

STATE OF WISCONSIN | BEFORE THE ELECTIONS COMMISSION

Joseph R. Santeler,
Complainant,

against

Kanye West,
Respondent.

VERIFIED COMPLAINT

This complaint is brought under Wis. Admin. Code § EL 2.07.

I, Joseph R. Santeler, allege that:

1. On or about August 4, 2020, Kanye West (“**Respondent**”) filed signatures and paperwork with the Wisconsin Elections Commission (“**Commission**”) to get his name on the November 3 general election ballot for President of the United States in the State of Wisconsin.

2. According to information downloaded from the Commission’s Badger Voters data service, Respondent filed approximately 422 Nomination Papers of Independent Candidates for President and Vice President (“**Nomination Papers**”).

Count I – Nomination Papers Fail to State Respondent’s Residence

3. On each Nomination Paper filed by Respondent, under the header “Residence and P.O. Address,” Respondent lists an address of 3202 Big Horn Ave., Cody, WY 82414.

4. Wis. Stat. § 8.20 sets forth requirements for nomination of independent candidates for office to be voted on in general and special elections, including requirements applicable to Respondent’s Nomination Papers.

5. While Wis. Stat. § 8.20(2)(b) contains a general requirement that nomination papers include a candidate’s “mailing address,” the statute sets forth a stricter requirement for presidential candidates. In Wis. Stat. § 8.20(2)(c), the legislature mandated as follows:

“In the case of candidates for the offices of president and vice president, the nomination papers shall contain...the residence and post-office address of each...” (emphasis added).

6. The legislature’s decision to impose an enhanced address requirement in presidential nomination papers should be given effect by the Commission.

7. On information and belief, the address provided by Respondent in each and every one of his Nomination Papers is not his “residence and post office address,” or a residence at all.

8. The Park County Wyoming MapServer service, a local governmental service that provides tax, zoning and assessment data on Park County real estate, indicates that 3202 Big Horn Ave., Cody, WY is classified as a “Commercial” property. A true and correct copy of the results of a search by Complainant conducted on August 7, 2020 is attached hereto as **Exhibit A**.

9. Likewise, an October 23, 2019 article published in the Cody Enterprise about Respondent’s purchase of the above-referenced property, attached hereto as **Exhibit B**, describes the property at 3202 Big Horn Ave., Cody, WY as a “business lot and building” where a “temporary storage shed is set to go up,” to be used for “temporary storage of materials and merchandise related to apparel and music businesses that will eventually be conducted from a building on the property.”

10. Based on the information above, Complainant believes that Respondent does not reside at 3202 Big Horn Ave., Cody, WY 82414, and that the address provided by Respondent in his Nomination Papers is not his “residence and post office address,” as required by statute.

11. Wis. Stat. § 8.20(2)(c)’s use of the word “shall” when imposing the requirement that nomination papers contain a presidential candidate’s “residence” indicates that the rule is mandatory. No exceptions to this rule were created by the legislature, whether for candidates of a high public profile who choose to seek office or any other person, and the Commission should

not create or recognize any such exception here.

WHEREFORE the Complainant requests:

- (1) that all Nomination Papers filed by Respondent be declared insufficient;
- (2) that all Nomination Papers filed by Respondent be declared not in conformance with statute;
- (3) that all Nomination Papers filed by Respondent be stricken; and
- (4) any other relief this Commission deems warranted.

Count II – Respondent Failed to Meet Statutory Deadline

12. The preceding paragraphs are restated as though fully set forth herein.

13. Wis. Stat. § 8.20(8)(am) provides that “[n]omination papers for independent candidates for president and vice president... may be filed not later than 5 p.m. on the first Tuesday in August preceding a presidential election.”

14. Likewise, Wis. Admin. Code § EL 2.05(2) states that “[i]n order to be timely filed, all nomination papers shall be in the physical possession of the filing officer by the statutory deadline.”

15. It has been widely publicized that Respondent’s attorney delivered the Nomination Papers to the Commission shortly after 5:00 p.m. on August 4, 2020. One such article reporting this is attached hereto as **Exhibit C**.

16. Just as with the requirement that an independent candidate for president state their residence address, the legislature chose to use mandatory language when imposing the deadline within which to file nomination papers, stating that they “may not” be filed later than 5 p.m. on the first Tuesday in August, and that they “shall” be filed by the statutory deadline.

