

# Post-Election Litigation in Battleground States

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*Abstract:* This document briefly summarizes the approximately 60 Election Day and post-Election Day lawsuits filed in the battleground states, primarily by the Trump For President campaign and various GOP groups. It also links to the legal complaints and court orders where possible.

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## Arizona

- **Bowyer v. Ducey, No. 2:20-cv-02321-DJH (D. Ariz.)**
  - **Open Case**
  - **12/09/2020: [Order/Ruling](#).** The court held that plaintiffs are not candidates and allege no concrete harm, so lack standing. The court also held that plaintiffs fail to state a claim, they delayed too long in bringing the claim, their claims are moot, Colorado River abstention is warranted in this case, and that the Eleventh Amendment bars plaintiffs' request to mandate decertification. The court held that plaintiffs did not provide any evidence for their claims and dismissed the suit.
  - **Filed 12/02/20: [Complaint](#).** Plaintiffs, Arizona voters and one candidate for Republican Arizona presidential elector, bring suit against Arizona state officials, including the governor and secretary of state. Plaintiffs allege that poll watchers failed to adequately verify signatures on ballots, that Maricopa County ballot dispute referees were partisan, that Dominion backups had no chain of custody, and that the Dominion machines themselves suffered from errors during state evaluations. Plaintiffs

claim that defendants' actions violate the Elections and Electors Clauses, and seek de-certification of Arizona results or, in the alternative, that Arizona certify its results for Trump.

- **Burk v. Ducey, No. CV202001869 (Ariz. Super. Ct., Pinal Cnty.)**
  - **Closed Case**
  - **12/15/2020: [Order/Ruling](#).** The court dismissed the case after determining the plaintiff lacked standing - she did not register to vote in the election.
  - **Filed 12/07/20: [Complaint](#).** Plaintiff, an Arizona voter, alleges that there was a scheme that resulted in the counting of hundreds of thousands of fictitious ballots in Arizona and that Dominion software covered up this scheme. Plaintiff seeks an audit and an injunction against transmitting Arizona's results to the electoral college.
  
- **Stevenson v. Ducey, No. CV2020-096490 (Ariz. Super. Ct., Maricopa Cnty.)**
  - **Closed Case**
  - **12/07/2020: [Voluntary Dismissal](#).**
  - **Filed 12/04/20: [Complaint](#).** Plaintiffs, members of the Arizona Election Integrity Association, allege that a grant from the Center for Tech and Civic Life helped fund the election, that the absentee ballot error rate was impermissibly high, and that state officials did not enforce residency requirements and permitted double voting. Based on these purported violations of the Election Code and the state constitution, plaintiffs seek an injunction against the certification of the election results.
  
- **Ward v. Jackson, No. CV2020-015285 (Ariz. Super. Ct., Maricopa Cnty.)**
  - **Closed Case**
  - **12/11/2020: [Petition for Cert](#).**
  - **12/08/2020: [Order/Ruling](#).** The Arizona Supreme Court, sitting en banc, held that plaintiffs had not provided any evidence to suggest that the hand count audit, required by the Election Code prior to the final canvass, was insufficient to discover fraud. The court concluded that the superior court was correct in its determination that the hand count audit was adequate and that there was no evidence of misconduct.
  - **12/04/2020: [Appeal to the Arizona Supreme Court](#).**
  - **12/04/2020: [Order/Ruling](#).** The court held that the evidence did not demonstrate fraud or misconduct, since the court's ordered audit and the forensic examiners found

a small number of duplicate ballots and a low error rate, without any impact on the outcome. The court denied relief and confirmed the election certification.

- **Filed 11/30/20: [Complaint](#).** Plaintiff, an Arizona voter, alleges that poll workers were not fit to verify absentee signatures and that observers were not present for the replication of damaged ballots, in violation of state law. The lawsuit requests an audit and requests the election results be annulled.
  
- **Arizona Republican Party v. Fontes, No. CV2020-014553 (Ariz. Super. Ct., Maricopa Cnty.)**
  - **Closed Case**
  - **Issue: Criteria for sample size of quality control recount.**
  - **11/18/2020: [Order/Ruling](#).** Dismissed, order to follow.
  - **Filed 11/12/2020: [Complaint](#).** Arizona must hand-count a random sampling of ballots as quality control once a preliminary result has been made public. Plaintiffs, the Republican party, contend that, according to state law, a sampling from 2% of precincts is required which, in Maricopa County, is 15 precincts. Defendant, the Maricopa County Recorder, follows the Secretary of State manual which, due to Maricopa County's Vote Center model, would sample 2% of vote centers (4 centers). Plaintiffs seek a hand count by "precincts" as opposed to "polling places."
  
- **Aguilera v. Fontes, No. CV2020-014562 (Ariz. Super. Ct., Maricopa Cnty.)**
  - **Closed Case**
  - **Issue:**
  - **11/30/2020: [Dismissed](#).** The court held that the plaintiffs fail to allege a sufficient harm to achieve standing. The court also held that there were no violations of the Election Code and the relief requested was not appropriate. The court dismissed the case with prejudice.
  - **Filed 11/12/2020: [Complaint](#).** Plaintiffs, two Arizona voters, allege that the electronic system did not count one of their votes, and that the other's ballot was rejected by the tabulator and subject to off-site human adjudication. Plaintiffs seek the ability to cast a ballot that will be counted and an opening of the offsite adjudication process to the public.

- **DJT for President v. Hobbs, No. \_\_\_\_\_ (Ariz. Super. Ct., Maricopa Cnty.)**
  - **Closed Case**
  - **Issue: Request to halt the canvass until review of over-voted in-person ballots that were allegedly improperly disqualified**
  - **11/16/2020: [Dismissed](#).** Case dismissed as moot. Ballot totals at issue would not impact election outcome.
  - **Filed 11/7/2020: [Complaint](#).** Donald. J Trump for President brings suit against Secretary of State Hobbs and Maricopa County Recorder Fontes alleging that qualified voters who cast their ballots in person on election day had their ballots improperly disqualified as an "overvote" without additional adjudication or review. Alleges violations of multiple clauses of the AZ constitution including equal protection and equal access to elections, as well as various election related statutes including ARS 16-611. Complaint includes declaration from six voters. Plaintiffs seek an injunction prohibiting canvassing until these over votes are permitted to be reviewed and adjudicated.
  
- **Aguilera v. Fontes, No. CV2020-014083 (Ariz. Super. Ct., Maricopa Cnty.)**
  - **Closed Case**
  - **Issue: Request that in-person ballots filled with sharpie markers be allowed to be cured.**
  - **11/07/2020: [Dismissed](#).** Plaintiffs voluntarily dismiss suit without prejudice.
  - **Filed 11/04/2020: [Complaint](#).** Petitioner, Maricopa County voter, voted in person on Election Day, November 3, 2020 and claims that Maricopa County failed to properly process and count her vote because of the sharpie she was provided at the polling location. Her claims arise out of the state constitution's Art II Sections 13, 21 - Arizona's "equal privileges" clause, and failure to ensure maximum correctness, impartiality, and uniformity of election procedures under A.R.S. sections 16-449(B), 16-452(A). Plaintiff requests that all in-person ballots filled with sharpie pens be allowed to be cured.

## District of Columbia

- **Wisconsin Voters Alliance v. Pence, No. 1:20-cv-03791-JEB (D.D.C.)**
  - **Open Case**
  - **Issue: Electoral Count Act Allegedly Violates Article II**

- **12/22/2020: [Complaint](#)**. Plaintiffs Wisconsin Voters Alliance, Pennsylvania Voters Alliance, Georgia Voters Alliance, Election Integrity Fund, and Arizona Election Integrity Alliance allege that the Electoral Count Act violates Article II of the Constitution, impermissibly disempowering state legislatures in post-election certification matters. The suit also comments extensively on the election funds disbursed through the Center for Tech and Civic Life, although does not concretize this in any legal claim. Plaintiffs request an injunction barring the Vice President and Congress from counting the electoral votes.
- **Michigan Welfare Rights Organization v. Trump, No. 1:20-cv-03388 (D.D.C.)**
  - **Open Case**
  - **Issue: Voter disenfranchisement in violation of the Voting Rights Act**
  - **11/20/2020: [Complaint](#)**. Plaintiffs, Detroit voters and a state chapter of a union that advocates for low-income people, allege that defendant, the Trump campaign, in its pressure on state and local officials to not certify election results, is attempting to disenfranchise Black voters in violation of the Voting Rights Act.

## Georgia

- **Fair Fight v. True the Vote, No. 2:20-mi-99999-UNA (N.D. Ga.)**
  - **Open Case**
  - **Issue: Runoff**
  - **1/1/21: [Order/Ruling](#)**. The district court denied Fair Fight's motion for a preliminary injunction. The court held that, while the plaintiff pointed out the climate of voter intimidation surrounding the election, there was not sufficient evidence presented connecting the defendant to voter intimidation such that Fair Fight would likely succeed on the merits. The court retained control of the case and invited the parties to submit additional evidence, stating that "an eleventh-hour challenge to the franchise of more than 360,000 Georgians is suspect."
  - **Filed 12/23/2020: [Complaint](#)**. Plaintiff, Fair Fight, alleges that defendant Texas-based organization seeks to engage in mass voter suppression. Defendant has preemptively challenged over 364,000 Georgia voters, many of whom are first-time voters of color, based on the USPS National Change of Address ("NCOA") registry. Plaintiff claims that these challenges and True the Vote's other programming, encouraging citizen watchdogs and offering monetary rewards, amount to intimidation that violates the Voting Rights Act. Plaintiff requests an injunction so



that defendant cannot contact voters about their status and must withdraw their challenges.

