

REC-30 JUN 2020 10:05:10

**STATE OF WISCONSIN  
ELECTIONS COMMISSION**

COMPLAINT FORM

**Please provide the following information about yourself:**

Name Nicholas McVey

Address 3463 N. 98th St. #A Milwaukee, WI 53222

Telephone Number (414)349-4841

E-mail officeofnicholasmcvey@gmail.com

**State of Wisconsin  
Before the Elections Commission**

The Complaint of Knowingly attempting to destroy official election material,

storing election ballots improperly away from polling site, Complainant(s) against

The City Of Milwaukee Election Commission, Respondent, whose

address is 200 East Wells Street Room 501 Milwaukee, WI 53202

This complaint is under 7.23(1)(k) & 12.13(3)(L) (Insert the applicable sections of law in chs. 5 to 10 and 12 and other laws relating to elections and election campaigns, other than laws relating to campaign financing)

I, Nicholas McVey, allege that:

The following violations of Wisconsin State Statutes pertaining to elections took  
place during the April 7th Spring Primary Located at the Marshall High School voting  
location:

1. Knowingly attempting to destroy official election material

2. Ballots were taken from ballot boxes and stored away from the polling location.

Please see attached documents:

\_\_\_\_\_

(Set forth in detail the facts that establish probable cause to believe that a violation has occurred. Be as specific as possible as it relates to dates, times, and individuals involved. Also provide the names of individuals who may have information related to the complaint. Use as many separate pages as needed and attach copies of any supporting documentation.)

Date: 5/14/2020

[Signature]  
Complainant's Signature

I, Nicholas McVay, 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.

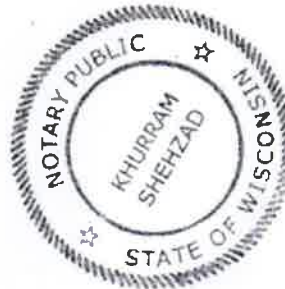
[Signature]  
Complainant's Signature

STATE OF WISCONSIN

County of MILWAUKEE  
(county of notarization)

Sworn to before me this 14<sup>th</sup> day of  
MAY, 2020.

[Signature]



(Signature of person authorized to administer oaths)

My commission expires 6/22/20, or is permanent.

Notary Public or \_\_\_\_\_  
(official title if not notary)

**Please send this completed form to:**

Mail: Wisconsin Elections Commission  
P.O. Box 7984  
Madison, WI 53707-7984

Fax: (608) 267-0500

Email: [elections@wi.gov](mailto:elections@wi.gov)

**Nicholas McVey**

**5/14/2020**

**1. Knowingly attempting to destroy official election material**

The following evidence to reinforce this official complaint:

- Video of occurrence
- A copy of the tape
- GAB-104 Form (Ward #1)

The DS200 Ballot machines were programmed to transmit results after the polls were closed.  
(Exhibit 1-4, 1-5, 1-6, 1-7) (Noted in the April 6th 2020 communication email from WEC)

The DS200 printed tape was thrown out (Exhibit 1-3) State Statute 7.23(1)(k)

**2. Ballots were taken from ballot boxes and stored away from the polling location**

Gab-104 (Ward #1) Chief inspector notes: Incident #3

(Exhibit 1-1, 1-2) WI State Statute 12.13(3)(L)

Per the DS200 (Ballot Machine) presentation that can be found on the Wisconsin Elections Commission web page 2 ballot boxes were emptied and ballots were not stored correctly and are not supposed to leave the polling site.

Each of these ballot boxes have a 2,500 ballot capacity (Exhibit 5-1). This leads one to believe that at approximately 2pm April 6th there were already over 5,000 physical ballots cast. The Milwaukee Election Commission only reported 3,910 ballots cast at the Milwaukee Marshall High school voting location. This is a very large discrepancy in ballot numbers.

**Wisconsin State Statutes cited:**

**7.23(1)(K) Destruction of election materials.**

(k) All other materials and supplies associated with an election may be destroyed 90 days after the election.

