

VERIFIED SWORN APPEAL STATEMENTS TO THE WISCONSIN ELECTION

COMMISSION

(Exhibits Attached)

I, FORMALLY APPEAL the filing officer's decision on January 9, 2023 to not place my name on the ballot for Municipal Judge, Brach 3 election. This decision and inaction is not in conformity with clearly established law as detailed infra. This appeal is made to the Wisconsin Election Commission through this submission of sworn written statements. My signature below verifies and affirms, under oath, UNDER PENALTY OF PERJURY the following **facts** that are **true** and **correct** to the best of my personal knowledge, recollection and belief as it relates to events between January 3, 2023 and January 9, 2023 in my interactions, correspondences and notifications between myself and that of the Milwaukee Election Commission Office, Board of Election Commissioners & the Milwaukee Election Commission's employee Claire Woodall – Vogg (filing officer) (Executive Director of the Milwaukee Election Commission) as it relates to my being placed on the ballot in the April 4, 2023 City of Milwaukee election for Municipal Judge, Branch 3.

1. I provided the Milwaukee Election Commission and the Board of Election Commissioners an affidavit under peal of perjury that I qualified and I met all conditions precedent relating to my qualifications and eligibility for Municipal Judge, Branch 3.
2. My affidavit is entitled to the presumption of validity.
3. I am in substantial compliance with the law.
4. There has not been provided to me or any evidence given or shown to me or on record that demonstrate 'a failure to comply with statutory or other legal requirements' to be placed on the ballot for Municipal Judge, Branch 3.
5. Municipal Judges are a 'state-wide' concern not a local government affair.

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6. There are four primary documents that must be filed by the deadline for a candidate to gain a place on the ballot.
 7. I completed and complied with the United States Constitution, Wisconsin State Constitution, all State of Wisconsin law, rules and statues, as it relates to the candidacy requirements for candidates running in the election for City of Milwaukee Municipal Court Judge, Branch 3, and all required paper work as turned in to filing officer(s) in compliance with the mandates on January 3, 2023.
 8. On January 5, 2023 at 3:08 p.m. Claire Woodall-Vogg, acting in the capacity of an Milwaukee Election Commission employee, notified me via e-mail that my nomination papers were 'deemed' sufficient also stating that I had 'completed all other filing requirements.'
 9. 'Deemed' is defined as 'regarded' or 'decided in a particular manner'. 'Completed' is defined as an act of finishing a task to its end.'
 10. Claire Woodall-Vogg, acting in the capacity of an Milwaukee Election Commission employee also emailed me twice stating that it had 'come to her attention' in relation to a Milwaukee Charter 3-34-2(b) 'eligibility requirements for municipal judges and requires that judges be licensed in the State of Wisconsin. Further, she cited a Wisconsin Statute laying out ballot placement requirements. (For unknown reasons she asked if I would 'become a licensed attorney prior to May 1, 2023. The e-mails sent to me as it relates to what had 'come to her attention' were sent on January 5, 2:21 p.m. and January 5, 3:08 p.m.,
 11. Between the times of at LEAST January 5, 2:21 p.m. and January 5, 3:08 'it had come to the attention 'of Claire Woodall-Vogg, acting in the capacity of a Milwaukee Election

Commission employee of a Milwaukee city charter 3-34-2(b) relating a Municipal Judge’s ‘eligibility requirements’.

12. Although I have my telephone number listed with the Milwaukee Election Commission, I did not received a call regarding this matter from Claire Woodall-Vogg, acting in the capacity of an Milwaukee Election Commission employee or any other Milwaukee Election Commission employee as it relates to the subject matter.

13. I have no prior agreement with anyone to constantly check my e-mail.

14. I on multiple occasions checked the website of the Milwaukee Election Commission to watch for the entry of information that related to the election.

15. At approximately 4:36 p.m. upon seeing the e-mail sent to me from Claire Woodall-Vogg, acting in the capacity of an Milwaukee Election Commission employee, I set a response to Claire Woodall-Vogg, acting in the capacity of an Milwaukee Election Commission employee and stated that ‘for the record I am in FULL compliance with the law as it relates . I also asked for a copy of a verified complaint if it had been one filed against me.

16. At 4:39 p.m. on January 5, 2023, Claire Woodall-Vogg, acting in the capacity of an Milwaukee Election Commission employee e-mailed me that ‘no one’ had challenged me, stating again that she had ‘learned’ and simply wanted to ‘bring it to my attention’. She stated that I was in ‘full compliance and will be recommended for ballot placement at this point in time.’

17. It is my belief that Claire in ex parte communication with the other candidate in the same race for Municipal Judge Branch 3 ‘leaned’ this particular information that she wanted to ‘bring to my attention’.

