Commission

Name: Ieshuk Griffin

Name: WEC (Formal reply)

Phone: 414-239-2112

Fax: 1-608-267-0500

### Comments:

Please find my formal appeal response due today 2/24/23. I am also sending an additional formal audio to be included in the response or evidence via an email attach.

Ieshuk Griffin

formal response exhibit attached.



unedited audio (via an attached e-mail) of the January 9, 2023, hearing of Chavez v Griffin, Griffin v Chavez, which is prima facie evidence that the respondents' have filed their answer in bad faith, with inaccuracies and false statements before the Wisconsin Election Commission.

On page 1 of the respondents' legally insufficient purported verified response which is nothing short of speculation, conjecture and opinions of counsel that are not to be considered by law as law, counsel for the respondents' asks the WEC to dismiss the 'verified complaint' in its entirety. What is before the WEC is not a 'complaint', it is an 'appeal'. A 'verified' appeal. A 'complaint' is a written document regarding the quality of service, or lack thereof, which may or may not include the behavior of others as it relates.

An 'appeal' is an 'institute of legal proceedings' to review the lawfulness of actions taking and if such actions are consistent with clearly established law or are in violation of clearly established law and to impose corrective measures upon finding such violation; it provides for further appellate relief if need be and the respondents are to answer in accordance to law, and truthfully. The WEC is without jurisdiction, respectfully speaking to dismiss something that is not before it, the pleading filed with the WEC is not a 'complaint', as such the conclusion of the respondent is void ab intio. The appellant has met all conditions precedent in the verified appeal, and verified appeal's reply.

On the bottom of page 1 of the legally insufficient purported verified response which nothing short of speculation, conjecture and opinions of counsel that are not to be considered by law as law, counsel erroneously states the 'sole basis for the Challenge is that Chavez is not currently licensed to practice law in the State of Wisconsin as required by section 3-34-2-b, of the Milwaukee City Charter...' The conjecture and choice words of the counsel does not

supersede the facts. The appellant, provided the respondents with an affidavit on January 6, 2023 under penalty of perjury that pursuant to the ‘purported’ City of Milwaukee charter 3-34(b) stating in no uncertain terms ‘A municipal court judge “shall” be an “attorney” “licensed” to practice law in Wisconsin’, Phil Chavez failed to comply with these specific ‘legal’ requirements. The appellant met all conditions precedent relating to the appellant’s burden as a challenger to prove that Phil Chavez “failed to comply with this specific legal requirements’ pursuant to the ‘purported’ City of Milwaukee charter 3-34(b) and these requirements were evidenced by attached in the formal complaint filed with the filing officer. The filing officer had a mandatory duty to use the evidence as supplied yet went outside of the four corners of the complaint.

The appellant was in substantial compliance with the obligations that must be met by a challenger in a verified complaint pursuant to EL.2.07(3)(d). The appellant’s affidavit is entitled to the presumption of validity. The filing officer failed to comply with her sworn duties relating to examining the appellant’s verified sworn challenge as it relates. The filing officer refused to comply with her obligations relating to the appellant’s verified challenge against Phil Chavez. The filing officer failed to use the evidence appellant supplied in the complaint and looked outside of the four corners of the complaint by using nonpromulgated memos that were outside the scope of evidence.

The audio provided is prima faice evidence that the respondents never accorded the appellant a full and fair hearing in accordance to due process and were more concerned with the heightened standards they unlawfully applied to the appellant nor did the respondents’ consider the appellant’s complaint, nor did Chavez’s ‘counsel’ do anything but make bland jokes, never refuting the appellant’s complaint or the allegations contained within. The appellant is entitled to

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equal access to the equal opportunities and equal protections of the law. The issues before the WEC is not the 'sole' issued as described by the counsel for the respondents' but as stated in the formal appeal; the appellant formally appealed the filing officer's decision on January 9, 2023 to disregard and deny the appellant's challenge to place Phil Chavez name on the ballot for Municipal Judge, Branch 3 election. The decision and inaction is not in conformity with clearly established law as detailed in the formal verified appeal.