**12.13(3)(L) Election fraud**

(L) When not authorized, during or after an election, break open or violate the seals or locks on a ballot box containing ballots of that election or obtain unlawful possession of a ballot box with official ballots; conceal, withhold or destroy ballots or ballot boxes; willfully, fraudulently or forcibly add to or diminish the number of ballots legally deposited in a ballot box; or aid or abet any person in doing any of the acts prohibited by this paragraph.



FORM  
#1

## Chief Inspectors' Statement / GAB-104

We, the undersigned election inspectors, certify the following is a true and correct statement for an election held in the **DIST 9, WARD: 1, Firehouse - Engine 38** of the CITY of MILWAUKEE, County of MILWAUKEE, State of Wisconsin, on the **7th of April, 2020**.

## THE ELECTION COMMISSION PROVIDES THE FOLLOWING INFORMATION:

Voting Unit Number 1

Memory Device Serial Number: 0001

45586001 45586002 45586003

45586004 45586005 45586006

JUMP DRIVE DOOR Tamper-Evident SEAL SERIAL NUMBER:

## THIS SECTION TO BE COMPLETED BY CHIEF INSPECTOR:

## VOTING EQUIPMENT / ELECTION RESULTS JUMP DRIVE CHAIN-OF-CUSTODY RECORD

Confirm that the SEAL SERIAL NUMBER (recorded above) is the same as the seal number on the voting machine Jump Drive Door.

Verified by Chief Inspector (CI):

PRE-election:

POST-election:

NUMBER OF BALLOTS FOR THIS WARD: 1050

BALLOT BAG CHAIN-OF-CUSTODY RECORD - CIRCLE AND INITIAL THE BALLOT BAG SERIAL NUMBERS USED

FOR WARD #1 - 84781 84782 84783 CHIEF INITIALS

IF PROVISIONAL BALLOTS ISSUED: CHIEF INITIALS

## THIS SECTION TO BE COMPLETED BY ELECTION INSPECTORS AND VERIFIED BY CHIEF INSPECTOR:

## VOTER STATISTICS

Total Number of Voters (Last Voter Number):

Total Number of Ballots Cast (from the DS200 Tape):

Difference between Last Voter Number and Ballots Cast:

Number of Provisional Ballots (if any):

Signatures of Election Inspectors

Time Worked

Signatures of Election Inspectors

Time Worked

to

to

to

to

to

to

## CERTIFICATION OF CHIEF INSPECTOR

I certify that: I have completed the required training administered by the Election Commission, and have been duly certified as a Chief Inspector. I served as the Chief Inspector for the election described above for the time period indicated below.

(Printed Name and Signature of Chief Inspector for this Ward)

ENTIRE DAY

FROM

a.m.  
p.m.

TO:

a.m.  
p.m.

PLACE COMPLETED FORM IN CLOSING CHECKLIST ENVELOPE!



### Record on your GAB-104:

- ✓ Any facility or voting equipment problems or other issues that may have disrupted or delayed voting.
- ✓ Any issues or unusual situations that occur that involved voters, observers, election workers, or law enforcement.
- ✓ Anything that has impacted your ability to reconcile (balance your voter numbers to your ballots).
- ✓ Any provisional ballots issued for this ward.
- ✓ The number of spoiled ballots.

① ~~no~~ reconstructed ballots - /

② Around 10am election inspectors noticed "Chris Larsen" was written in chalk in various sidewalk spot. Removed with water.

③ Around 2pm, two machines were at capacity w/ ballots. Emptied machine by putting ballots in ballot bags & securing in guarded lunchroom.

④ At 5pm, notified by police lieutenant that Lena Taylor had been across the street (more than 100 feet from entrance) shouting at voters to not wait in line but do curbside voting.

### Record on your GAB-104:

- ✓ Any facility or voting equipment problems or other issues that may have disrupted or delayed voting.
- ✓ Any issues or unusual situations that occur that involved voters, observers, election workers, or law enforcement.
- ✓ Anything that has impacted your ability to reconcile (balance your voter numbers to your ballots).
- ✓ Any provisional ballots issued for this ward.
- ✓ The number of spoiled ballots.

⑤ observer told me after all voters in line had already voted & left the polling site that three voters were allowed to enter the line after 8pm. I told observer those were not the instructions given to the two national guards who were placed at the end of the line. And since voters were already gone including guards, there was no one to question.