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18. It is my belief and understanding that I am entitled to belief that a person in a professional manner, specifically an employee in city government would adhere to their words expressed to others conducting business with them.
19. From the e-mail receipt, and even after receiving a challenge from Phil Chavez, Claire Woodall-Vogg, acting in the capacity of an Milwaukee Election Commission employee FORMAL decision was to ‘recommend me for ballot placement’
20. Claire Woodall-Vogg, acting in the capacity of an Milwaukee Election Commission employee after receiving complaints and responses from both myself and Phil Chavez did NOT make, nor issue any decision to the contrary of ‘recommending me for ballot placement’.
21. After receiving and reviewing challenges and complaints the Milwaukee Election Commission at the end of business on January 6, 2023 website stated that I was ‘recommended to be certified for ballot placement’.
22. On the start of business hours on the morning of January 9, 2023, the Milwaukee Election Commission at the end of business on January 6, 2023 website stated that I was ‘recommended to be certified for ballot placement’.
23. Before the meeting with the Board on January 9, 2023, Claire Woodall-Vogg, personally saw me and at no time relayed to me nor attempting to relay to me any information that would indicate a change in the decision made that I was ‘recommended to be certified for ballot placement’
24. At a public hearing held on January 9, 2023, Claire Woodall-Vogg, acting in the capacity of a Milwaukee Election Commission employee did not have any official paper work, formal or informal that was a decision to not recommend me for ballot placement.

31. The United States Supreme Court mandate in **Trenton v New Jersey, 262 U.S. 182**, 'municipalities have no inherent right to 'self-government'...and are 'merely' departments of the state.

32. A charter ordinance must be legislative in character before it can be validity initiated by direct legislation. See **Save Our Fire Department Paramedics Committee v Appleton, 113 Wis.2d 366**.

33. The Milwaukee Board of Election Commissioner reviewed an insufficient complaint filed by a candidate regarding my 'eligibility' to become a Municipal Judge and state in the complaint that I was "not a member of the State Bar of Wisconsin and thus not an attorney licensed to practice law in the State of Wisconsin, which would make me ineligible *as cited above in the City of Milwaukee Charter Paragraph 3-34-2(b)*.

34. At no time did the challenger, nor any employee in the Milwaukee Election Commission nor the Board have or provide me with a hard copy or link that 'cites' *INELIGIBILITY* language from *Charter Paragraph 3-34-2(b)*.

35. Milwaukee Charter Paragraph 3-34-2(b) contains NO such citation relating to INELIGIBILITY.

36. No one not even a challenger provided proof nor evidence that there exists a DATE as PROVIDED by LAW for a CANDIDATE to perform Milwaukee Charter Paragraph 3-34 before, during or immediately after the April 4, 2023.

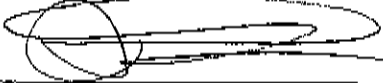
37. Milwaukee Charter Paragraph 3-34 is under Chapter 3 of the SUBJECT matter regarding 'DUTIES & AUTHORITY OF CITY OFFICER' (Emphasis Added).

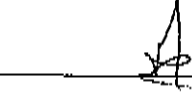
38. I am not a city officer. I am a candidate for the Municipal Judge Brach 3 election; as such I am under no obligation of Milwaukee Charter Paragraph 3-34.

- 39. Milwaukee Charter Paragraph 3-34 is under Chapter 3 of the SUBJECT matter regarding 'DUTIES & AUTHORITY OF CITY OFFICERS'. Chapter 2 of the City Charter entitled 'CITY OFFICERS' lists under no uncertain terms who they deem and 'define' as 'Officers of the City'. 'Municipal Judges' are NOT listed as such under said chapter.
- 40. No one not even a challenger provided proof nor evidence that I could not perform Milwaukee Charter Paragraph 3-34 IF a Municipal Judge is in 'fact a 'City Officer'.
- 41. Milwaukee Charter Paragraph 3-34 does not contain any INELIGIBILITY to hold office language, nor does it contain language with a DATE to comply with its 'purported' requirement, nor does it contain ANY language relating to a consequence and/or repercussion for non-compliance in a "specific" date
- 42. The Wisconsin Constitution does not contain such language nor does any legislation of the State of Wisconsin regarding Municipal Court Judges.
- 43. There is NO language in ANY Wisconsin state law that mandates and/or expressed state under no certain terms that 'an attorney' has to be a member of the Wisconsin State Bar.
- 44. There is NO language in ANY Wisconsin state law that mandate and/or expressly state under no certain terms that to be an eligible candidate for Municipal Judges or to be a Municipal Judge that a person has to be or FIRST be before entering upon their duties a Wisconsin State Bar member, OR an attorney 'license' to practice law in the State of Wisconsin.
- 45. There is NO language in ANY Wisconsin state law, or state or federal constitution, or state and or federal rules and statutes that mandate and/or expressed state under no certain terms that A Municipal Clerk, Election Commission or Election Board may

Commission Office to place my name on the ballot in the April 4, 2023 election for City of Milwaukee Municipal Judge, Branch 3.