- **Majority Forward v. Ben Hill County, No. 1:20-cv-00266-LAG (M.D. Ga.)**
  - **Open Case**
  - **Issue: Runoff**
  - **Filed 12/23/2020: [Complaint](#).** Plaintiffs, a voter registration nonprofit and registered voter, allege that True the Vote, a Texas-based organization, is successfully engaging in voter suppression. Plaintiffs contend that True the Vote submitted lists of registered voters whose names purportedly appear in the United States Postal Service’s National Change of Address (“NCOA”) database, an impermissible basis for a lawful challenge to a voter’s eligibility. Plaintiffs challenge the decisions by both the Ben Hill County Board of Elections and the Muscogee County Board of Elections to sustain True the Vote’s challenges to more than 4,000 targeted registered voters. Plaintiffs request an injunction preventing the Boards from discarding the ballots of the targeted voters, on the basis that doing so violates the NVRA.
  
- **Georgia Republican Party v. Raffensperger, No. 1:20-cv-05018-ELR**
  - **Open Case**
  - **Issue: Runoff**
  - **12/21/2020: [Order/Ruling](#).** The Eleventh Circuit considered appellants motion for stay pending appeal. The circuit court dismissed the case for lack of standing. It held that the motion impermissibly seeks to order a nonparty county official to do something contrary to state law. Since the Secretary and the election board do not conduct the signature matching process, are not the election officials that review the voter’s signature, and do not control whether the signature matching process can be observed, the Campaigns’ alleged injury is not traceable to the Secretary. And the Secretary does not have the authority to redress it.
  - **12/17/2020: [Order/Ruling](#).** Finding that the Campaigns lacked standing, the district court denied their motion for an injunction and dismissed their complaint.
  - **Filed 12/10/2020: [Complaint](#).** Plaintiffs, the Georgia Republican Party and the campaigns of the Republican candidates for the Senate, request a declaration that the current Georgia signature-matching process is unconstitutional, an order to implement signature review of all absentee ballots by three reviewers, public observation from at

least one person from each political party represented by the candidates, and a requirement that ballots with mismatched signatures be segregated for additional review.

- **Lin Wood v. Raffensperger, No. 1:20-cv-05155-TCB (N.D. Ga.)**
  - **Open Case**
  - **Issue: Runoff**
  - **Filed 12/18/2020: [Complaint](#).** Plaintiff, attorney L. Lin Wood representing himself pro se, seeks to halt the Georgia runoff election. Plaintiff alleges that the Georgia secretary of state usurped authority from the state legislature by promulgating rules related to signature verification, opening early ballots prior to election day, installation of ballot dropboxes, and use of the Dominion voting system.
  
- **Georgia Republican Party v. Raffensperger, No. 2:20-cv-00135-LGW-BWC (S.D. Ga.)**
  - **Closed Case**
  - **Issue: Runoff**
  - **12/18/2020: [Order/Ruling](#).** In a brief order, the court dismissed the case for lack of standing.
  - **Filed 12/17/2020: [Complaint](#).** Plaintiffs, the Loeffler and Perdue campaigns, seek an injunction to prevent any potential counting of ballots cast by registered Georgia voters who cast ballots for senators in other states in the Nov. 3 General Election, in violation of 52 U.S.C. § 10307(e). Plaintiffs request an order that all ballots cast by individuals who registered to vote between November 4, 2020 and December 7, 2020 be segregated and investigated.
  
- **New Georgia Project v. Cooney, No. 2020CV343646 (Ga. Super. Ct., Fulton Cnty.)**
  - **Open Case**
  - **Issue: Runoff**
  - **Filed 12/16/2020: [Complaint](#).** Plaintiff, a voter education and registration nonprofit, alleges that Fulton County is not providing advance voting on all dates required by Georgia law. Plaintiff seeks an emergency injunction ordering defendants to provide for advance voting in Fulton County during regular business hours on December 31, 2020, and January 4, 2021.

- **New Georgia Project v. Shelton, No. 2020V123366K (Ga. Super. Ct., Houston Cnty.)**
  - **Open Case**
  - **Issue: Runoff**
  - **Filed 12/16/2020: [Complaint](#).** Plaintiff, a voter education and registration nonprofit, alleges that Houston County is not providing advance voting on all dates required by Georgia law. Plaintiff seeks an emergency injunction ordering defendants to provide for advance voting in Houston County on Saturday, December 19, 2020 from 9:00 a.m. to 4:00 p.m.; and during regular business hours on January 4, 2021.
  
- **New Georgia Project v. Willis, No. 20-CV-003112 (Ga. Super. Ct., Paulding Cnty.)**
  - **Open Case**
  - **Issue: Runoff**
  - **Filed 12/15/2020: [Complaint](#).** Plaintiff, a voter education and registration nonprofit, alleges that Paulding County is not providing advance voting on all dates required by Georgia law. Plaintiff seeks an emergency injunction ordering defendants to provide for advance voting in Paulding County on Saturday, December 19, 2020 from 9:00 a.m. to 4:00 p.m.; and during regular business hours on January 4, 2021.
  
- **New Georgia Project v. Evans, No. \_\_\_ (Ga. Super. Ct., Clarke Cnty.)**
  - **Open Case**
  - **Issue: Runoff**
  - **Filed 12/15/2020: [Complaint](#).** Plaintiff, a voter education and registration nonprofit, alleges that Athens-Clarke County is not providing advance voting on all dates required by Georgia law. Plaintiff seeks an emergency injunction ordering defendants to provide for advance voting in Athens-Clarke County on Saturday, December 19, 2020 from 9:00 a.m. to 4:00 p.m.; and during regular business hours on January 4, 2021.
  
- **New Georgia Project v. Kaplan, No. 2020-CV-073305 (Ga. Super. Ct., Bibb Cnty.)**
  - **Open Case**
  - **Issue: Runoff**
  - **Filed 12/15/2020: [Complaint](#).** Plaintiff, a voter education and registration nonprofit, alleges that Macon-Bibb County is not providing advance voting on all dates required by Georgia law. Plaintiff seeks an emergency injunction ordering

defendants to provide for advance voting in Macon-Bibb County on Saturday, December 19, 2020 from 9:00 a.m. to 4:00 p.m.; and during regular business hours on December 31, 2020, and January 4, 2021.

- **RNC v. State Election Board, No. 2020CV3423319 (Ga. Super. Ct., Fulton Cnty.)**
  - **Open Case**
  - **Issue: Runoff**
  - **Filed 12/08/2020: [Complaint](#).** Plaintiff, the RNC, seeks an injunction so that the Secretary of State issues guidance to election officials on proper poll watcher access and so that ballot dropbox hours be limited and their video surveillance footage be made available to inquiring parties.
  
- **Twelfth Congressional District Republican Committee v. Raffensperger, No. 1:20-cv-00180-JRH-BKE (S.D. Ga.)**
  - **Closed Case**
  - **Issue: Runoff**
  - **12/17/2020: [Order/Ruling](#).** The district court dismissed the case with prejudice.
  - **Filed 12/09/2020: [Complaint](#).** Plaintiff, the Twelfth Congressional District Republican Committee, seeks prospective relief to: (a) invalidate State Election Board Rule 183-1-0.6-14 and prohibit the use of drop boxes for the receipt of absentee ballot envelopes; (b) invalidate State Election Board Rule 183-1-14-0.9-.15 and prohibit the opening of absentee ballot envelopes before Election Day; and (c) invalidate the secretary of state's Official Election Bulletin regarding absentee ballot signature review guidance.
  
- **Favorito v. Cooney, No. 2020CV343938 (Ga. Super. Ct., Fulton Cnty.)**
  - **Open Case**
  - **Issue: Mail-in Ballot Fraud**
  - **Filed 12/23/2020: [Complaint](#).** Petitioners, a Fulton County tabulation observer and several hand count auditors, allege a range of fraud. Petitioners say they detected a sudden 20,000 vote increase for Biden and filed a corresponding report on the phenomenon that went unanswered; observed boxes of ballots containing mostly Biden votes; and believed cast ballots were fraudulent because they were not created. Petitioners also allege that the incident at State Farm Arena - documented in a viral

video where a water main breaks, some staff and reporters leave the premises, and ballot processors then allegedly retrieve and scan suitcases of ballots - violated Georgia law. Petitioners, based on alleged equal protection and due process violations for those voters who had their votes tabulated in the State Farm Arena on the night of November 3, seek an order permitting them to inspect and scan all mail-in ballots for the General Election.

- **Still v. Raffensperger, No. \_\_\_ (Ga. Super. Ct., Fulton Cnty.)**
  - **Open Case**
  - **Issue: Decertification**
  - **Filed 12/12/2020: [Complaint](#).** Petitioner, voter and candidate for presidential elector, initiates an election contest to decertify Georgia's results in the General Election. Petitioner contends that Coffee County experienced irregularities during its recount and was unable to certify its recount by the secretary of state's deadline. Petitioner extrapolates this across Georgia's 159 counties to demonstrate that the election results might instead favor President Trump.
  
- **Trump v. Raffensperger, No. S21M0561**
  - **Open Case**
  - **12/12/2020: [Order/Ruling](#).** The Georgia Supreme Court dismissed the case for lack of jurisdiction. The court held that the case has not gone through the requisite interlocutory appeals necessary for an election contest, and that it does not meet one of the few exceptions that merits original jurisdiction.
  - **12/11/2020: [Appeal](#).**
  - **12/09/2020: [Order/Ruling](#).** Order on case status, for the action to proceed in the normal course.
  - **Filed 12/04/20: [Complaint](#).** Petitioners, Donald Trump and a Georgia voter, request a new presidential election on the basis of alleged violations of the Georgia Election Code and state constitution. Petitioners allege that respondents, county elections officials, allowed unqualified people to vote, sent unsolicited absentee ballots to voters, entered into a consent decree that allocated more personnel to conduct signature verification, and that the number of absentee ballots was higher than in previous elections.