⑥ observer questioned the machine tape that was in the trash. He thought it was a results tape. We showed him it was not, but rather a test configuration tape run in the morning.

4/14/20 Opened Ballot Bags to Tally  
Write-In Votes. Ballots re-sealed in  
bag, bag # recorded on front.

AW



BANK STATUS  
ACCOUNTING  
REPORT

NS

#### VOTING DEVICE INFORMATION

#### HARDWARE CONFIGURATION

Current 100 Date  
1:52:00 April 2, 2020  
Line Type: Network/Device  
Subscriber: 33300 Not Detected  
Touch Screen: OK  
Power Source: AC  
Matters Charge: 200  
Phone Status: Detected  
Phone Type: VERIZON-60-80  
Phone ID: 551862109954766  
Universal Usage Console: Not Detected  
Seamless Board: A00215  
Motherboard: V16070  
Installed RAM: 155

## SIDNEY

Dia. 4544 Edition (up to 1000) 12.00  
 Available Ballot System (1000) 12.00  
 Available Ballot System (1000) 12.00  
 All data with a maximum of 1000

## February

System Firmware	1.1.0.0
Power Management Firmware	1.2.14.0
BIOS	1.2.0.0

FILE NO. 70-100000000  
 DATE: 1968 Spring Division & Programmed by Peter  
 : 6/1/68  
 : 7/1/68-67

### EXERCISE 1.1.1

Regression analysis

Poll Closed Date: No  
 Poll Closed Time: No  
 Poll Closed Date: No  
 Poll Closed Time: No  
 Poll Status: Not Open  
 Public Count: 0

## EFFECTIVE IMPROVEMENT

**Advertisement Name:**  
**McLennan County**  
**Electron Separations**  
2125 George Washington Freeway, Suite 100  
Ft. Worth, TX 76116  
**Full Place Name:**  
4442 Ring Rd., Seymour High School  
Clarksville, TN 37033  
**Number of Pages:** 81

doi:10.1017/S002229240000206

Ballot Size: 17.0  
Ballot Weight: 8.5  
Ballot Area: 82  
Ballot Volume: 24  
Ballot Max. Area: 2000  
Target Area: 1000

**Abstract** *See page 1155*

Bill to Re-open: Yes  
 Number of Days Taken to Review: 1  
 Number of Revisions Taken to Review: 1  
 Project Lead: Lee of Ohio No  
 Financial Review on Closure: No  
 Request Format: Detailed  
 Request Lead: Peckham  
 Candidate Found: Under



## ELECTION SETTINGS

Ballots to Be Used: Yes  
 Number of Days Taken to Print: 1  
 Number of Ballots Taken to Print: 2  
 Print First Log on Close: No  
 Transport Results on Close: Yes  
 Report Format: Detention  
 Report Level: Precinct  
 Candidate Print Order:  
 Name Ballot Order:  
 Single Double-Vote: No  
 Single Over-Vote: No  
 Double Over and Under Votes: No  
 Save Ballot Issues: All  
 Double-Offset Contests: Yes  
 Allow Ballot Handling Query: No  
 Detect Unmarked Markings: No  
 Require Authorization on Ball Change: No  
 Auto Print Ballot Status Reporting Report: Yes  
 Auto Print Results in Review Report: No  
 Status Records: Disabled

## EXCEPTION BALLOT SETTINGS

Blank Ballots: Query  
 Double-voted Ballots: Query  
 Over-voted Ballots: Reject  
 Under-voted Ballots: Reject  
 Unreadable Marks: Reject  
 Cross-over Ballots: Reject

## EXCEPTION CARD SELECTION

Blank Cards: Query  
 Under-voted Cards: Reject

## DIVERSTER SETTINGS

Diverter Installed: No  
 Identify Western Diverter: No  
 Identify Blank Ballots: No  
 Identify Markings: No

\*\*\* END OF REPORT \*\*\*

\*\*\* ELECTION OFFICIAL ACCOUNTING REPORT \*\*\*  
 11/27/98 09:01:11 7/2024  
 001 Election Results 00000000