17. Complainant is mindful that the COVID-19 pandemic has created temporal and

logistical obstacles to virtually every facet of public and private life. However, this change in all of our lifestyles has existed for months, and Respondent and his counsel have had adequate time to adjust their behavior and find a way to comply with Wisconsin's election laws, especially in a matter as significant as a presidential race.

18. In a strikingly similar case that made its way to the Wisconsin Supreme Court, a hopeful candidate for U.S. Senate attempted to file his nomination papers at 5:02 p.m. on the last day to submit such papers. *State ex rel. Stearns v. Zimmerman*, 257 Wis. 443, 444 (1950). The office refused to accept and file his papers on the grounds that they were not tendered in the time prescribed by statute. *Id.* The Wisconsin Supreme Court agreed, holding that:

“to enlarge the time which the legislature has designated for the filing of nomination papers would be to amend the statute, not to construe it...If the candidate or some one in his behalf had been present in the office of the secretary of state to tender the nomination papers not later than 5 o'clock p. m. central standard time, the secretary of state would have been obliged to accept them; but if the candidate or his representative fails, as here, to reach the office until later than the time specified the tender comes too late.” *Id.* at 446.

19. No circumstances exist in this case which would support the Commission's enlargement of the time prescribed by statute within which Respondent was required to submit his nomination papers.

20. Wisconsin's election laws provided Respondent over a month to collect and submit nomination papers, and his failure to do so within the time prescribed by statute is fatal to his attempted filing.

WHEREFORE the Complainant requests:

- (1) that all Nomination Papers filed by Respondent be declared late filed;
- (2) that all Nomination Papers filed by Respondent be declared not filed in conformance with statute;

(3) that all Nomination Papers filed by Respondent be stricken; and

(4) any other relief this Commission deems warranted.

Count III – Failure of Circulators to State Full Residence Address

21. The preceding paragraphs are restated as though fully set forth herein.

22. Wis. Stat. § 8.40 requires that nomination papers contain “the certification of a qualified circulator stating his or her residence with street and number...”

23. Pages 1, 2, 5, 6, 7, 8, 19, 20, 23, 24, 25, 26, 27, 28, 33, 34, 161, 162, 220, 225, 233, 236, 292, and 334 of Respondent’s Nomination Papers do not state a residential address that complies with § 8.40. Those pages and all signatures contained thereon should be stricken.

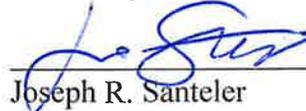
24. To the extent any other pages not listed herein fail to state an address that does not comply with statute, those pages and all signatures contained thereon should be stricken.

WHEREFORE the Complainant requests:

(1) that the Nomination Papers referred to above be stricken;

(2) any other relief this Commission deems warranted.

Date: August 7, 2020



Joseph R. Santeler

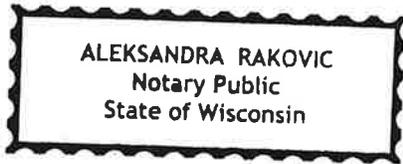
I, Joseph R. Santeler, being first duly sworn on oath, state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

Joseph R. Santeler
Joseph R. Santeler

STATE OF WISCONSIN)
)ss.
COUNTY OF Milwaukee)

Signed and sworn to before me this 7th day of Aug., 2020 by Joseph R. Santeler.

(Seal, if any)



Aleksandra Rakovic
Signature of Notarial Officer

Client Relationship Cons. 4
Title (and Rank)

My Commission expires: 2-25-2023

Detail of R0035876

Parcel	
PIDN:	05109300001001
Tax ID:	R0035876 Property Taxes
Tax District:	0605
Property Owner(s):	PSALM CODY COMMERCIAL, LLC
Mailing Address:	3202 BIG HORN AVE CODY, WY 82414
Street Address:	3202 BIG HORN AVE
Deed:	2019 WD 5455, 10/17/2019
Location:	FRANZEN MINOR SUB. LOT 1 (3.76 AC.)
2020 Market Value:	\$ 647,111 (\$ 532,400 Land + \$ 114,711 Improvements)
2020 Assessed Value:	\$ 61,476