- **Pearson v. Kemp, No. 1:20-cv-04809-TCB (N.D. Ga.)**
  - **Open Case**
  - **12/11/2020: [Petition for Cert.](#)**
  - **12/08/2020: [Notice of appeal.](#)**
  - **12/07/2020: [Order/Ruling.](#)** In a minute order on the record, Judge Batten ruled that: "The relief that the plaintiffs seek this court cannot grant - they ask the court to order the secretary of state to decertify the election results as if such a mechanism even exists, and I find that it does not."
  - **12/04/2020: [Appeal](#) and [Dismissal.](#)** The Eleventh Circuit dismissed the appeal for lack of jurisdiction and allowed the proceedings to continue in the district court. The panel found that, instead of waiting for an imminent appealable order, appellants appeal the district court's emergency temporary restraining order.
  - **11/29/2020: [Order/Ruling.](#)** The court instituted a ten-day temporary restraining order preventing defendants from altering or destroying Dominion machine data.
  - **Filed 11/25/20: [Complaint.](#)** Plaintiffs, Georgia voters, allege that election software and hardware from Dominion Voting Systems, which was purportedly developed by Venezuelans to manipulate votes in favor of Hugo Chavez, led to a fraudulent ballot-stuffing campaign in Forsyth, Spalding, Cherokee, Hall, and Barrow Counties. Plaintiffs allege that the state's use of Dominion violated the Election Code and the Fourteenth Amendment by processing "defective" ballots and seek as remedy an injunction against transmitting Georgia's certified results.
  
- **Lin Wood v. Raffensperger, No. 1:20-cv-04651-SDG (N.D. Ga.)**
  - **Open Case**
  - **12/08/2020: [Petition for Cert.](#)**
  - **12/05/2020: [Order/Ruling.](#)** The Eleventh Circuit affirmed the district court's holding that Lin Wood lacks standing to sue because he fails to allege a particularized injury.
  - **11/20/2020: [Order/Ruling.](#)** The district court considered whether defendants violated the state constitution by (1) executing and enforcing the pre-election settlement agreement to the extent that it required different procedures from the Georgia Election Code, and (2) not permitting designated monitors to have certain viewing privileges of the Audit. The court held that Lin Wood lacked standing to bring

these claims. The court also held plaintiff had not demonstrated a likelihood of success on the merits. The court denied the request for a temporary restraining order.

- **11/19/2020: [Order/Ruling](#).** Denied, order to follow.
  - **Filed 11/13/20: [Complaint](#).** Plaintiff, a Georgia voter, alleges that defendant, the Secretary of State, violated the Elections Clause by entering into the litigation settlement in Georgia Democratic Party v. Raffensperger in March. Plaintiff alleges that the Secretary of State changed the manner of handling absentee ballots to a form inconsistent with state law. On a variation of this argument, plaintiffs further alleges that the "disparate" treatment of absentee ballots by county boards as compared to the process laid out by the Georgia legislature is an equal protection violation. Plaintiff seeks an injunction against certifying the general election results in Georgia.
- **Boland v. Raffensperger, No. \_\_\_**
    - **Closed Case**
    - **12/14/2020: [Order/Ruling](#).** In a brief order, the Georgia Supreme Court denied relief.
    - **12/14/2020: [Appeal](#).**
    - **12/08/2020: [Order/Ruling](#).** The court dismissed the suit. It held that: under state law, the named defendants were improper parties; the suit is barred by laches; plaintiff is not a candidate and so lacks standing; and, even if the court were to reach the merits, presidential electors are not among those officers covered by Georgia's election contest statute.
    - **Filed 11/30/20: [Complaint](#).** Plaintiff, a Georgia voter, alleges that people who did not reside in Georgia voted in the election and that there was a low ballot rejection rate based on signature mismatch. Plaintiff alleges both issues arise from the Secretary of State's failure to follow the Election Code. As remedy, plaintiff seeks the decertification of election results.
  - **Wood v. Raffensperger, No. 2020CV342959 (Ga. Super. Ct., Fulton Cnty.)**
    - **Closed Case**
    - **12/08/2020: [Order/Ruling](#).** The court held that Georgia election law bars naming either the governor or the secretary of state as defendants in an election contest. Since they are the only named defendants, the court dismissed the suit as barred by sovereign immunity.

- **11/25/2020: [Complaint](#).** Plaintiff, President of the Georgia Voters Alliance, contends that Georgia officials violated the Election Code and state constitution by accepting a grant from the Center for Tech and Civic Life to help fund the election, by following a consent decree that provided for more scrutiny of absentee ballot signatures and disqualification, and by counting purportedly illegal votes. Plaintiff requests that the court prevent the governor from certifying Georgia's results and instead mandate that any result determined by the Georgia state assembly be the lawful result.
  
- **Rebecca Brooks v. Thomas Mahoney III, 4:20-cv-00281-RSB-CLR (S.D. Ga.)**
  - **Closed Case**
  - **Issue: Request to exclude the votes of counties with alleged voting irregularities from the state's overall vote count.**
  - **11/16/2020: [Dismissed](#).** Plaintiffs voluntarily dismiss suit.
  - **Filed 11/11/20: [Complaint](#).** Plaintiffs, Georgia voters, file suit against defendants, members of County Boards of Elections, the Secretary of State, and the Governor. Plaintiffs allege that, during the election: voters were recorded as having voted absentee, even though they voted in person and did not register absentee; voter registration exceeded 100%; and non citizens voted. Plaintiffs seek to exclude counties with any irregularities from the state's overall vote total, on the grounds that such counties' inclusion dilutes plaintiffs' votes.
  
- **In re: Enforcement of Election Laws and Securing Ballots Cast or Received After 7:00 P.M. on November 3, 2020, No. SPCV20-00982 (Ga. Super. Civil)**
  - **Closed Case**
  - **Issue: Request to sequester ballots received post-election day**
  - **11/05/2020: [Order/Ruling](#).** The court held that there was no evidence that the ballots in question were returned after 7:00p.m. on Election Day or that Chatham County Board of Elections had violated any law.
    - **[Press Report](#):** “A pair of Republican election watchers who had raised concerns on Wednesday about the process testified in the video-conferenced hearing. They both testified about concerns about the process they observed involving a stack of 53 ballots, but offered no evidence that the ballots had come in after the deadline. After listening to testimony for more than a hour, including a details outlining the procedures the Chatham County registrar’s



office uses to receive and track absentee ballots, Judge James F. Bass swiftly threw out the case. ‘I’m denying the request and dismissing the petition,’ he said.”

- **Filed 11/04/2020: [Complaint](#).** Petitioners, the Georgia Republican Party and Donald J. Trump for President, Inc., petition the Court to order the Chatham County Board of Elections to follow specific ballot custody procedures, namely, to store all absentee ballots received after 7:00 P.M. on Election Day, as allegedly required by Ga. Code Ann. sec. 21-2-386(a)(1)(F), and to provide an accounting of all such ballots to Petitioners. Petitioners claim this action is necessary to avoid the inadvertent count of these ballots, which Petitioners claim would be contrary to Georgia law.

## Michigan

- **King v. Whitmer, No. 2:20-cv-13134-LVP-RSW (E.D. Mich.)**
  - **Open Case**
  - **Issue: Request to de-certify results.**
  - **12/11/2020: [Petition for Cert.](#)**
  - **12/07/2020: [Order/Ruling](#).** The court held that: the suit is barred by the Eleventh Amendment, the case is now moot, the doctrine of laches applies - in that plaintiffs waited too long to bring their claims, abstention doctrine applies since parallel state proceedings are ongoing, and that plaintiffs failed to establish an injury sufficient to meet standing requirements.
  - **11/25/2020: [Complaint](#).** Plaintiffs, Michigan voters, allege that Republican poll observers were denied the opportunity to meaningfully observe, election workers forged and altered ballots, and that defective ballots were still counted. Plaintiffs claim these purported executive branch violations of the Election Code violate both the elections and Electors Clauses and that, as remedy, the court should either de-certify Michigan's results or certify them for Trump.
- **Leaf v. Whitmer, No. 1:20-CV-1169 (E.D. Mich.)**
  - **Closed Case**
  - **Issue: Request to preserve data.**
  - **12/07/2020: [Order/Ruling](#).** The court held that plaintiffs failed to meet the requirements for the relief sought on the basis of an improper submission. The court found that there was nothing amounting to a complaint based on specific causes of

action, that the application was not verified, and that the notice certification requirement was not met.

- **12/06/2020: [Complaint](#).** Plaintiff, the Barry County Sheriff, seeks injunctive relief against the Michigan Board of Elections from initiating the deletion of election records.

- **Johnson v. Benson, No. 162286 (Mich. Sup. Ct.)**

- **Closed Case**
- **Issue: Request to de-certify results.**
- **12/09/2020: [Order/Ruling](#).** The Michigan Supreme Court denied relief. Justice Clement, concurring, first analyzed the complaint, finding that the only recognized cause of action is plaintiffs' Count Four, which asks for 'Mandamus and Quo Warranto,' the combination of which, since it is incongruous with the relief sought, "makes it unclear what petitioners are asking this Court to do." The court went on to find that plaintiffs' claimed statutory authority for jurisdiction was lacking. Finally, the court held that the injunction request was barred by mootness.
- **11/26/2020: [Complaint](#).** Petitioners, members of Black Voices for Trump, allege that respondent state officials failed to allow meaningful poll observation, instructed election workers to count invalid ballots, and permitted grant funding from Mark Zuckerberg. Petitioners further allege that election workers forged ballots and duplicated ballots without oversight. Petitioners allege that the above and the subsequent concealment of the above violate the Election Code and seek an investigation and an injunction against final certification.