The interpretation of use of a nongovernmental union's website for 'license' verification', reference to a print out non certified paper for a 'synopsis' of SCR rules and a copy of a nonpromulgated 'synopsis' of a municipality's internal policy pursuant to an administrative charter is inconsistent with state and federal election laws including rule making authority in violation of the State Administrative Procedure Act.

Page 3, in the argument section of the legally insufficient purported verified response which nothing short of speculation, conjecture and opinions of counsel that are not to be considered by law as law, counsel statement that 'Griffin apparently concedes that candidates for Branch 3 of the City of Milwaukee Municipal Court must be in fact attorneys, is in itself reason to strike the affidavit in its entirety. A statement made on 'information or belief' is not sufficient to be a declaration contained in an affidavit, as it is contrary to the mandates of 'personal knowledge'.

The appellant makes no such concession, and is far from an accurate depiction of facts. The facts are clear, front and center. A person who meets the constitutional requirements for public office, cannot be denied the *right* to hold office IF elected. See **Powell v McCormack, 395 US 486**. This constitutional right cannot be circumvented by an unpromulgated municipality internal charter. The refusal to print the name of a candidate on the ballot after being duly





unconstitutional and void, in violation of the Civil Rights Act of 1968 as it has a discriminatory and disparate effect on the minority vote and participation of an elective representative of their choosing, in violation of the Voting Rights Act, Section 2, violating the common rights in voting and creates an additional requirement unduly burdensome on a sector of people not found in the State of Wisconsin as a whole to be a requirement or prerequisite to voting of the citizens in a totality, in violation of the Clayton Act, Section 4 as it acts to monopolize a 'corner' in a public election.

Wisconsin Supreme Court Justice Hon. Shirley Abrahamson once noted in a judicial decision; "who are to be the electors..? Not the rich, more than the poor, not the 'learned' more than the 'unlearned'...the electors are to be the great "BODY" of the people....'...Body, as in the WHOLE...The right to elect is vested in the electors not the internal policy of an unpromulgated municipal charter. The City of Milwaukee has neither power nor rule making authority to 'appoint 'an 'elected state officer.

The Wisconsin Constitution, section 1, article III prescribes the qualifications of electors. An unpromulgated municipality internal policy cannot impair the rights of those possessing those qualifications. The unpromulgated municipal internal charter creates an 'unlawful' "enterprise" contrary to federal law, specifically section 4 of the Clayton Act as the unpromulgated municipal internal policy charter clearly articulates that only by virtue of a 'license' (and according to the respondent the only way to obtaining such is as a fee paying member of a union referred to as 'the bar') can a candidate have standing to be hold in an 'elected public office'.

This is an unfounded 'revenue scheme'; under the "guise" of regulatory law, a 'non election related', 'non ballot placement election related law' ,designed with an intent to unlawfully disenfranchise and defraud 'the poor people from obtaining a 'piece of the pie', in

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violation of **Lubin v Panish**, 415 U.S. 709. An 'unequal, constitutionally impermissible weight' placed on candidates and voters alike in violation of **Bullock v Carter**, 405 US 134. The United States Supreme Court stated in Bullock; ' whenever a state or citizen regulates the right to become a candidate for public office, it also regulates the citizen's right to vote; the person or persons who's candidacy is affected maybe the candidate's choice for public official.' The Highest Court went on to announce that, 'the rights of voters and the rights to candidates do not lend themselves to neat separation; laws that affect candidates always have at least some theoretical, correlative affect on voters'. **(Emphasis Added)**. The appellant, the public as well as the will and intent of the voters have a substantial interest and right to an 'unhampered', 'unconditioned' non privatized wide pool of candidates from which to select their representatives. 'Candidacy' and the rights to there under is protected by the First Amendment. The City of Milwaukee's unpromulgated internal administration policy discriminates against the residents of the city of Milwaukee, while candidates such as Beaver Dam's James H Brace or currently sitting state of Wisconsin municipal judges such as Kenneth Peters and Patrick Bulmn, (White males, whom are non lawyers) exercise the same political right that the respondents are attempting to deny the appellant, whom is just as if not more qualified than Brace, Peters and Bulmn; whom are similarly situated, and differ only in race and gender and status.