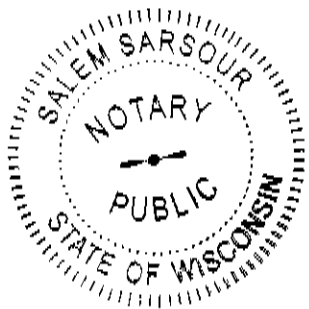
Being first duly sworn under oath, signed before a notary this 11th day of January 2023

 Appellant/Candidate
Leskuh Griffin 1-11-23

 Notary

Date: 1/11/23

Subscribed before me on 1/11/23.
Milwaukee County
Exp: 8/8/23



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EXHIBITS

- A. Claire Woodall-Vogg DECISION to recommend ballot placement and verified my FULL compliance to be placed on ballot**
- B. Evidence that NONCOMPLINCE decisions and recommendation to not be placed on Ballot are in WRITING on Agenda by Milwaukee Election Commission PRIOR to Board hearing**
- C. Affidavit of Constitutional RIGHT and LAWS relating to MUNCIPLAITIS etc.**
- D. Copy of Milwaukee Election Commission website stating Jan. 9, 2023 decision**
- E. Phil Chavez complaint*
- F. My ~~be~~ verified response to Phil C. conf.*

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Ex ✓

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- 10. In the case of both Special Elections for Alderperson, the President of the Common Council issued an order for Special election and included a specific date for circulation (the date of each order). The first date allowed for circulation of nomination papers for District 2 was April 20. The first date allowed for circulation for District 3 was May 9.
- 11. 229 of Ms. Griffin's 239 signatures for District 3 were circulated prior to May 9. The signatures of all electors and the circulator were consistent and fell on May 3, May 4, and May 5.
- 12. As a result, under Stat. 8.02, the Election Commission is unable to count any of the signatures that were circulated prior to the allowable date.
- 13. Ms. Griffin submitted a corrective affidavit of correction on June 1 for her District 3 signatures.
- 14. Ms. Griffin's affidavit states that she circulated nomination papers on 5/13, 5/14, and 5/15. While this correction is allowable for a circulator, state statute does not allow the signatures, including the dates, of individual electors to be altered. The only way in which to correct the dates of the elector would be for individual electors to provide corrective affidavits.
- 15. As a result, Ms. Griffin's elector signatures still fall before the allowable date for circulation and are not able to be counted towards placement on the ballot for District 3.
- 16. Mr. Brostoff has filed a challenge against Ms. Griffin's District 3 signatures on the basis of the dates that the electors signed. The Election Commission staff do not believe this challenge needs to be heard since we do not recommend certification of Ms. Griffin for ballot placement.
- 17. In conclusion, Ms. Griffin has not submitted enough signatures for ballot placement in District 2 or District 3.

MADE in writing

Respectfully submitted,
Claire Woodall-Vogg
Executive Director

Exc 8

Affidavit of Constitutional RIGHT to run for City of Milwaukee Municipal Judge

My signature below affirms the following facts that are true and correct to the best of my knowledge, recollection and belief as it relates to my candidacy for City of Milwaukee Municipal Judge, Branch 3;

I am qualified to run as a candidate for the Milwaukee Municipal Court Judge, Branch 3. I am in FULL compliance with the United States Constitution, Wisconsin Constitution and Wisconsin Stat. 755 as it relates to 'Municipal Judges'. Both the State and Federal constitutions provide identical procedural due process and equal protection safeguards. See **County of Kenosha v C&S Management, Inc.; 223 Wis.2d 373**. I am ENTITLED to EQUAL RIGHTS, EQUAL OPPORTUNITY & EQUAL PROTECTION under the laws of the United States and under the Constitution of the State of Wisconsin.

The Milwaukee Election Commission's publically posted listed on its website under the heading 'Qualifications', the 'requirements' to run for an elected office in the City of Milwaukee and stated that the 'requirements' were outlined in the 'Declaration of Candidacy form'. I have also complied with the Milwaukee Election's Commission 'Ballot Access Checklist for 2023 Municipal Candidates'. Upon circulation of nomination papers AFTER December 1,, 2022 I received over 1, 700 signatures (over 200 more than the minimum required) on my nomination papers that are in substantial compliance with the clearly established election laws.

I have met all conditions precedent. I am eligible to be an elected Municipal judge as Wisconsin's, STATE legislation ONLY gives municipalities EXPRESS authority to add additional qualifications for Municipal Court COMMISSIONERS NOT Municipal Court

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1

JUDGES. The Wisconsin Constitution mandates that 'all municipal courts SHALL have 'uniform' jurisdiction.

The Wisconsin Constitution nor the Wisconsin Legislation does NOT restrict municipal judges to 'attorneys' 'licensed' to practice law in Wisconsin. The Wisconsin Constitution was amended to 'courts of records' requiring such prerequisite to hold office. Wisconsin Legislation by way of Wis. Stats. 755.19 mandate that Municipal court COMMISSIONERS 'shall be an attorney licensed to practice in this state...and authorizes 'the common council' the 'authority' to 'establish' "additional qualifications" NOT Municipal 'judges'.

Furthermore, my constitutional right to run for Milwaukee Municipal Court Judge, Branch 3 is a first amendment constitutional right inclusive of 'freedom of association', the Fourteenth Amendment's 'equal opportunity' as well 'equal protection' under the laws of the United States. The United States Constitution, and the laws of the United States made in pursuance thereof; and all treaties made, under the authority of the United States, is by clearly established law, the SUPREME law of the land.