- **Johnson v. Benson, No. 1:20-cv-01098 (W.D. Mich.)**

- **Closed Case**
- **Issue: Request for injunction against certifying election results based on Secretary of State's voter registration practices.**
- **11/18/2020: [Voluntary dismissal](#).**
- **Filed 11/16/20: [Complaint](#).** Plaintiffs, Michigan voters and TCF Center poll challengers, allege that defendant, the Secretary of State, enabled fraud on Election Day. Specifically, plaintiffs claim that the Secretary of State's purportedly illegal plan to mail voters absentee applications caused many invalid occurrences at the TCF Center, culminating in democratic party inspectors filling out "thousands" of ballots in violation of state law. Plaintiffs seek, on equal protection and due process grounds, an injunction against final certification until an audit is conducted.
- Motion by the DNC to Intervene [Filed](#) 11/18/20

- **Donald J. Trump for President Inc. v. Benson, No. 1:20-cv-01083 (W.D. Mich.)**
  - **Closed Case**
  - **Issue: Request for injunction against certifying election results based on challenger access and ballot dates.**
  - **11/19/20: [Voluntary dismissal](#).**
  - **Filed 11/11/20: [Complaint](#).** Plaintiff, the Trump campaign, alleges that Wayne County and the Secretary of State violated the Michigan Election Code by purportedly not permitting challengers to observe the conduct of the election and the processing of ballots and pre-dating ballots that were not eligible to be counted.
  - [Dropped](#) on 11/19/20
  
- **Bally v. Whitmer, No. 1:20-cv-1088 (W.D. Mich)**
  - **Closed Case**
  - **Issue: Request to exclude the votes of counties with alleged voting irregularities from the state's overall vote count.**
  - **11/16/2020: [Dismissed](#).** Plaintiffs voluntarily dismiss suit.
  - **Filed 11/11/20: [Complaint](#).** Plaintiffs, registered voters, file suit against the Secretary of State and Boards of Canvassers. Plaintiffs allege that a certified poll watcher was excluded from canvassing and cites the complaints from *Costantino* and *Trump v. Benson* with claims of anomalous election practices, such as that officials counted ineligible ballots and that deceased individuals cast votes. Plaintiffs further cite websites to allege that programming errors, multiple ballot mailing, and voter registration exceeding 100% violate plaintiff's fundamental right to vote by diluting their votes. The plaintiffs seek to exclude the presidential vote count from these counties in the state's overall total.
  
- **Costantino v. Detroit, No. 20-014780-AW (Mich. Cir. Ct., Wayne County)**
  - **Closed Case**
  - **Issue: Request for injunction against certifying election results based on various types of alleged misconduct**
  - **11/23/2020: [Order/Ruling](#).** The Michigan Supreme Court, in considering plaintiffs' request to enjoin the Wayne County Board of Canvassers election certification, ruled that the case is now moot, since the Board has already certified the election results.

- **11/16/2020: [Order/Ruling](#).** Application for reversal and application for appeal both denied.
  - **11/13/2020: [Order/Ruling](#).** The court found that the affidavits supplied by plaintiffs, purporting fraud, were "rife" with generalization, speculation, hearsay, and a lack of evidentiary basis. The court held that the evidence supports no credible finding of fraud at the TCF Center. Furthermore, the injunctive relief plaintiffs ask for, against certification of Wayne County results, would amount to judicial activism in light of the other remedies available. The court denied the injunction.
  - **Filed 11/09/20 [Complaint](#).** Plaintiffs, Wayne County voters, allege several instances of election misconduct. Plaintiffs allege that the city of Detroit processed and counted ballots from voters whose names did not appear in the Qualified Voter File; instructed election workers to not verify signatures on absentee ballots, to backdate absentee ballots, and to process such ballots regardless of their validity; and, "on a daily basis leading up to the election, coached voters to vote for Joe Biden and the Democrat party." Plaintiffs seek an audit, an order to stop the count, an injunction against certifying election results, an order voiding the November 3, 2020 election results and an order that a new election to be held.
  - Supreme Court Appeal [Denied](#) 11/23/20
- **Stoddard v. City Election Commission, No. 20-014604-CZ (Mich. Cir. Ct., Wayne County)**
    - **Closed Case**
    - **Issue: Request to halt the vote count in Detroit until observers from both parties are present.**
    - **11/06/2020: [Order/Ruling](#).** Motion for injunctive relief denied for failure to state a cause of action and because plaintiffs' allegation is "mere speculation." Further, alternative remedies, such as a recount, exist.
    - **Filed 11/04/2020: [Complaint](#).** Plaintiffs, a Michigan poll observer and a nonprofit organization, allege that absentee vote count centers in Detroit do not have one inspector from each political party present, in violation of state law. Plaintiffs seek to halt the counting of absentee ballots until observers from both parties are present.
- **Donald J. Trump for President v. Benson, No. 20-000225-MZ (Mich. Ct. Claims)**
    - **Closed Case**

- **Issue: Request to halt the ballot count until inspectors are allowed at the absentee ballot boards and until challengers can review video surveillance footage of ballot dropboxes**
  - **12/11/2020: [Order/Ruling](#).** The Michigan Supreme Court denied review of the case.
  - **12/07/2020: [Appeal](#).**
  - **12/04/2020: [Order/Ruling](#).** Since the Michigan State Board of Canvassers certified the presidential election results on No. 23, the court described how MCL 168.862 requires that the plaintiff pursue its fraud allegations by recount of the ballots cast in Wayne County. The court held that, because plaintiff failed to follow the law in Michigan relative to such matters, its action is moot.
  - **11/30/2020: [Appeal](#).**
  - **11/05/2020: [Order/Ruling](#).** The judge dismissed the case stating that, “At this point, the essence of the count is completed, and the relief is completely unavailable.”
  - **Filed 11/04/2020: [Complaint](#).** Plaintiff, Donald Trump's reelection campaign, alleges issues with Michigan's Absent Voter Count Boards. Plaintiff asserts, based on state laws, that Michigan has violated election inspector and ballot challenger requirements in counting absentee votes. The campaign asks the court to halt Michigan's ballot count until the Secretary of State allows its inspectors to be present at the absentee ballot boards and until its challengers can review video surveillance footage of ballot dropboxes.
- **Polasek-Savage v. Benson, No. 20-000217-MM (Mich. Ct. Claims)**
    - **Closed Case**
    - **Issue: Request to have more than one challenger present at the absent voter counting board**
    - **11/03/20: [Order](#).** Court denied the request for declaratory judgment, finding that the defendants (the Secretary of State and Oakland County) did not have the power to grant the relief requested.
    - **Filed 11/02/20: [Complaint]** Plaintiffs challenged the rule in Oakland County that organizations approved to appoint election challengers will be permitted to have only one challenger present at each combined absent voter counting board. The issue concerns the number of election challengers that can be present at a combined absent voter counting board established under MCL 168.764d(1)(a).

## Minnesota

- **Kistner v. Simon, No. A20-1486 (Minn. Sup. Ct.)**
  - **Closed Case**
  - **Issue: Request to block Minnesota certification**
  - **12/04/2020: [Order/Ruling](#).** The Minnesota Supreme Court dismissed the case. It held that the doctrine of laches applied to petitioners' claims against the Secretary of State - that they had adequate time, starting from Sept. 18, to bring suit prior to the election but failed to do so. With respect to observer access to post-election review, the court held that Minnesota law requires that such charges be served against county election officials, the court asked petitioners to do so, and petitioners did not.
  - **11/24/20: [Complaint](#).** Petitioners, candidates for Minnesota state congress, seek an immediate temporary restraining order from the Minnesota Supreme Court enjoining the State Canvassing Board from certifying Minnesota's election results. Petitioners allege that the Secretary of State impermissibly removed barriers (suspended the witness requirement) to absentee voting, in violation of separation of powers, and did not provide adequate poll observer access, violating due process.

## Nevada

- **Law v. Whitmer, No. 20 OC 00163 1B (Nev. Dist. Ct., Carson City)**
  - **Closed Case**
  - **Issue: Request to certify the Nevada election for Donald Trump**
  - **12/08/2020: [Order/Ruling](#).** The Nevada Supreme Court affirmed the case's dismissal. It held that appellants pointed to no errors of law in the district court's ruling. It also held that, even if there were a lesser standard for the burden of proof, appellants would fail to meet it.
  - **12/04/2020: [Appeal](#).**
  - **12/04/2020: [Order/Ruling](#).** The court turned to the doctrine of issue preclusion, since the issues raised are identical to those already litigated before and decided by this same court in Kraus v. Cegavske and plaintiffs here are in privity with the Kraus parties. Nevertheless, the court went on to rule on the merits that there was no proof of

machine malfunctions, improper votes, election board malfeasance, or vote manipulation. The court dismissed the case with prejudice.

- **Filed 11/17/2020: [Complaint](#).** Plaintiffs, presidential electors for Donald Trump for the state of Nevada, allege widespread electronic voting systems malfunctions both due to the Agilis machine and generally across the country. Plaintiffs also allege that voting drives in Nevada to encourage Native Americans to vote depicted Biden-Harris promotional material and that any such resulting votes should be invalidated. Plaintiffs allege that the Agilis machine, which was used to verify signatures in Clark County but not other Nevada counties, resulted in an equal protection violation. Plaintiffs seek, as relief, that Donald Trump be certified the winner of Nevada.