## Milwaukee County

11/27/98 09:01:11 7/2024  
 001 Election Results 00000000  
 11/27/98 09:01:11 7/2024  
 001 Election Results 00000000  
 11/27/98 09:01:11 7/2024  
 001 Election Results 00000000  
 11/27/98 09:01:11 7/2024  
 001 Election Results 00000000

## Master Accounting

Total Blank: 0  
 Total Overvotes: 1  
 Total Undervotes: 0  
 Total Crossovers: 0

## Ballot Counts Per Party

Democratic: 0  
 Republican: 0  
 Nonpartisan: 0

Total Paper Sheets: 0  
 Total Electronic Cards: 0

Ballots for Sale 0001-01-01 0  
 Ballots for Sale 0002-01-01 0  
 Ballots for Sale 0003-01-01 0  
 Ballots for Sale 0004-01-01 0  
 Ballots for Sale 0005-01-01 0

Ballots For Code	00000-01-01	0
Ballots For Code	00001-01-01	0
Ballots For Code	00002-01-01	0
Ballots For Code	00003-01-01	0
Ballots For Code	00004-01-01	0
Ballots For Code	00005-01-01	0
Ballots For Code	00006-01-01	0
Ballots For Code	00007-01-01	0
Ballots For Code	00008-01-01	0
Ballots For Code	00009-01-01	0
Ballots For Code	00010-01-01	0
Ballots For Code	00011-01-01	0
Ballots For Code	00012-01-01	0
Ballots For Code	00013-01-01	0
Ballots For Code	00014-01-01	0
Ballots For Code	00015-01-01	0
Ballots For Code	00016-01-01	0
Ballots For Code	00017-01-01	0
Ballots For Code	00018-01-01	0
Ballots For Code	00019-01-01	0
Ballots For Code	00020-01-01	0
Ballots For Code	00021-01-01	0
Ballots For Code	00022-01-01	0
Ballots For Code	00023-01-01	0
Ballots For Code	00024-01-01	0
Ballots For Code	00025-01-01	0
Ballots For Code	00026-01-01	0
Ballots For Code	00027-01-01	0
Ballots For Code	00028-01-01	0
Ballots For Code	00029-01-01	0
Ballots For Code	00030-01-01	0
Ballots For Code	00031-01-01	0
Ballots For Code	00032-01-01	0
Ballots For Code	00033-01-01	0
Ballots For Code	00034-01-01	0
Ballots For Code	00035-01-01	0
Ballots For Code	00036-01-01	0
Ballots For Code	00037-01-01	0
Ballots For Code	00038-01-01	0
Ballots For Code	00039-01-01	0
Ballots For Code	00040-01-01	0
Ballots For Code	00041-01-01	0
Ballots For Code	00042-01-01	0
Ballots For Code	00043-01-01	0
Ballots For Code	00044-01-01	0
Ballots For Code	00045-01-01	0
Ballots For Code	00046-01-01	0
Ballots For Code	00047-01-01	0
Ballots For Code	00048-01-01	0
Ballots For Code	00049-01-01	0
Ballots For Code	00050-01-01	0
Ballots For Code	00051-01-01	0
Ballots For Code	00052-01-01	0
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Ballots For Code	00058-01-01	0
Ballots For Code	00059-01-01	0
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Ballots For Code	00061-01-01	0
Ballots For Code	00062-01-01	0
Ballots For Code	00063-01-01	0
Ballots For Code	00064-01-01	0
Ballots For Code	00065-01-01	0
Ballots For Code	00066-01-01	0
Ballots For Code	00067-01-01	0
Ballots For Code	00068-01-01	0
Ballots For Code	00069-01-01	0
Ballots For Code	00070-01-01	0
Ballots For Code	00071-01-01	0
Ballots For Code	00072-01-01	0
Ballots For Code	00073-01-01	0
Ballots For Code	00074-01-01	0
Ballots For Code	00075-01-01	0
Ballots For Code	00076-01-01	0
Ballots For Code	00077-01-01	0
Ballots For Code	00078-01-01	0
Ballots For Code	00079-01-01	0
Ballots For Code	00080-01-01	0
Ballots For Code	00081-01-01	0
Ballots For Code	00082-01-01	0
Ballots For Code	00083-01-01	0
Ballots For Code	00084-01-01	0
Ballots For Code	00085-01-01	0
Ballots For Code	00086-01-01	0
Ballots For Code	00087-01-01	0
Ballots For Code	00088-01-01	0
Ballots For Code	00089-01-01	0
Ballots For Code	00090-01-01	0
Ballots For Code	00091-01-01	0
Ballots For Code	00092-01-01	0
Ballots For Code	00093-01-01	0
Ballots For Code	00094-01-01	0
Ballots For Code	00095-01-01	0
Ballots For Code	00096-01-01	0
Ballots For Code	00097-01-01	0
Ballots For Code	00098-01-01	0
Ballots For Code	00099-01-01	0
Ballots For Code	00100-01-01	0