Land		
Acres	Square Feet	Class
3.76	163,786	Commercial
3.76	163,786	Total

Commercial 1	Stories	Sq Ft	Exterior	Roof Cover	Year Built*	Sketch(s)	Photo(s)
Equipment Building	1.0	4800	Pole		2017	#1	#1 #2
2 baths with 2 fixtures							
Add On Concrete Slab SF		720					
Add On Concrete Slab SF		1600					
Add On Concrete Slab SF		760					
Porch Slab Roof Ceil		640					

*Year built may not be original year built due to remodeling and additions.

https://www.codyenterprise.com/news/local/article_224f0f14-f5c6-11e9-bdb0-1317935f7a52.html

BREAKING

Kanye buys lot in town

By RHONDA SCHULTE rhonda@codyenterprise.com
Oct 23, 2019



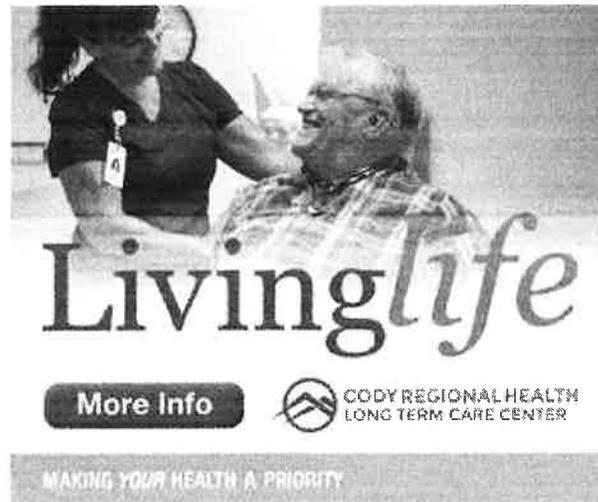
Kanye West recently purchased land on Big Horn Avenue across from Fremont Motors where the Mountain Equipment building currently stands.

LAUREN MODLER

Celebrity Kanye West has expanded his property ownership in Cody with the purchase of a business lot and building on Cody's east side.

The recent buyer of Monster Lake Ranch outside of Cody is not only a Grammy-winning recording artist, he's a Yeezy brand fashion designer and entrepreneur.

According to Forbes, his Adidas Yeezy label is expected to hit \$1.5 billion in sales by the end of 2019.



How far his entrepreneurship ventures extend to Cody is yet to be seen. But West has purchased the Mountain Equipment property across the road from Fremont Motors where a temporary storage shed is set to go up as soon as possible.

The City of Cody Planning and Zoning Board on Tuesday approved site plans for a tan-colored, 4,800-square-foot prefabricated structure on a temporary basis.

“It’s intended to be in place for less than six months,” Todd Stowell, city planner, said.

He said the structure is for temporary storage of materials and merchandise related to apparel and music businesses that eventually will be conducted from a building on the property.

Few other details are public; however, Laurie Swan, who owns Mountain Equipment with her husband Steve, confirmed West now owns the property at 3202 Big Horn.

The transaction happened relatively quickly.

Laurie Swan said West first contacted Lance Bower, agent with Canyon Real Estate in Cody, about the property and that West made contact with the Swans in September. The sale was closed by mid-October.

Equipment lined up along the frontage is now gone. The couple, who moved Mountain Equipment from Montana three years ago, will move out of the building come November. Laurie Swan said they are searching for a new location for their Mountain Equipment dealership.

Dennis Mohatt, a planning draftsman with the Sheridan-based Alpine Home, represented West’s Psalm Cody Commercial, a newly-formed Wyoming limited liability company, at the P&Z meeting.

The initial filing document with the secretary of state shows the principal office at 3202 Big Horn – address of the future storage structure – and a mailing address in La Palma, Calif.

Mohatt said he is working closely with Alaska Structures, the Anchorage-based company supplying the engineered fabric building.

Construction is set to begin as soon as possible.

“These things go up quickly,” Mohatt said. “The urgency here is snow will soon start flying.”

Stowell said the structure will sit “kind of in the middle” of the property, and the tent will go on a concrete pad, which will become part of a parking lot in the future.

Cody contractors Blankenship Quality Concrete has applied for the building permit.

P&Z members approved by unanimous vote the site plan application with stipulation the company must take it down within 60 days after the 180 day temporary period.

“If the thing’s still there after a year, then we have a problem,” Richard Jones, P&Z board member, said.