In a footnote counsel attempts to justify' Chavez's failure to meet his burden. Hearsay, speculation and conjecture cannot suffice in an affidavit, but must be based on personal knowledge of the facts. The fact is Chavez failed to meet fulfill his burden and the appellant fulfilled her, meeting all conditions precedent. The counsel blatantly lies that a 'copy' was provided to the appellant, and as heard in the audio, this is far from the truth. The respondents' makes excuses as to why copies were not provided to her, and directs the appellant to look in the



appellant and the filing officers lessened his burden of proof while heightening the appellant’s. It is my belief that this constitutes prima facie evidence of discrimination. The appellant completed and complied with the United States Constitution, Wisconsin State Constitution, all State of Wisconsin law, rules and statues, as it relates to challenging requirements. The appellant has a constitutional right to conduct lawful business, in a lawful manner with all constitutional rights preserved. The appellant is entitled to equal rights, equal opportunity and equal protection of the laws under the United States.

**Conclusion**

The appellant has met all conditions precedent and is entitled to have her complaint challenging Phil Chavez’s ineligibility accorded due diligence and used as prima facie evidence that based on the purported City of Milwaukee charter and the clearly established definitions and prerequisites of ‘attorney’ and ‘licensed’ Phil Chavez is ineligible for the office of Municipal Judge, Branch 3. The appellant is entitled to rely on the respondents’ to comply with their duties and laws of the Wisconsin Constitution, State of Wisconsin and the United States Supreme Court as well as obligations under the Wisconsin Election laws.

**Being first duly sworn under oath**, my signature below verifies and affirms, under oath, UNDER PENALTY OF PERJURY the above statements are facts that are true and correct to the best of my personal knowledge, recollection and belief.

Signed before a notary this 24 day of February 2023

Ieshub Ent



Appellant/Candidate  
Notary  
10/23/2023



Ex 1



# ELECTION COMMISSION

**Commissioners:**  
 Terrell Martin, Chair  
 Patricia Ruiz-Cantu  
 Douglas Haag

**Executive Director:**  
 Claire Woodall-Vogg

## Meeting of the City of Milwaukee Board of Election Commissioners Monday, January 9, 2023, 5:00pm City Hall, 200 E Wells St, Room 501

### AGENDA:

1. Call to Order
2. Roll Call
3. Approval of polling place changes for Spring 2023
4. Review of Verified Complaints and Challenges to Nomination Papers; and action thereon
  - a. Jackson v. Hart
  - b. Reaves v. Milwaukee Election Commission
  - c. Chavez v. Griffin & Griffin v. Chavez *on by Chavez v Griffin reviewed*
  - d. Convene into Closed Session  
*The Commission may adjourn into closed session under the provisions of Wisconsin Statutes Section 19.85(1)(a) for the purpose of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before the Commission. At the conclusion of the closed session, the Commission may reconvene in open session to take whatever actions it may deem necessary.*
  - e. Reconvene into Open Session
5. Certification of Candidates for 2023 Spring Election and 2023 Special Election; and action thereon
  - a. School Board Director Districts 1, 2, 3, and 8
  - b. School Board Director At-Large
  - c. Municipal Judge Branch 2
  - d. Municipal Judge Branch 3
  - e. Alderperson District 1
  - f. Alderperson District 5
  - g. Alderperson District 9
6. Ballot Order Draw by the Executive Director
  - a. School Board Director District 3
  - b. School Board Director At-Large
  - c. Municipal Judge Branch 2
  - d. Municipal Judge Branch 3
  - e. Alderperson District 1, 5, 9
7. Adjournment

*Reasonable accommodations, of an auxiliary aid or service required due to a disability, for a City of Milwaukee event will be provided upon request. Contact the City of Milwaukee ADA Coordinator, 414-286-3475 or [adaordinator@milwaukee.gov](mailto:adaordinator@milwaukee.gov) as soon as possible but no later than 72 hours before the scheduled event.*



Ex 2

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Commissioners:  
Terrell Martin, Chair  
Patricia Ruiz-Cantu  
Douglas Haag

Executive Director:  
Claire Woodall-Vogg

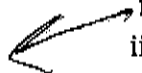
Meeting of the City of Milwaukee Board of Election Commissioners  
Monday, January 9, 2023, 5:00pm  
City Hall, 200 E Wells St, Room 501