The Wisconsin Constitution, Article I, Section I, declared that 'equality' is an inherent right, specifically mandating; 'all people are born equally free and independent; and have inherent rights; among these are life, liberty, and the pursuit of happiness'. The 10th Amendment of the United States Constitution commands that 'the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States OR to the 'people'.

The United States Constitution does NOT mention local governments. Municipalities are merely a department of the state and have no inherent right of self government which is beyond

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legislative control of the state. The powers of municipalities are subject to the limitation that the municipality cannot deal with matters which are of state wide concern. See *Van Gilder v Madison*, 267 N.W. 31. If a state does not expressly delegate to a local government the authority to adopt a particular policy, a locality's adoption of such policy is void. Local powers must be expressed granted by 'law', clearly established 'law'.

ANY 'reasonable doubt' concerning the existence of power is resolved *AGAINST* the existence of such power. See '**Dillon's Rule**'. Local governments may not impose regulations that exceed clearly established state law or mandates of the constitution. (Emphasis Added). Municipalities have NO inherent right to 'self-government' beyond what is legislatively enacted to them. See *Van Gilder v Madison*, 222 Wis. 58.

An unconstitutional city ordinance is nothing more than a mockery of the Constitution and the legislation enacted thereof. It is an attempt to deprive the citizens of rights secure by the Constitution. It is a fundamental principle that municipal ordinances are inferior in status and subordinate to the laws of the state. AN ordinance in direct conflict with the constitution and/or state law is universally held invalid and unenforceable. (Emphasis Added).

The city of Milwaukee is attempting to implement a 'fraud upon the public' in its attempt to restrict the eligibility of Municipal judge to those who are 'attorneys' 'licensed' to 'practice law' in 'Wisconsin'. Such purported restriction is contrary to the Wisconsin Constitution's 'uniformity' clause. It is ultra vires, as it is beyond the 'express' powers conferred upon the municipality.

There is NO express legislative language that gives such authority to the city of Milwaukee; as such the purported restriction is ultra vires, without lawful/legal authority. The

purported restriction is void ab initio as it is in direct contradiction to the federal 'Dormant Commerce Clause', the Wisconsin Constitution's *guarantee* of the 'maintenance of free government' as well as the Wisconsin Constitution's 'uniformity clause' and conflicts with the Wisconsin's Constitution's 'state wide concern', doctrine as Wis. Stats755.05 MANDATES that municipal judges SHALL have STATEWIDE territorial jurisdiction. This is inclusive of an approximate 50% of NONlawyer judges that are in FACT Municipal judges within the State of Wisconsin.

Statewide territorial jurisdiction INCLUDES the city of Milwaukee. The powers of municipalities are subject to the limitations that the municipality cannot by its charter deal with matters which are of 'state-wide concern. A municipality in Wisconsin is a 'corporation'. A corporation may ONLY act in a proscribed by law and must depend entirely on the state for its power. See *Head v Armory Providence Insurance Co*, 6 U.S. 127. See also *Bank of the United States v Dandridge*, 25 U.S. 64.

A municipality may adopt an ordinance as law as long as it is NOT inconsistent with the CONSTITUTION as well as state law. A patently unconstitutional ordinance can NOT be enforced. It is an unlawful delegation of legislative power. Nor can any state make or enforce any law which shall abridge the privileges or immunities of the United States citizens nor deny to any person within its jurisdiction the equal protections of the law.

No city ordinance can abridge the constitutional right to free political association. I am qualified to run as a candidate for the Milwaukee Municipal Court Judge, Branch 3. I am in FULL compliance with the United States Constitution, Wisconsin Constitution and Wisconsin

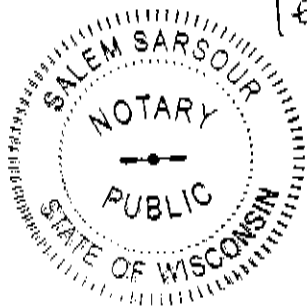
Stat. 755 as it relates to 'Municipal Judges'. I am ENTITLED to EQUAL RIGHTS, EQUAL OPPORTUNITY & EQUAL PROTECTION under the laws of the United States.