That would not be a problem, Mohatt said.

Stowell shared city staff’s concern about the 180 days.

“I don’t think this structure in this location is appropriate,” he said.

P&Z member Sandi Fisher agreed.

“It’s very visible from the highway,” she said. “That’s a big building.”

Buzzy Hassrick further backed the sentiment.

“It’s not appropriate for a permanent entry corridor location,” Hassrick said.

Mohatt later said underground bunkers would be built for long-term storage.

West’s 3.76-acre property, zoned for open business-light industrial uses, is in front of the Federal Express warehouse and sandwiched between Groathouse Construction and Sherwin Williams on the south side of Big Horn.

The 40-foot-by-120-foot storage structure will sit in front of a two-suite office and shop building, also measuring 4,800 square feet, built in 2016.

An “architecturally compatible” zoning regulation applies to new commercial construction or remodels along Cody’s main entry corridors.

The city does not have set standards. Instead, it's up to the P&Z board to determine if a proposed building exterior appears similar to surrounding businesses. In this case, the board would compare the fabric building to T-O Engineers, FedEx, Sherwin Williams and the Cody Enterprise. P&Z members often encouraged business owners along the entry corridors to add visual interest such as covered entries, two-toned siding and decorative rock or brick.

"Architecturally, it's probably not what we want in our entry corridor," said Stowell on Tuesday, referencing the proposed structure. "Staff is not concerned about a temporary structure. We'd prefer it were behind screening. But that's not what's proposed."

The city requires landscaping on at least 5 percent of the property to meet Cody's Entryway Corridor Overlay District requirements.

As new owner, Psalm Cody Commercial is responsible for completing landscaping by spring.

"Mr. West will fulfill that landscaping requirement," Mohatt said.

In 2016, the P&Z had agreed to allow Swan to postpone some landscaping. At the point of sale, the property still did not meet the full landscape requirement.

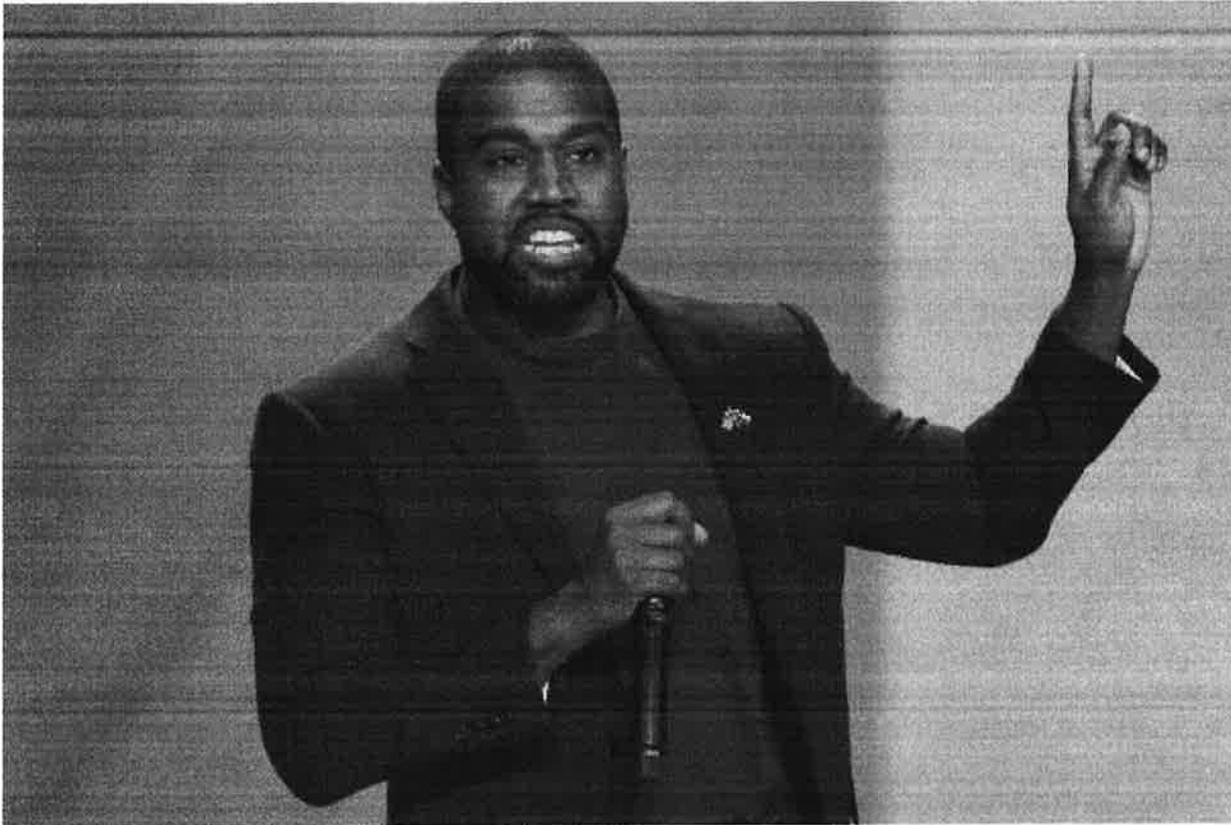
Stowell proposed asking Psalm Cody Commercial for a monetary deposit to guarantee landscaping is finished.