Minutes:

1. The meeting was called to order by Chair Martin at 5:12pm.
2. Executive Director Woodall-Vogg took a roll call; Commissioner Martin, Ruiz-Cantu, and Haag were all present.
3. Approval of polling place changes for Spring 2023
  - a. Commissioner Haag motioned to approve the polling place change of Ward 50 to Villard Library; seconded by Commissioner Ruiz-Cantu. Motion carried without a negative vote.
4. Review of Verified Complaints and Challenges to Nomination Papers
  - a. Jackson v. Hart
    - i. Executive Director presented a summary of the issues.
    - ii. Commissioner Martin provided Mr. Jackson and Ms. Hart the opportunity to make an oral statement.
    - iii. Commissioner Haag asked if any circulators of Ms. Hart's nomination papers were present. Melissa Zombor and Kristina Funa identified themselves as circulators for Ms. Hart's papers.
    - iv. Executive Director placed Ms. Zombor and Funa under oath. Commissioner Haag asked if any voters were confused as to Ms. Hart's committee and candidate names. Neither Zombor nor Funa found any voters were confused.
  - b. Reaves v. Milwaukee Election Commission
    - i. Executive Director Woodall-Vogg presented that she was changing her recommendation regarding ballot placement for Hendricks Reaves. A video on Getting on the Ballot on the Wisconsin Election Commission's (WEC) website refers to counting "supplemental signatures," beyond the maximum threshold established by state statute. While Woodall-Vogg and Assistant City Attorney Block both think that state statute and administrative rules are very clear regarding the maximum number of signatures, the Commission has a long history of following the standards set by WEC.
    - ii. Commissioner Martin provided Hendricks-Reaves with the opportunity to make an oral statement.
  - c. Chavez v. Griffin & Griffin v. Chavez

UNAPPROVED

NO reqs  
nor  
suffice  
to rule  
by 5:12pm  
begin



ATT. B





- a. Commissioner Haag motioned to certify the candidates as presented by Executive Director Woodall-Vogg; Commissioner Ruiz-Cantu seconded. Motion carried without a negative vote.
- 6. Executive Director Woodall-Vogg commenced the ballot order draw for all contests with multiple candidates:
  - a. School Board Director District 3
  - b. School Board Director At-Large
  - c. Municipal Judge Branch 2
  - d. Municipal Judge Branch 3
  - e. Alderperson District 1, 5, 9
- 7. Commissioner Haag motioned to adjourn at 6:25pm; Commissioner Ruiz-Cantu seconded. The motion carried without a negative vote and the meeting was adjourned at 6:25pm.

UNAPPROVED





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While working several cases as a detective he had a heart attack. He then landed in the district attorney's office investigating major crimes.

"In 1999 I was honored as Law Enforcement Officer of the Year for Dodge County," Peters said. That was really nice. All 23 chiefs in the county voted unanimously for me, which was really terrific."

He retired in 2001 and immediately joined the staff at the coroner's office.

"With all my experience I at least knew what I was doing, which helped a lot," he said.

He then served on the Beaver Dam Teen Court. He eventually took over as Beaver Dam Municipal Court Judge, following Judge Judy Johnsen, who retired from that post.

Each position held its challenges, such as processing human remains for evidence and facing challenging attorneys in court.



"I am not a lawyer," he said, clarifying some of his background. "You face a lot of attorneys because you're having an impact on people's lives, but I have a lot of help."

Municipal Court Clerk Dawn Kuczniewicz is particularly helpful and has held her position for the past 22 years.

"She's invaluable," he said.

He continued, "It has been a very rewarding career for me," he said with his constant smile and good humor. "I've learned a lot and I think I have the right personality for this work – especially in the courts. I'm not there to make zillions of dollars. I just want people to admit that they 'boo-booed', that they admit it. That they learned the law and they get some kind of a fine and they're on their way."

## DOWNTOWN BEAVER DAM HOLIDAY PARADE

Beaver Dam held its annual Downtown Beaver Dam Holiday Parade on Saturday evening. A large crowd braved the cold to be part of the excitement.