Signed before a notary this 3rd day of January 2023

[Signature]

Candidate

Ieshah Garkhen



[Signature]

Notary

Milwaukee County

[Signature]

Date: 1/3/23

Date of Exp: 8/8/23

Ex D

Municipal Judge, Branch 3											
1	Phil Chavez/ Citizens for Chavez	3401 S Delaware Ave., Milwaukee WI 53207	608-516-5450	udubsalum@gmail.com	11/30/22	11/30/22	12/21/22	12/29/22	12/05/22	12/29/22	
	Ieshuh Griffin, The Poor People's Piece of the Pie Campaign	2722A N Richards St, Milwaukee WI 53212	414-239-2112	eyeforjustice@yahoo.com	1/3/23	1/3/23	1/3/23	1/5/23	1/3/23	1/5/23	MEC voted 1/9/23 to not place Griffin on ballot due to ineligibility to hold office

Ex E

State of Wisconsin
Before the Elections Commission

The Complaint of Phil Chavez, 3401 S Delaware Ave, Milwaukee, WI 53207, Complainant
against
Ieshuh Griffin, 2722A N Richards St, Milwaukee, WI 53212, Respondent

COMPLAINT

This complaint is under the City of Milwaukee Charter, 3-34-2.MUNICIPAL JUDGE (b) ELIGIBILITY:
A Municipal Court Judge shall be an attorney licensed to practice law in the State of Wisconsin
AND;
Wisconsin State Statutes 8.30 Candidates ineligible for ballot placement.

- (1) Except as otherwise provided in this section, the official or agency with whom declarations of candidacy are required to be filed may refuse to place the candidate's name on the ballot if any of the following apply:
- (c) The candidate, if elected, could not qualify for the office sought within the time allowed by law for qualification because of age, residence, or other impediment.

I, Phil Chavez, Complainant, allege that Ieshuh Griffin, Respondent, is not a member of the State Bar of Wisconsin and thus is not an attorney licensed to practice law in the State of Wisconsin which would make Ieshuh Griffin, Respondent, ineligible for the position of City of Milwaukee Municipal Court Judge as cited above in the City of Milwaukee Charter Paragraph 3-34-2.(b). It follows that Ieshuh Griffin, Respondent, if elected, could not qualify for the office sought due to this impediment and as a result is ineligible for ballot placement for City of Milwaukee Municipal Court Judge, Branch 3 for the April 4, 2023 Spring Election as cited above in Wisconsin State Statutes 8.30(1)(c).

no such thing

Date: January 6th, 2023

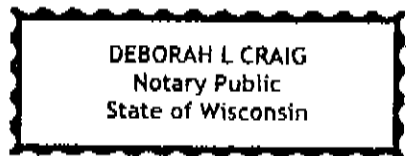
[Signature]

I, Phil Chavez, being first duly sworn on oath state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

[Signature]

STATE OF WISCONSIN)

) ss.
County of MILWAUKEE
Sworn to before me this day of January 6, 2023.



[Signature]

My commission expires 3/23/23, or is permanent.

Notary Public/or

Ex. F

VERIFIED AFFIDAVIT OF RESPONSE REGARDING PHIL CHAVEZ'S BASELESS UNSUBSTANTIATED CHALLENGE FILED AGAINST ME;

EXHIBITS ATTACHED

Pursuant to EL 2.07(3) (d) Challenges to nomination papers AND RESPONSES

I, file before the MILWAUKEE ELECTION COMMISSION my verified response under the penalty of perjury as it relates to my response to Phil Chavez's **BASELESS UNSUBSTANTIATED CHALLENGE FILED AGAINST ME** and my qualification and placement on the ballot for the City of Milwaukee Municipal Judge, Branch 3, reserving my right to challenge any and all jurisdiction and venue. The information as listed below is based upon my **PERSONAL knowledge** and any of my stated BELIEF is based upon FACTS. This verified response is filed under good faith with an intent to have ALL Election Officers COMPLY with the CLEARLY established LAW, to do otherwise would constitute an abuse of power acting while 'acting under the color of law'. As such, I VERIFY the following;

1. I OBJECT to Phil Chavez's 'certificate of mailing' as the address he purports to mail his purported complaint is NOT my 'last known MAILING address' on record. My LAST KNOWN mailing address is and has been a P.O. Box and such has been KNOWN on RECORD to date.
2. Wisconsin Elections Commission has by PROMULGATION of CLEARLY ESTABLISHED LAW issued to ALL ELECTION OFFICERS a manual ENTITLED 'CANDIDATE BALLOT ACCESS PROCEDURES'. The Milwaukee Election Commission staff has been TRAINED and privy to the LAWS as it relates to the ELECTION RULES, PROCEDURES, RESONSINBILITIES, OBLIGATIONS and MANDADTES. The

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violation of the United States COMMERCE CLAUSE and also would CONSTITUTE an UNLAWFUL MONOPOLY. The WISCONSIN STATE BAR IS NOT A GOVERNMENT AGENCY for the RECORD.