- **Rodimer v. Gloria, No. A-20-825067-P**

- **Closed Case**
- **Issue: Request to block the use of Agilis in signature verification**
- **11/25/2020: [Order/Ruling](#).** The court held that plaintiff is a candidate for federal office and so excluded from state law governing election contests and so from this court's jurisdiction. The court dismissed the case.
- **Filed 11/18/2020: [Complaint](#).** Plaintiff, a Candidate for Senate District 6, contends that the Registrar of Voters for Clark County found discrepancies in ballot tracking, used the purportedly unreliable Agilis system, and should have moved certain voters to the inactive list and not sent them ballots. Plaintiff seeks a new election.

- **Becker v. Cannizzaro, No. A-20-825130-W**

- **Closed Case**
- **Issue: Request to block the use of Agilis in signature verification**
- **11/20/20: [Voluntary dismissal](#).**
- **Filed 11/19/2020: [Complaint](#).** Plaintiff, a candidate for state Congressional District 3, seeks relief against the Clark County Registrar of Voters. Plaintiff alleges that defendant's use of the Agilis system to verify signatures, when state law requires verification be conducted by a human, warrants that all votes verified by the system be invalidated and a new election be held.

- **Marchant v. Gloria, No. A-20-824884-W**
  - **Closed Case**
  - **Issue: Request to block the use of Agilis in signature verification**
  - **11/23/2020: [Order/Ruling](#).** The court held that it lacked jurisdiction to hear the writ, which was in fact a claim for an election contest. Yet Nevada's election contest statute excludes the federal legislative election at issue in the petition. The court went on to hold that, even if the claim were able to proceed, it would fail on the merits. The plaintiffs invoke a statute that relates to ballot loss or destruction, neither of which has been demonstrated. The court dismissed the case.
  - **Filed 11/16/2020: [Complaint](#).** Petitioner, a Nevada Fourth Congressional District Representative, seeks injunctive relief against Clark County's use of the Agilis system to verify signatures. Petitioner alleges that state law requires that signature verification be conducted by a human.
  
- **Becker v. Gloria, No. A-20-824878-W**
  - **Closed Case**
  - **Issue: Request to block the use of Agilis in signature verification**
  - **11/24/2020:** Denied without prejudice.
  - **Filed 11/16/2020: [Complaint](#).** Petitioner, a candidate for senate district 6, seeks relief against the use of the Agilis system in signature verification. Petitioner alleges that, since the AI is flawed and state law requires human review, a new election should be held.
  
- **Stokke v. Cegavske, No. 2:20-cv-02046 (D. Nev.)**
  - **Closed Case**
  - **Issue: Request to (i) allow greater access to observers, and (ii) cease use of automated system to count ballots**
  - **11/06/2020: [Order/Ruling](#).** Judge Andrew Gordon denied plaintiffs' request for an injunction to prevent Nevada's largest county from using its signature-matching technology. The court also denied the plaintiffs' request to mandate that Clark county permit observers to be closer to the ballot-counting process.
  - **Filed 11/05/2020: [Complaint](#).** Plaintiffs, two individuals and two Nevada congressional campaigns, seek injunctive relief directing defendants to (a) cease their use of the Agilis system to count ballots and (b) allow greater access to ballot counting



observers. Plaintiffs claim that the Agilis system, which purportedly misidentified Plaintiff Stokke as having already voted by mail, is not able to properly verify signatures. Additionally, Plaintiffs allege that, while Clark County officials allowed Plaintiff Prudhome to observe the ballot count, he was not allowed to stand in a position that would allow him to meaningfully observe.

- **Filed 11/05/2020: [Motion for Expedited Hearing and Briefing on Emergency Motion for TRO and PI.](#)**

- **Kraus v. Cegavske, No. 82018 (Nev. Sup. Ct.)**

- **Closed Case**
- **Issue: Request that election officials stop duplicating ballots and using AI to authenticate ballot signatures unless observers are granted access to process.**
- **11/10/2020: [Order Dismissing Case.](#)** Court granted appellants' motion to dismiss the case. State agreed to allow more observers, in accordance with a settlement agreement.
- **11/05/2020: [Emergency Motion for Extension of Briefing Schedule.](#)** Appellants file an emergency motion for a 7-day extension of time to file their docketing statement, opening brief, and appendix pending settlement.
- **11/03/2020: [Emergency Motion for Stay and to Expedite Appeal](#)** Kraus, Donald J. Trump for President, and the Nevada Republican party seek a stay of a lower court order allowing duplication of mail ballots without observation and the use of artificial intelligence to expedite appeals. Appellants filed an emergency motion seeking immediate relief under NRAP 8, pending appeal, prohibiting the Clark County Registrar from continuing to duplicate mail ballots unless observers are granted an opportunity to meaningfully observe the process and from using artificial intelligence to authenticate ballot signatures. Appellants also seek to expedite this appeal.
- **11/03/2020: [Order/Ruling.](#)** In an order signed by all seven members, the Nevada Supreme Court granted the request to expedite the appeal but denied the motion for an emergency stay to stop the county from processing ballots.
  - The court granted the motion as to the request to expedite the appeal because the matter involves the election process currently underway.
  - The court denied appellants' request to enjoin the registrar from duplicating ballots and using artificial intelligence to authenticate ballots. Appellants have not demonstrated a sufficient likelihood of success to merit a stay or

injunction. The court cited the district court’s conclusion that appellants’ allegations lacked evidentiary support, and noted that “appellant’s request for relief to this court is not supported by affidavit or record materials supporting many of the factual statements made therein....It is unclear from the motion how appellants are being prevented from observing the process or that the use of the Agilis machine is prohibited under AB 4....Appellants motion, on its face, does not identify any mandatory statutory duty that respondents appear to have ignored. Further, appellants fail to address the district court’s conclusion that they lack standing to pursue this relief. Thus, appellants have not shown that the NRAP 8(c) factors militate in favor of a stay or injunction, and the request for immediate relief is denied.”

- **Kraus v. Cegavske, No. 20 OC 00142 1B (Nev. Dist. Ct., Carson City)**
  - **10/29/2020: [Order/Ruling](#).** The court held that plaintiffs lacked standing, since they proved neither a direct nor indirect injury. Nevertheless, the court went on to find that no proof of an equal protection violation was presented nor was there any statutory basis for the level of poll observation plaintiffs were seeking.
  - **Filed 10/23/2020: [Complaint](#).** The plaintiffs, Nevada Republican Party and Trump’s re-election campaign, seek a temporary restraining order, ordering Clark County to immediately halt the county’s ballot processing and counting. They argue the county’s signature verification process for mail-in ballots is lacking and that observers are not provided with ample opportunities to view or challenge the work of election workers. They are asking the judge to force election officials to allow “meaningful observation” of the verification of mail-in ballots, including allowing watchers to have access to all parts of the verification process and be close enough to verify data, including being able to see individual voter signatures.

- **Donald J. Trump for President v. Gloria, No. A-20-824153-C (Nev. Dist. Ct.)**
  - **Closed Case**
  - **Issue: Request to extend in-person voting hours.**
  - **11/03/20: [Order/Ruling](#).** Select polling places in Clark County, Nevada to stay open an extra hour, to 8:00 p.m.

- **Filed 11/03/2020: [Complaint](#).** Plaintiffs, Donald J. Trump for President and Nevada Republican Party, seek injunctive relief from Clark County to keep open poll locations affected by voting machine malfunctions until 8:00 p.m.

## New Mexico

- **Trump v. Toulouse Oliver, No. 1:20-cv-01289 (D.N.M.)**
  - **Open Case**
  - **Issue: Dropboxes.**
  - **Filed 12/14/2020: [Complaint](#).** Plaintiff, President Trump, seeks an injunction to prevent New Mexico's Electors from voting for President and Vice President. Plaintiff alleges that the New Mexico secretary of state violated the Electors Clause by enabling voters to return ballots at ballot dropboxes.

## New York

- **Tenney v. Oswego County Board of Elections, No. EFC-2020-1376 (N.Y. Supr. Ct.)**
  - **Open Case**
  - **Issue: Request to secure ballots.**
  - **12/08/2020: [Order/Ruling](#).** The court held that the Election Boards' canvassing errors in failing to catalogue and adjudicate ballot challenges, when the candidates might be separated by only 12 votes, necessitates a partial recount. The court ordered that the Boards of elections account for all votes and canvassing errors.
  - **Filed 11/04/2020: [Complaint](#).** Petitioner, the Republican candidate for a Congressional district, seeks to sequester and secure the ballots cast, a mandated review of the Board of Election's ballot verification procedures, and to be certified the winner.