0315 Site #2 - Marshall High School  
Unit Serial Number: 0318410027

\*\*\* END OF REPORT \*\*\*  
Report Canceled

\*\*\* ZERO TOTALS REPORT \*\*\*  
7:30 PM Nov 17, 2020  
Unit Serial Number: 0318410027

Washoe County  
2020 Nevada Election & Precinctal Performance  
0315 Site #2 - Marshall High School  
Election Date: Nov 17, 2020  
Ball Count Date: Nov 17, 2020  
Unit Serial Number: 0318410027

\*\*\* END OF REPORT \*\*\*  
Report Canceled

\*\*\* ZERO TOTALS REPORT \*\*\*

7:33 AM April 7, 2020

Unit Serial Number: 0314410027

Milwaukee County

2020 Spring Election & Presidential Preference

0343 Site #2 - Marshall High School

Election Date: April 07, 2020

Poll Opened Date: April 07, 2020

Poll Opened Time: 7:33 AM

Poll Closed Date: No

Poll Closed Time: No

Public Count: 0

Protected Count: 0

Precinct Voting Report

Unit Serial Number: 0314410027

City of Milwaukee Ward 1

Total Paper Sheets: 0

Presidential Preference Vote  
Number to Vote For

1

Democratic

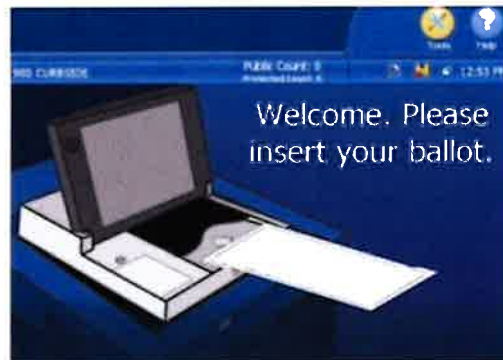
Republican

Report Canceled

0

0

## Voting



Arrange voting booths with the following considerations: traffic flow, voter privacy, safety and accessibility.

Voters will mark their ballots and if applicable, enter their write-in entries in private voting booths. Once a voter has marked a ballot, he or she will place the ballot into the DS200.

The DS200 also has the capability to collect individual graphical ballot images of all ballots. Depending on the options set in ElectionWare, it will collect all ballot images, only those containing write-in votes, or none at all. These ballot images are stored with random names and timestamps assigned to each file to protect voter anonymity.

In addition, the DS200 does not divulge any information identifying how a voter marked a ballot when the ballot is cast. The only visible change in system status after a voter casts a ballot is the visible addition to the public count.



**Note:** The DS200 ballot bin main storage area was designed to hold approximately 2,500 pieces of paper.



**Note:** The DS200 emergency ballot bin was designed to hold approximately 100 pieces of paper. This number will need to be divided by the number of pages per ballot to estimate the ballot capacity of the emergency bin.



Good Morning,

I have attached a formal complaint against the Milwaukee Election Commission concerning the April 7th 2020 Spring Primary that recently took place. There are two separate files. The official signed and notarized complaint form and the supporting documentation to support the official complaint.

Also, here is a link to a video clip taken to also support the claim:

<https://www.facebook.com/159256064932160/posts/621300278727734/?sfnsn=mo&d=n&vh=e>

Thank You,

Nick McVey  
(414)349-4841