11. The UNITED STATES SUPREME COURT is a COURT that ALL COURTS must adhere to its rulings. The United States Supreme Court in **Keller v State Bar of California, 496 U.S. 1** denoted that the STATE BAR is NOT a government agency but a UNION collecting fees that are due from its members. FOR THE RECORD (Emphasis Added), the Wisconsin CONSTITUTION makes NO such requirement regarding Municipal Court JUDGES
12. The Wisconsin Constitution and the Wisconsin LEGISLATURES ONLY require courts of records and MUNICIPAL COURT COMMISSIONERS to be 'attorneys' 'licensed' to practice law AND REQUIRES such PRIOR before entering their respective positions, even with that being said they do NOT require and can NOT by clearly established law REQUIRE that such persons be MEMBERS of the STATE BAR OF WISCONSIN.
13. A Milwaukee Charter can NOT by LAW supersede the Wisconsin Constitution, NOR the Wisconsin LEGISLATURES.
14. A Milwaukee Charter can NOT violate issues of STATE WIDE CONCERN and UNIFORMITY.
15. Municipal judges are NOT a part of the city of Milwaukee's LOCAL government.
16. **2009 WI Act 402**, which took EFFECT January 1, 2011 MANDATED (DECLARED) that Municipal courts were CO-EQUAL branches of STATE GOVERNMENT and NOT a department or agency of the MUNICIPAL government. As such the purported

Municipal Charter is in **DIRECT** conflict with the Wisconsin Constitution and as such is without legal validity and **WITHOUT ANY** legal effect. **(Emphasis Added)**

17. WISCONSIN LAW pursuant to Wis. Stats 755.05 , **NOTES** that **MUNICIPAL JUDGES** have **STATE WIDE** jurisdiction. Statewide territorial jurisdiction **INCLUDES** the city of Milwaukee. Approximately 50 percent of **MUNICIPAL JUDGES are NON-LAWYERS,** as such the Milwaukee municipal **CHARTER** that purports to **LIMIT** such jurisdiction regarding the NON LAWYERS **STATEWIDE** territorial RIGHTS is **VOID AB INITIO** and **VIOLATES** the Wisconsin Constitution and Wisconsin legislation and is in **DIRECT** violation of the '**SEPARATION OF POWERS CLAUSE**'. **(Emphasis Added).**

A municipality in Wisconsin is a 'corporation'. A corporation may **ONLY** act in a proscribed by law and must depend entirely on the state for its power. **See Head v Armory Providence Insurance Co, 6 U.S. 127. See also Bank of the United States v Dandridge, 25 U.S. 64.**

The powers of municipalities are subject to the limitations that the municipality cannot by its charter deal with; specifically matters which are of 'state-wide concern'. There is **NO** express legislative language that gives such authority to the city of Milwaukee; as such the purported restriction is ultra vires, without lawful/legal authority.

The purported restriction is void ab initio as it is in direct contradiction to the federal 'Dormant Commerce Clause', the Wisconsin Constitution's *guarantee* of the 'maintenance of *free government*' as well as the Wisconsin Constitution's 'uniformity clause' and conflicts with the Wisconsin's Constitution's 'state wide concern', doctrine as Wis. Stats 755.05 **MANDATES** that municipal judges **SHALL** have **STATEWIDE** territorial jurisdiction. This is inclusive of an

EQUAL PROTECTION under the laws of the United States and under the Constitution of the State of Wisconsin.

22. I have MET and WILL CONTINUE TO MEET ALL CONDITIONS PRECEDENT in REGARDS to my candidacy, qualifications and ELIGIBILITY to the Municipal Judge Branch 3, election.

23. Phil Chavez's reference to a Milwaukee 'charter' is OUTSIDE of 'chartered' waters. No Municipality can act outside of its EXPRESSED authority. The Wisconsin Constitution, the State of Wisconsin Legislature as well as the United States Constitution supersede Phil Chavez's 'white privilege' ideology. A municipal Judge is a STATE PUBLIC OFFICIAL which is of STATEWIDE concern and uniformity. A 'charter' can NOT imposed a GREATER restriction on any aspect of law that it has NOT been delegated EXPRESS authority to do so.

24. The Board of Election Commissioners cannot go beyond the 'authority' that is delegated to them. Phil Chavez is using 'white privilege' in an attempt to have the board of election commissioner act under the 'color of law'. An 'opinion' regarding the status of a 'candidate' regarding an 'issue' that is NO where to be found in CLEARLY ESTABLISHED LAW is NOT an 'election matter'.

25. The Milwaukee Election Commission did NOT subject Phil Chavez to ANY questionnaire regarding the purported charter and did NOT second guess his FUTURE 'eligibility' when he was certified. To treat me in such a manner is OFFENSE, RACIST, SEXIST, DISCRIMINATORY, ARBITRARY and CAPRICIOUS and PROMOTES, CONDONES and participates in 'white privilege' which IS UNCONSTITUTIONAL to state the least.

CONCLUSION

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Exhibits

A → 'official' of the 'agency' w/ whom 'declaration of candidacy is required AFFIRMING my QUALIFICATIONS for Municipal Judge, Branch 3.

B → Wis. Stat (clearly ESTABLISHED law)
 AFFIRMING MUNICIPAL JUDGES having state wide JURISDICTION → EVERY judge.

INCLUSIVE of "LAWYER" & "NON-LAWYER".
this contradicts charter 3-34(b)

C → CONFIRMS MUNICIPAL JUDGES are ELECTED & OMMITS ANY OTHER REQUIREMENT. (clearly ESTABLISHED LAW)

D → CLEARLY ESTABLISHED LAW MANDATING A PREREQUISITE WHICH IS OMITTING REGARDING MUNICIPAL COURT JUDGES.