## Pennsylvania

- **In Re: Canvass of Absentee and Mail-In Ballots of November 3, 2020 General Election, Nos. 20110894-20110898 (Penn. Ct. Common Pleas, Philadelphia Cnty.) / Nos. J-118A-2020, J-118B-2020, J-118C-2020, J-118D-2020, J-118E-2020 and J-118F2020 (Penn Sup. Ct.)**
  - **Open Case**
  - **Issue: request to reserve county election board's refusal to throw out ballots based on various ballot completion omissions**

- **12/20/2020: [Petition for Cert.](#)** Petitioner, President Trump, consolidates and seeks review of three Pennsylvania Supreme Court decisions: In re Canvass of Absentee & Mail-In Ballots of Nov. 3, 2020 Gen. Election (date and signature), In re Canvassing Observation (poll observation), and In re November 3, 2020 Gen. Election (signature verification standards). The Petitioner alleges that the Pennsylvania Supreme Court impermissibly altered the manner of elections in violation of the Electors Clause. Petitioner requests that the Court remand the matter to the Pennsylvania state legislature, which can select its own slate of electors in place of those selected by popular vote.
- **11/23/2020: Supreme Court [Order/Ruling.](#)** The Supreme Court held that the Election Code does not require boards of elections to disqualify mail-in or absentee ballots submitted by qualified electors who signed the declaration on their ballot's outer envelope but did not handwrite their name, their address, and/or date, where no fraud or irregularity has been alleged. The court affirmed the lower courts' decisions to count the ballots, on the basis that the Code's directives in question are not mandatory and Pennsylvania jurisprudence has long held that courts must construe the law to save, not void, ballots.
- **11/13/2020: Orders/Rulings [1](#), [2](#), [3](#), [4](#), [5](#).** For each petition, the court reached the same holding: that petitioner is not alleging fraud but conducting an eligibility challenge. The Election Code does not require that the outer envelope have a date, the elector's printed name, and address. In fact, the preprinted ballots already contain the elector's name and address. The Philadelphia County Board of Elections decision to count the ballots is affirmed.
- **Filed 11/10/2020: [1](#), [2](#), [3](#), [4](#), [5](#).** Five petitions from the Trump campaign to overturn the five following Philadelphia County Board of Elections decisions: to count 1,211 ballots where the voter affixed their signature to the Declaration Envelope, but no other information was provided, preventing signature verification; to count 1,259 ballots where the voters did not date their signature but all other information was complete; to count 553 ballots where all the information was complete except for the voter's printed name; to count 860 ballots missing a street address; and to count 4,466 ballots where the voters signed and dated but did not print their name and street address.

- **In re: Canvassing Observation, No. 30 EAP 2020 (Penn. Sup. Ct.)**

- **Open Case**
- **Issue: Request for broader right to observe the canvassing**
- **12/20/2020: [Petition for Cert.](#)** Petitioner, President Trump, consolidates and seeks review of three Pennsylvania Supreme Court decisions: In re Canvass of Absentee & Mail-In Ballots of Nov. 3, 2020 Gen. Election (date and signature), In re Canvassing Observation (poll observation), and In re November 3, 2020 Gen. Election (signature verification standards). The Petitioner alleges that the Pennsylvania Supreme Court impermissibly altered the manner of elections in violation of the Electors Clause. Petitioner requests that the Court remand the matter to the Pennsylvania state legislature, which can select its own slate of electors in place of those selected by popular vote.
- **11/13/2020: [Order/Ruling.](#)** The Supreme Court found that the procedures for poll observing that the Philadelphia Board of Elections had implemented were reasonable under law. The court held that the legislature held proximity parameters to the discretion of county boards of elections. The court concluded that, based on the plaintiffs' witness's own testimony, he had sufficient access to observe under the Election Code.
- **11/05/20.** Philadelphia county appeals the state appellate court's reversal of the trial judge's ruling that Philadelphia was complying with canvassing observer requirements.
- **In Re: Canvassing Observation, No. 1094 CD 2020 (Penn. Commonw. Ct.)**
- **11/04/20: [Appellant Brief.](#)** The Trump campaign appealed the trial court (court of common pleas) ruling that Philadelphia county was complying with poll observer requirements.
- **11/05/2020: [Order/Ruling.](#)** The appeals court reversed the court of claims, and held that all candidates, watchers, or candidate representatives be permitted to be present for canvassing processes pursuant to 25 P.S. § 2650 and/or 25 P.S. § 3146.8, and to observe within 6 feet.
- **In Re: Canvassing Observation, No. 7003 (Penn. Ct. Common Pleas, Philadelphia Cnty.)**
- Petitioners, the Trump campaign, allege that poll observers do not have sufficient proximity to canvassing.
- **11/03/2020: [Order/Ruling.](#)** The presiding election day judge, based on the witness's testimony, held that Philadelphia was complying with canvassing observer

requirements as set forth in Pennsylvania law, and denied the oral motion of Petitioners for closer observation of the canvassing of ballots.

- **Kelly v. Pennsylvania, No. 620 MD 2020**

- **Closed Case**
- **Issue: Request not to certify election results.**
- **12/08/2020: [Order/Ruling](#).** The Supreme Court, with no dissents, declined to grant the injunctive relief, requested by Rep. Kelly, to prevent Pennsylvania from certifying its election results.
- **12/03/2020: [Emergency application for injunction submitted to Justice Alito](#).**
- **11/28/2020: [Order/Ruling](#).** In a per curiam decision, the Pennsylvania Supreme Court vacated the Commonwealth Court's preliminary injunction and dismissed the case with prejudice. The court held that a dismissal was warranted "based upon Petitioners' failure to file their facial constitutional challenge in a timely manner," since the Campaign filed the suit more than a year after the enactment of Act 77, after a general election in which millions of voters had cast mail-in votes.
- **11/25/2020: [Appeal](#).**
- **11/25/2020: [Order/Ruling](#).** The court, without elaboration, held that the Commonwealth of Pennsylvania is enjoined from certifying any remaining election results.
- **Filed 11/21/2020: [Complaint](#).** Plaintiffs, Republican representatives to state congress, seek to declare Act 77, a Pennsylvania statute from 2019 that contains a no-excuse mail-in voting provision, unconstitutional. Plaintiffs request an injunction against certifying the state's election results.

- **Metcalf v. Wolf, No. 636 MD 2020 (Penn. Commonw. Ct.)**

- **Closed Case**
- **Issue: Request to decertify results.**
- **12/09/2020: [Order/Ruling](#).** The court held that plaintiffs cannot be entitled to relief, because what they present as a complaint is "really an improper and untimely election contest." The Election Code specifies how to commence election contests, and the court held that this complaint was neither in the proper venue or within the correct timeframe.
- **Filed 12/04/2020: [Complaint](#).** Plaintiffs, Pennsylvania voters, filed suit against the

governor, the secretary of state, and Pennsylvania’s democratic presidential electors. Plaintiffs allege that local democratic officials and the Pennsylvania Supreme Court violated numerous portions of the Election Code related to ballot signatures, secrecy envelopes, and poll observers. Plaintiffs seek a Writ of Mandamus directing the governor to withdraw the certification of the 2020 presidential election.

- **Zicarelli v. Westmoreland County Board of Elections, No. 4152**
  - **Closed Case**
  - **Issue: Request to count ballots that were challenged.**
  - **11/23/2020: [Order/Ruling](#).** The court held that, where the provisional voters were mistakenly instructed to sign twice, Pennsylvania law requires that one of the signatures be disclaimed to ensure each voter cast only one ballot. Only 46 of the 250 voters did so, yet the Board counted all 250 votes. The court ordered that the 204 ballots where voter clarification had not been obtained must be invalidated. The court held, on the secrecy sleeve issue, that 12 provisional ballots lacking secrecy sleeves, which the Board had accepted, should instead not be counted.
  - **Filed 11/18/2020: [Complaint](#).** Plaintiff, a candidate for Pennsylvania state senate, appeals the Westmoreland County Board of Elections decision to uphold challenges to 9 ballots received without secrecy envelopes and to uphold challenges to 250 ballots where the voter used a provisional ballot and was improperly instructed to sign the poll book.
  
- **Zicarelli v. Allegheny County Board of Elections, No. GD-20-11654/No. 1161 CD 2020 (Penn. Commonw. Ct.) and No. GD-20-011793/No. 1162 CD 2020 (Penn. Commonw. Ct.)**
  - **Closed Cases**
  - **Issue: Request to exclude ballots with various defects from the vote count.**
  - **11/23/2020. [Appeal denied](#).**
  - **11/19/2020: [Order/Ruling](#).** The court of appeals held that the plain language of the statute requires both signatures. The court reversed the lower court’s decision, holding that the 270 ballots will not be counted.
  - **11/18/2020: [Order/Ruling](#).** The court ruled that the approximately 300 provisional ballots should be counted. Voters were meant to have signed twice, but should not be penalized because they were given and relied on incorrect information from the

election administration.

- **Filed 11/16/2020: [Complaint](#).** Plaintiff, a candidate for Pennsylvania state senate, appeals the decision of the Allegheny County Board of Elections to accept 270 provisional ballots that had a requisite signature but not an affidavit signature.
  - **11/23/2020: [Order/Ruling](#).** The Supreme Court held that the Election Code does not require boards of elections to disqualify mail-in or absentee ballots submitted by qualified electors who signed the declaration on their ballot's outer envelope but did not handwrite their name, their address, and/or date, where no fraud or irregularity has been alleged. The court affirmed the lower courts' decisions to count the ballots, on the basis that the Code's directives in question are not mandatory and Pennsylvania jurisprudence has long held that courts must construe the law to save, not void, ballots.
  - **11/19/2020: [Order/Ruling](#).** The court of appeals held that the Election Code requires that voters date the declaration. The lower court is reversed, and the 2,349 ballots will not be counted.
  - **11/18/2020: [Order/Ruling](#).** The court held that the ballots at issue are sufficient even without a voter supplied date. The ballots were processed in the Statewide Uniform Registry of Electors ("SURE") system and timestamped when they were timely delivered to the Board on or before November 3, 2020. They were signed and otherwise properly completed by a qualified elector.
  - **Filed 11/12/2020: [Complaint](#).** Plaintiff, a candidate for Pennsylvania state senate, appeals the decision of the Allegheny County Board of Elections to accept 2,349 mail-in ballots containing an undated voter verification.
- **Donald J. Trump for President Inc. v. Bucks County Bd. of Elections, No. (Penn. Ct. Common Pleas, Bucks Cnty.)**
    - **Closed Case**
    - **Issue: Request to exclude ballots with various defects from the vote count.**
    - **12/08/2020: [Order/Ruling](#).** The Pennsylvania Supreme Court denied the application for appeal.
    - **11/25/2020: [Order/Ruling](#).** The court first described how Appellant has since withdrawn some of the challenges in the complaint and, of the remaining challenges, all but 69 ballots were resolved by a recent decision of the Supreme Court. These remaining 69 ballots were received with secrecy envelopes that were "unsealed." The court held that, since it cannot be established that the electors did not seal the secrecy



envelopes; the parties stipulated that the instructions on the outer envelope stated only that the ballot should be placed in the secrecy envelope and did not specify that the envelope needed to be securely sealed or the consequences of failing to strictly adhere to that requirement; and there are no allegations of any fraud, impropriety, misconduct, or undue influence, that anyone voted who was not eligible to vote, or that the secrecy of the ballots cast was jeopardized, the 69 ballots would count. The court held prospectively that ballots must be securely sealed.

