



# Wisconsin Elections Commission

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March 22, 2022

Jay Stone  
10501 82<sup>nd</sup> St.  
Pleasant Prairie, WI 53138

**Re: Complaint Filed with Wisconsin Elections Commission  
EL 22-22 (Jay Stone v. Meagan Wolfe)**

Dear Complainant Stone:

I am in receipt of the complaint filed with the Wisconsin Elections Commission (“WEC” or “Commission”) against WEC Administrator Meagan Wolfe, received on March 21, 2022. The administrative rules governing the Commission’s processing of complaints require that the agency review the complaint and determine whether it is sufficient as to form and states probable cause. Wis. Admin. Code § EL 20.04(1).

This writing serves as formal notice to the complainant that I have determined the complaint is not sufficient as to form and fails to state probable cause. As such, 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 Form and Probable Cause

In a previous complaint dismissal letter on November 1, 2021, I wrote to you that “It is my intention to provide additional information, beyond what I would normally provide when dismissing a complaint, in hopes that it will provide necessary information to enable you to grasp the responsibilities that you have under statute as a complainant. What is more, these responsibilities have previously been explained to you by Attorney Judnic, yet you continue to file improper complaints that are also insufficient as to form. Those submissions regularly fail to allege a specific violation of Wisconsin Statute Chapters 5-10 and 12.”

The complaint submitted to the Commission on March 21, 2022, again fails to meet the minimum standards as to form and probable cause. Please consider the following to serve as a renewed reminder of the standards necessary to submit a sufficient complaint to the Commission. Wisconsin Statute s. 5.05(1) states, “The elections commission shall have the responsibility for the administration of chs. 5 to 10 and 12 and other laws relating to elections and election campaigns, other than laws relating to campaign financing.” Based upon this provision, and similar statutory requirements, the Commission is limited in its ability to consider complaints beyond the provisions of Chapters 5-10 and 12 of the Wisconsin Statutes, and a complaint must provide specificity regarding any alleged violation of these laws.

The current complaint alleges unspecified violations of law. Specifically, the complaint cites no provisions of Wisconsin Statutes Chapters 5-10, and 12, other than the authorizing statute, Wis. Stat. s. 5.06. 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 WEC Administrator had, the complaint fails to raise probable cause that a violation of election law has occurred, and it does not meet the 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

requirements of an administrative complaint. This process, and these deficiencies, have been repeatedly explained to you after previous complaint submissions.

Conclusion

I am returning the complaint without prejudice pursuant to Wis. Admin. Code § EL 20.04(3), as it is not sufficient as to form or probable cause. I have specified the defects of the complaint as required by that provision of administrative code. As to the information which would be appropriate to cure the defect, please review the analysis above and consider the guidance already offered by staff on several occasions. Since the complaint is improper as to form and does not state probable cause as to a violation of law under the authority of the Commission to consider, the complaint has not been accepted as proper by the Commission under its administrative rules. Please note that the continued filing of frivolous claims, or the refiling of the same complaints without the substantiation required by law, may result in the Commission disregarding such frivolous claims or otherwise taking any lawful action necessary to prevent your continued disregard of Wis. Stat. Chapter 5.

The Commission now considers this matter closed.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Witecha". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jim Witecha  
Staff Attorney  
Wisconsin Elections Commission

cc: Members, Wisconsin Elections Commission