



# Wisconsin Elections Commission

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(608) 266-8005 | elections@wi.gov | elections.wi.gov

March 26, 2022

Quan Le  
W4079 Oakwood Drive  
Lake Geneva, WI 53147

**Re: Complaint Filed with Wisconsin Elections Commission  
EL 22-26 (Quan Le v. Barbara Wolski)**

Dear Mr. Le:

I am in receipt of the complaint filed with the Wisconsin Elections Commission (“WEC” or “Commission”), received on March 22, 2022, against the Geneva J4 School District Board Clerk, Barbara Wolski. The administrative rules governing the WEC’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). The complaint alleges a violation by the clerk for failure to properly track the terms and vacancies of Geneva J4 School District Board and also to properly prepare the ballot for the Spring 2022 election. No specific violation of Wisconsin elections statute is cited, other than a reference to Wisconsin Statute Chapter 120, and the complaint fails to tie the alleged deficiency to a clerk obligation under law. Chapter 120 is tethered to the Wisconsin Statutes under the authority of the Commission (Wis. Stat. Chapters 5-10, 12), but specific clerk duties under those statutes must also be alleged before your complaint can be given consideration. 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).

Sufficiency as to Probable Cause

The complaint alleges unspecified violations of law. Specifically, the complaint cites no provisions of Wisconsin Statutes Chapters 5-10, and 12. The Commission has the authority to administer and consider those statutes in the context of sworn complaints, but the alleged violation must be clearly detailed. Without citing the statutory provisions alleged to have been violated, or at least detailing a clear statutory obligation the clerk had, the complaint fails to raise probable cause that a violation of election law has occurred.

Sufficiency as to Form

As detailed above, the complaint fails to raise specific violations under Wisconsin elections law. As such, the complaint is also insufficient as to form.

*Wisconsin Elections Commissioners*

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

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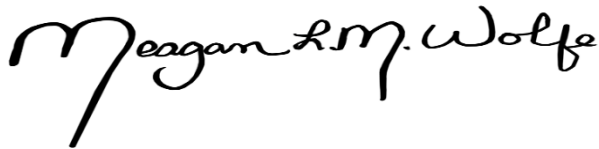
Administrator  
Meagan Wolfe

Conclusion

I am returning the complaint, without prejudice, pursuant to Wis. Admin. Code § EL 20.04(2), as it fails to state probable cause that a violation of election law has occurred or meet the form requirements of a complaint. As required by that provision of administrative code, I have specified the defects in the complaint (probable cause and form). As to the information which would be appropriate to cure the defect, allegations of an official violating provisions of Chapters 5 to 10 or 12 are under the authority of the Commission and would be necessary for the review of the complaint, if sufficient evidence to support the allegations is also part of that filing. Since the complaint does not state probable cause as to a violation of law under the authority of the Commission, the complaint has not been accepted as proper by the Commission under its administrative rules.

The Commission now considers this matter closed.

Sincerely,

A handwritten signature in black ink that reads "Meagan L.M. Wolfe". The signature is written in a cursive style with a large, stylized 'M' at the beginning.

Meagan Wolfe  
Administrator  
Wisconsin Elections Commission

cc: Members, Wisconsin Elections Commission

Enclosure