- **11/24/2020: [Order/Ruling](#).** The Supreme Court denied the applications to Exercise Extraordinary Jurisdiction.
  - **11/19/2020: [Order/Ruling](#).** The court held that the Pennsylvania Supreme Court has made it clear that voters should not be disenfranchised based on advisory portions of the Election Code. Even following a "strict" interpretation of the Code, the address, date, or secrecy envelope errors are not mandated by statute. Dismissed.
  - **Filed 11/09/2020: [Complaint](#).** Petitioners, the Trump campaign and RNC, seek review of the Bucks County Board of Elections' counting of absentee ballots. Petitioners allege that defendant accepted ballots with date or address defects, or with unsealed secrecy sleeves, as valid votes. Petitioners seek a reversal of the election board's decision.
- **Donald J. Trump for Pres., Inc. v. Boockvar, No. 4:20-cv-02078 (M.D. Pa.)**
    - **Closed Case**
    - **Issue: Omnibus lawsuit requesting an injunction against certifying the election results, alleging mail-in ballot fraud, insufficient poll observer access, and violations of the Elections, Elector, Equal Protection and Due Process clauses of the US Constitution.**
    - **11/27/2020: [Order/Ruling](#).** The Third Circuit denied the requested injunction and affirmed the district court's denial of leave to amend. Judge Bibas, writing for the panel, held that appellants, the Trump Campaign, tried to "repackage" state-law claims about ballot corrections and poll observer access as unconstitutional discrimination. Yet the Campaign never alleges that anyone treated the Trump campaign or Trump votes worse than it treated the Biden campaign or Biden votes. An injunction to undo Pennsylvania's certification is not warranted, since "the number of ballots it specifically challenges is far smaller than the roughly 81,000-vote margin of victory" and "it never claims fraud or that any votes were cast by illegal voters." The circuit held that the

district court had not abused its discretion in denying leave to amend the complaint a second time, since the Campaign's delay was undue and an amendment would have been futile.

- **11/23/2020: [Appeal](#).** Appellants seek review of the district court for alleged abuse of discretion in denying their Motion to Amend and in denying the requested injunction as moot.
  - **11/21/2020: [Order/Ruling](#).** Plaintiffs contended an equal protection violation, in that Pennsylvania's lack of a uniform prohibition against notice-and-cure is unconstitutional. The court held that plaintiffs lack standing to make this claim but, nevertheless went on to hold that, even if they were to have standing, they failed to even make an equal protection claim. The court dismissed the case, characterizing it as "strained legal arguments without merit and speculative accusations, unpled in the operative complaint and unsupported by evidence."
  - **Filed 11/09/2020: [Complaint](#).** Plaintiff, the Trump campaign, alleges that defendants, the Pennsylvania Secretary of State and county boards of election, violated the Elections Clause, did not allow for sufficient poll observation of absentee ballot counting, and "did not undertake any meaningful effort to prevent the casting of illegal or unreliable absentee or mail-in ballots." Plaintiff alleges that the purported lack of uniform statewide standards for curing mistakes violates voters' equal protection and due process rights. As remedy, plaintiffs seek an injunction that prohibits Pennsylvania from certifying the election results state-wide or, in the alternative, one that prohibits Pennsylvania from including in its certification the tabulation of absentee and mail-in ballots for which Plaintiffs' watchers were allegedly prevented from observing and those which some counties allegedly improperly permitted to be cured.
- **In re: Pre-Canvass of Absentee and Mail-In Ballots of November 3, 2020 General Election, No. 2020-05627 (Penn. Ct. Common Pleas, Bucks Cnty.)**
    - **Closed Case**
    - **Issue: Request to enjoin election workers from providing observers the identity of ballots with defects during pre-canvass**
    - **11/03/2020: [Order/Ruling](#).** In a brief order, the court dismissed the petition.
    - **11/03/2020: [Petition](#).** Petitioner asks the court to reverse a decision of the Bucks County Board of Elections denying Petitioner's objection to the disclosure of the identification of voters who's ballots were defective (e.g. naked ballots) during the

pre-canvass review for the Nov. 3, 2020 general election prior to the close of the polls. Petitioner contends that the disclosure of such information to authorized observers in the pre-canvass meeting is in turn being disclosed to persons outside of the pre-canvass meeting in violation of Election Code, 25 P.S. Sec. 3146.8(g)(1.1) which provides that "No person observing, attending or participating in a pre-canvass meeting may disclose the results of any portion of any pre-canvass meeting prior to the close of the polls." Petitioner also contends that absentee ballots cast in violation of mandatory requirements are void and cannot be counted.

- **Pirkle v. Wolf, No. 4:20-cv-02088-MWB (M.D. Penn.)**
  - **Closed Case**
  - **Issue: Request to exclude from the state-vote tabulation the votes from multiple counties, due to alleged illegal practices.**
  - **11/16/2020: [Dismissed](#).** Plaintiffs voluntarily dismiss suit.
  - **Filed 11/10/2020: [Complaint](#).** Plaintiffs, Pennsylvania voters, cite the complaint in *Trump v. Boockvar* and promised forthcoming data-backed analysis to allege that several counties violated voters' Fourteenth Amendment rights by counting "illegal votes." As remedy, plaintiffs seek to exclude all votes from those counties, including Philadelphia county, in the tabulation of the state's final vote count.
  
- **Bognet v. Boockvar, No 20-3214 (3rd Cir.)**
  - **Closed Case**
  - **11/13/20 [Order](#).** In a lawsuit filed before the election but relevant to much of the post-election litigation, the U.S. Circuit Court of Appeals for the Third Circuit upheld the district court's rejection of a constitutional challenge to Pennsylvania's post-Election Day ballot receipt deadline on the grounds that the plaintiffs lacked standing. The court held "when voters cast their ballots under a state's facially lawful election rule and in accordance with instructions from the state's election officials, private citizens lack Article III standing to enjoin the counting of those ballots on the grounds that the source of the rule was the wrong state organ or that doing so dilutes their votes or constitutes differential treatment of voters in violation of the Equal Protection Clause. Further, and independent of our holding on standing, we hold that the District Court did not err in denying Plaintiffs' motion for injunctive relief out of concern for the settled expectations of voters and election officials. We will affirm the

District Court’s denial of Plaintiffs’ emergency motion for a TRO or preliminary injunction.”

- The Court did not decide “whether the Deadline Extension or the Presumption of Timeliness are proper exercises of the Commonwealth of Pennsylvania’s lawmaking authority, delegated by the U.S. Constitution, to regulate federal elections. Nor [did it] evaluate the policy wisdom of those two features of the Pennsylvania Supreme Court’s ruling.”

- **Bognet v. Boockvar, No. 3:20-cv-00215 (W.D. Pa.)**

- **10/28/2020: [Order/Ruling](#).** The district court denied the motion for injunction holding that the candidate plaintiff lacked standing because his claims were too speculative and not redressable, and the voter plaintiffs lacked standing on their Equal Protection voter dilution claim because they alleged only a generalized grievance. And although the voter plaintiffs had standing on their Equal Protection arbitrary-and-disparate treatment claim, and were likely to succeed on the merits (that the ballot deadline extension violates Equal Protection), the Purcell principle mandates that no injunction be awarded since there is less than two weeks before the election, and injunctive relief would result in significant voter confusion.

- **10/22/2020: [Complaint](#).** Plaintiffs, residents of Pennsylvania and some candidates for office there, bring suit against the Pennsylvania Secretary of State and every Pennsylvania county Board of Elections alleging violations of the Elections Clause and Presidential Electors Clause as well as the Equal Protection Clause for counting ballots received after election day but postmarked by election day in accordance with a recent Pennsylvania Supreme Court decision. Plaintiffs seek declaratory and injunctive relief in the form of preventing ballots received after the original Election Day receipt deadline set by statute from being counted and a declaration that the Pennsylvania Supreme Court's decision in Pennsylvania Democratic Party v. Boockvar was contrary to the United States Constitution.