E → city MUNICIPAL court 315-1, with TIME FRAME, CONSEQUENCES DUE TO Clearly established STATE LAW EXPRESSLY granting such 'AUTHORITY'.

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Ex. A

Woodall-Vogg, Claire

From: Woodall-Vogg, Claire
Sent: Thursday, January 5, 2023 4:39 PM
To: eyeforjustice@yahoo.com
Cc: Zuniga, Jonatan
Subject: RE: Nomination Signatures Validated

Hi Ms. Griffin,

No one has challenged you. I had learned of a requirement that is specific to Milwaukee and wanted to bring it to your attention. You are in full compliance and will be recommended for ballot placement at this point in time.

(Handwritten signature)

The draw for the order of candidates appearing on the ballot has been scheduled for Monday, January 9, 2023 at 5:00PM (taking place directly after the Board of Commissioners reviews and rules on any challenges). The meeting location is Room 501 of City Hall and the agenda will be posted on the homepage of the Election Commission, Milwaukee.gov/election.

Sincerely,

Claire Woodall-Vogg

From: eyeforjustice@yahoo.com <eyeforjustice@yahoo.com>
Sent: Thursday, January 5, 2023 4:36 PM
To: Woodall-Vogg, Claire <cwooda@milwaukee.gov>
Subject: Re: Nomination Signatures Validated

I also would like to add for the record I am in FULL compliance with the law as it relates, again please inform me if and who challenged me. I would like a copy of their verified complaint so that I may respond accordingly.-leshuh Griffin

On Thursday, January 5, 2023 at 03:08:44 PM CST, Woodall-Vogg, Claire <cwooda@milwaukee.gov> wrote:

Dear Ms. Griffin,

The Election Commission has completed the review process for individuals who registered as candidates and filed nomination papers to qualify for the Spring Election to be held on April 4, 2023. This process included a review of the nomination papers to verify the necessary number of valid signatures were secured and that all documents, as required by Wisconsin §8.10 (5), have been filed with the appropriate filing agent.

This email is to formally notify you that your nomination papers have been reviewed and deemed sufficient. Of the 1,708 signatures submitted, the Election Commission has validated 1,555 signatures. You have completed all other filing requirements.

(Handwritten signature)

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The judge may not serve until the contract is entered into. Salaries may be paid annually or in equal installments as determined by the governing body, but no judge may be paid a salary for any time during the term during which the judge has not executed and filed his or her official bond or official oath, as required by s. 755.03.

History: 1977 c. 187 s. 94; 1977 c. 305 s. 64; Stats. 1977 s. 755.04; 1985 a. 304; 2009 a. 402.

755.045 Jurisdiction.

- (1) A municipal court has exclusive jurisdiction over an action in which a municipality seeks to impose forfeitures for violations of municipal ordinances of the municipality that operates the court, except as follows:
 - (a) If the action is transferred under s. 800.035 (5) (c) or 800.05 (3) to a court of record.
 - (b) If equitable relief is demanded the plaintiff shall bring the action in a court of record.
 - (c) Whenever the municipal court of a 1st class city in any county having a population of 750,000 or more is not in session, the circuit court has concurrent jurisdiction to hear municipal court cases.
- (2) A municipal judge may issue civil warrants to enforce matters which are under the jurisdiction of the municipal court, as provided in ch. 800. Municipal judges are also authorized to issue inspection warrants under s. 66.0119.
- (3) A municipal judge may order the payment of restitution for violations of ordinances that prohibit conduct that is the same as or similar to conduct prohibited by state statute punishable by fine or imprisonment or both. The judge shall use the restitution procedure under s. 800.093.

History: 1977 c. 187 s. 94; 1977 c. 305; Stats. 1977 s. 755.045; 1979 c. 32 s. 92 (17); 1985 a. 179; 1989 a. 261; 1991 a. 40; 1999 a. 150; 2009 a. 402; 2017 a. 207 s. 5.

~~755.05 Territorial jurisdiction. Every judge has statewide jurisdiction as authorized by this chapter and ch. 800.~~

History: 1977 c. 187 s. 94; 1977 c. 305 s. 64; Stats. 1977 s. 755.05; 1985 a. 89; 2009 a. 402.

755.06 Sessions of court. The municipal court shall be open daily or as determined by the judge and approved by the governing body.

History: 1977 c. 187 s. 94; Stats. 1977 s. 755.06; 1983 a. 192 s. 303 (4); 2009 a. 402.

755.09 Office, where kept.

- (1) The governing body of the city, village, or town shall provide the judge with an office or appropriate work space other than at a place prohibited under sub. (2).
- (2) No judge may keep his or her office or hold court in any tavern, or in any room in which intoxicating liquors are sold, or in any room connecting with a tavern or room in which intoxicating liquors are sold.

History: 1977 c. 187 s. 94; 1977 c. 305 s. 64; Stats. 1977 s. 755.09; 1997 a. 27; 2009 a. 402.