"They need a certificate of occupancy on the building as part of the real estate transaction," Stowell said to further explain.

The city will not allow occupancy until the funds are received, he said.

Leo Wolfson contributed to this report

WPR



Kanye West answers questions during a service at Lakewood Church Sunday, Nov. 17, 2019, in Houston. *Michael Wyke/AP Photo*

Kanye West Files For Wisconsin Ballot With Help From Republican Attorney

Lane Ruhland Is Currently Representing President Donald Trump's Campaign

By Shawn Johnson

Published: Wednesday, August 5, 2020, 5:05pm

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When rap superstar Kanye West filed paperwork Tuesday to run for president in Wisconsin, he got an assist from a lawyer with deep Republican ties.

Attorney Lane Ruhland, who hand-delivered West's nomination papers at the Wisconsin Elections Commission, has worked for a long list of GOP heavyweights in Wisconsin, and she's currently representing the campaign of President Donald Trump.

West announced he was running for president over Twitter on July 4, but getting on the ballot is a state-by-state process. In Wisconsin, it requires a minimum of 2,000 valid signatures from Wisconsin electors.

The deadline for those signatures was Tuesday at 5:00 p.m. According to WISN-TV in Milwaukee, Ruhland delivered the petitions shortly after 5:00.

Ruhland is currently representing Trump's campaign in a lawsuit against a Northwoods TV station for running an ad produced by Priorities U.S.A., a liberal advocacy group.

She was previously the campaign treasurer for former Republican Gov. Scott Walker and a deputy chief of staff for former Republican Attorney General Brad Schimel.

Ruhland has also been a lawyer for the Republican Party of Wisconsin and Wisconsin Manufacturers and Commerce, the state's largest business group and a major supporter of Republican campaigns.

Several of the presidential electors listed on West's petitions also have Republican ties.

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West, who supported Trump earlier in his term, acknowledged in a wide-ranging July interview with Forbes magazine that his presence on the ballot could siphon Black votes away from Democrat Joe Biden.

While Biden has recently polled well ahead of Trump, West's presence on Wisconsin's ballot could prove consequential if the race were to tighten. Trump won Wisconsin by fewer than 23,000 votes in 2016 when many Black voters stayed home.

Neither the Biden campaign nor the Democratic Party of Wisconsin responded to requests for comment. Ruhland also did not respond to an email from WPR.

The Republican Party of Wisconsin issued a statement praising Ruhland and welcoming West's candidacy.

"It appears that the Kanye West campaign made a smart decision by hiring an experienced election attorney," said Alesha Gunther, spokesperson for the Republican Party of Wisconsin. "We welcome Kanye West and all other candidates who qualified for ballot access to the race, and look forward to delivering Wisconsin's 10 electoral votes to President Trump."

While Ruhland delivered the petitions, they were gathered by several out-of-state circulators from states including California, Florida, Nevada and Illinois. Circulators focused their efforts on finding Milwaukee voters.

Staff at the Wisconsin Elections Commission will review the petitions to determine whether more than 2,000 signatures were filed. The deadline to challenge those petitions is Friday at 4:30 p.m.

Commission spokesman Reid Magney said that if a challenge is filed, it would be up to the six-members who sit on the WEC to make a final decision. Magney said that decisions would have to be made by August 26 at the latest.

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