755.10 Employees.

- (1) Except as provided in sub. (2), the judge shall in writing appoint the personnel that are authorized by the council or board. The council or board shall authorize at least one clerk for each court. Except as provided in sub. (2), the hiring, termination, hours of employment, and work responsibilities of the court personnel, when working during hours assigned to the court, shall be under the judge's authority. Their salaries shall be fixed by the council or board. The clerks shall, before entering upon the duties of their offices, take the oath provided by s. 19.01 and give a bond if required by the council or board. The cost of the bond shall be paid by the municipality. Oaths and bonds of the clerks shall be filed with the municipal clerk.
- (2) In the municipal court located in the city of Milwaukee the court administrator shall in writing appoint the personnel that are authorized by the council or board. In the municipal court located in the city of Milwaukee the hiring, termination, hours of employment, and work responsibilities of the court personnel, when working during hours assigned to the court, shall be under the court administrator's authority.

History: 1977 c. 187 s. 94; Stats. 1977 s. 755.10; 1983 a. 192 s. 303 (4); 2009 a. 402; 2011 a. 260 s. 80.

755.11 Records. Every judge shall file and keep together all records in an action separate from all other records. The judge shall store all records in the office of the court clerk or in another appropriate facility designated by the council or board. Access to the records shall be restricted to court personnel except as authorized by the judge or by law. Nothing in this section is intended to restrict the ability of counsel or parties to read the records. The purchase or implementation of any electronic records management system used by the court shall be approved by the judge.

- (1) Municipal court clerks and judges shall participate in a program of continuing education as required by the supreme court.
- (2) Municipalities shall bear the cost of programs under sub. (1) provided by the court. All moneys collected by the supreme court under this section shall be deposited in s. 20.680 (2) (i).
- (3) This section does not apply to a municipal judge appointed under s. 8.50 (4) (fm) nor to a former municipal judge or former circuit judge to whom cases are assigned under s. 800.06 during the 6-month period following the date on which the judge receives his or her initial assignment.

History: 1983 a. 27; 1985 a. 304; 2009 a. 402.

755.19 Municipal court commissioners.

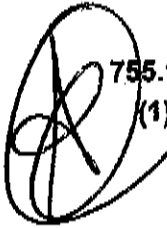
- (1) APPOINTMENT. First class cities may create the office of municipal court commissioner. The municipal court commissioner shall be an attorney licensed to practice in this state and shall complete annual educational credits consistent with supreme court requirements for municipal judges. The common council shall establish the number of positions and set the term, the additional qualifications and the compensation for the office. The presiding judge of the municipal court shall be the appointing authority and may terminate the employment of a municipal court commissioner at will and without cause. The municipal court commissioner shall be supervised by the judge whose cases the commissioner is hearing. Each municipal court commissioner shall take and file the official oath in the office of the clerk of the municipal court of the 1st class city for which appointed before performing any duty of the office.
- (2) POWERS AND DUTIES. Under the supervision of a municipal judge, a municipal court commissioner may do all of the following:
 - (a) Under ss. 800.035 and 800.095 (1), conduct initial appearances and receive noncontested forfeiture pleas, order the revocation or suspension of driving privileges and impose forfeitures, impose community service and restitution according to the schedule adopted by the municipal court where appointed, and issue dispositional and sanction orders pursuant to ch. 938.
 - (b) Issue warrants for those who do not appear as scheduled or as summoned.
 - (c) Conduct hearings on warrant returns.
 - (d) Schedule indigency hearings.
 - (e) Make a finding on the indigency of defendants.
 - (f) Enforce alternative judgments for failure to comply with court orders.
 - (g) Conduct court proceedings and exercise any power authorized by statute.
- (3) NEW HEARINGS AND APPEALS OF MUNICIPAL COURT COMMISSIONER RULINGS. A motion for a new hearing or appeal of a contested ruling by a municipal court commissioner shall be filed with the municipal court no later than the 20th day after the commissioner makes the ruling. The motion shall be heard by the supervising municipal judge under the procedure consistent with the procedure adopted by the judicial district on motions to reopen judgments before the municipal court. Nothing in this subsection shall be construed as altering the time periods for filing a notice of appeal from a final judgment or filing a motion of relief from judgment.

History: 1997 a. 27; 2009 a. 402.

755.21 Collection. The governing body or court may contract with a collection agency for the collection of unpaid forfeitures, assessments, and surcharges under s. 66.0114 (1) (a). Collection under this section may not begin until the court refers the case to the collection agency. The contract shall provide that the collection agency shall be paid from the proceeds recovered by the collection agency. For each violation for which a forfeiture, assessment, or surcharge is imposed, the municipal court shall determine the amount to be distributed to each entity under s. 66.0114 (1) (bm) and (3) (b) and (c) as follows:

- (1) Calculate the percentage of the total violation amount to which the entity is entitled before the collection agency is paid.
- (2) Subtract from the amount collected for the violation the amount paid to the collection agency to collect the violation amount.
- (3) Multiply the remainder under sub. (2) by the percentage under sub. (1).

History: 2003 a. 140; 2005 a. 305; 2009 a. 402.



No state of WI SC BAR Required