- **Boockvar v. Republican Party of Pennsylvania, No. 20A84 (S. Ct)**

- **Closed Case**
- **Issue: Request for order to sequester post-Election-Day ballots and exclude them from the vote count**

- **11/06/2020: [Order/Ruling](#).** Justice Alito ordered that all absentee ballots received after 8:00 P.M. on November 3 be segregated and that, if such ballots are counted, that their tally be counted separately. The Court did not order Pennsylvania to exclude such ballots from its vote count.
  - **11/06/2020 [Emergency Application for Injunction Pending Certiorari Review](#).** The Republican Party of Pennsylvania petitioned the Supreme Court to order election boards to separate ballots received after Election Day through November 6, 2020 and to refrain from counting them while the Republicans’ legal challenge to those ballots remains pending. The challengers acknowledged that Secretary of State Boockvar directed county election boards to segregate later-arriving ballots, but contended that the guidance is insufficient to preserve the challengers’ potential right to a targeted remedy of tossing those ballots later because (i) the election boards are not required to follow the directions from the Secretary of State, (ii) the Secretary of State may change her mind, and (iii) it “is currently unclear whether all 67 county boards of elections” in the state are following instructions to segregate mail-in ballots that arrive after Election Day and they have been unable to confirm whether they are. Petitioners requested the court to instruct election boards “to log, to segregate, and otherwise to take no further action” on mail-in ballots received after Election Day, suggesting that the order might also prohibit the state from counting the ballots.
- **Donald J. Trump for Pres., Inc. v. Philadelphia Cnty. Bd. of Elections, No. 2:20-cv-05533-PD (E.D. Pa.)**
    - **Closed Case**
    - **Issue: Requesting broader observer access.**
    - **11/05/2020: [Order/Ruling](#).** Request for injunction denied without prejudice.
    - **Filed 11/05/2020: [Complaint](#).** Plaintiff Donald J. Trump for President seeks an injunction halting the count of ballots in Philadelphia County unless Republican observers are permitted to monitor the count. The complaint alleges that the Board of Elections is ignoring an unspecified Order that purportedly requires Republican observers to be present. Plaintiff seeks an Emergency Injunction barring the Defendant County Board of Elections from continuing to count any ballots so long as Republican observers are not present as required by state law.

- **Donald J. Trump for President Inc. v. Montgomery County Bd. of Elections (In re Canvass of Absentee and Mail-In Ballots of Nov. 3, 2020 Gen. Election), No. 2020-18680 (Penn. Ct. Common Pleas)**
  - **Closed Case**
  - **Issue: Appeal of decision by the election board to count 600 absentee ballots missing some information on outer envelope**
  - **11/13/2020: [Order/Ruling](#).** The court agreed with the Montgomery County Board of Elections's interpretation of the Election Code. The law does not require that voters provide their addresses on the declaration envelope. The 592 ballots will be counted.
  - **Filed 11/05/20: [Petition](#).** Petitioners, Donald J. Trump for President, the RNC, Heidelbaugh for Attorney General, Garrity for PA, and Republican state house candidate Daniel Wissert, request that the Court reverse the purported decision by the Montgomery Court Board of Elections to deny Petitioners' objections to counting absentee ballots that fail to include all of the required information (i.e. signature, address, and/or date of execution) on the outer declaration envelope. Petitioners objected to 600 such ballots and claim the board's decision is in violation of 25 P.S. sections 3146.6(a) and 3150.16(a).
  
- **Donald J. Trump for President, Inc. v. Kathy Boockvar, et al., No. 602 MD 2020 (Pa. Comm. Ct.)**
  - **Closed Case**
  - **Issue: Request to discard absentee ballots cured between Nov 9-12 with proof of ID**
  - **11/12/2020: [Order/Ruling](#).** The court held that the Secretary of State did not have authority to extend the proof of ID period by three days (from November 9 to November 12), and granted an injunction requiring that ballots in connection with which the voter's ID was verified after November 9 be excluded from the vote count.
  - **Filed 11/04/20 [Petitioner's Application](#).** Petitioners, the Trump campaign and RNC, seek injunctive relief to prohibit the Respondents, the Pennsylvania Secretary of State, from allowing absentee and mail-in voters to cure their ballots by providing proof of ID after November 9. Petitioners claim the state's plan to accept such ID through Nov 12 violates the Pennsylvania Election Code. Petitioners also seek injunctive relief to prohibit the Respondents from counting any absentee and mail-in

ballots of voters whose proof of identification was not received and verified by November 9, 2020.

- **Barnette v. Lawrence, No. 2:20-cv-05477-PBT (E.D. Pa.)**
  - **Closed Case**
  - **Issue: Request to discard and sequester defective ballots that were cured, request to stop allowing voters to cure defects**
  - **11/06/2020 [Order](#):** The Court denied the motion for the TRO. The court will not order the county to toss ballots that initially contained errors that were later cured.
  - **Filed 11/03/2020: [Complaint](#).** Plaintiff, a Republican congressional candidate, seeks injunctive relief from Montgomery County, PA. He alleges the County illegally pre-canvassed mail-in ballots and contacted some voters whose mail ballots had defects (such as a missing signature) to give them a chance to correct the problem. Plaintiff, whose district includes Montgomery County, argues that since not all Pennsylvania counties are doing this, under Bush v. Gore, it is a federal equal protection violation for some voters to be notified about curing their ballots and others not. He asks the court to order the Montgomery County election officials to stop the practice of reaching out to voters and not count the ballots that have been cured. Plaintiff also alleges that the County is restricting the ability of "Canvass Watchers" to monitor the process.
  
- **Hamm v. Boockvar, No. 600 MD 2020 (Pa. Comm. Ct.)**
  - **Closed Case**
  - **Issue: Request to stop allowing ballots with errors to be cured by the submission of provisional ballots**
  - **11/06/20 [Order](#).** The court granted in part and denied in part the Petitioner's request. The court ordered that all provisional ballots cast on Election Day (in cases where the voter's absentee or mail-in ballot was timely received) be segregated and secured from other provisional ballots pending the legal determination of whether such provisional ballots are valid and may be counted. The court ordered the Secretary of State to distribute the order to county election boards statewide.
  - **Filed 11/03/20: [Petitioner's Application](#).** Petitioners Hamm (a candidate for the Pennsylvania State House of Representatives) and Mike Kelly (a Republican Candidate for US Congress), and others, seek injunctive relief (i) blocking Secretary of State Boockvar from permitting absentee and mail-in ballots that were submitted with

errors to be “cured” by the submission of provisional ballots, and (ii) prohibiting the state from disclosing identifying information about voters who have submitted ballots rejected for non-compliance with the Pennsylvania Election Code (so that party and candidate representatives cannot reach out to help them cure). Petitioners contend that Secretary Boockvar’s guidance allowing election officials to provide such information to parties and candidate representatives violates Pennsylvania law (25 P.S. Sec. 3146.8) and the Pennsylvania Supreme Court’s decision in *In re November 3, 2020 Gen. Election* (Pa. Oct. 23, 2020) because it allows voters an opportunity to cure ballot defects.

- **In re: Motion for Injunctive Relief of Northampton County Republican Committee, No.: C-48-CV-2020-6915**
  - **Closed Case**
  - **Issue: Request to enjoin election workers from providing observers the identity of ballots with defects during pre-canvass**
  - Northampton County Republican Committee made an oral motion to enjoin the Northampton County Board of Elections from disclosing the identity of voters of cancelled ballots during pre-canvassing.
  - **11/03/2020 [Order/Ruling](#)**. The court denied the oral motion of the Northampton County Republican Committee to enjoin the Northampton Board of Elections from disclosing the identity of cancelled ballots during pre-canvassing.

## Texas

- **Gohmert v. Pence, No. 6:20-cv-00660 (E.D. Tx.)**
  - **Issue: Electoral Count Act**
  - **1/1/21: [Order/Ruling](#)**. The court held that plaintiffs lack standing and dismissed the case. Representative Gohmert did not provide evidence of personal injury and the Arizona Republican electors do not trace their injury to the defendant.
  - **Filed 12/27/2020: [Complaint](#)**. Plaintiffs, the United States Representative for Texas’s First Congressional District and the slate of Republican Presidential Electors for the State of Arizona, allege that the elector dispute resolution provisions in Section 15 of the Electoral Count Act are unconstitutional, because they violate the Electors Clause and the Twelfth Amendment. Plaintiffs allege that the Electoral Count Act



violates the Electors Clause by transferring the "manner of appointing" from the state legislatures to the state executive. Plaintiffs allege that it violates the Twelfth Amendment because it limits the Defendant's - Vice President Pence's - exclusive authority and sole discretion to determine which slates of electors for a State may be counted and replaces the Twelfth Amendment's dispute resolution procedure, under which the House of Representatives has authority to choose the President. Plaintiffs seek declaratory judgment that Sections 5 and 15 of the Electoral Count Act are unconstitutional, and that Vice President Pence, on January 6, 2021, is subject solely to the requirements of the Twelfth Amendment.

- **Texas v. Pennsylvania et al., No. 22O155 (Supr. Ct.)**
  - **Closed Case**
  - **Issue: Decertification.**
  - **12/11/2020: [Order/Ruling](#).** In a brief statement, the Supreme Court denied for lack of standing Texas's motion to file its complaint. Plaintiff failed to demonstrate "a judicially cognizable interest in the manner in which another State conducts its elections." Justices Alito and Thomas dissented, stating they would permit the filing, yet refraining from commenting on the merits.
  - **12/08/2020: [Complaint](#).** The State of Texas filed a motion, on the basis of 28 U.S.C. § 1251(a) and the Supreme Court's Rule 17, to submit a bill of complaint against the states of Georgia, Michigan, and Wisconsin and the Commonwealth of Pennsylvania challenging their administration of the 2020 presidential election. The complaint alleges three unconstitutional practices: 1) defendant states' executive and judicial branches amended Election Codes, in violation of the Electors Clause; 2) disparate, more favorable treatment of democratic voters; and 3) relaxing absentee ballot regulations, such as signature verification standards. Plaintiff cites Anderson for the proposition that Texas votes are diluted by the alleged maladministration in defendant states, and seeks injunctive relief.

## Wisconsin

- **Feehan v. Wisconsin Elections Commission, No. 2:20-cv-1771 (E.D. Wis.)**
  - **Open Case**
  - **Issue: Request to de-certify results.**

- **12/09/2020: [Order/Ruling](#).** The court held that it lacked the jurisdiction to grant the relief the remaining plaintiff seeks : "federal judges do not appoint the president in this country." Primarily, the court held that the plaintiff lacked Article III standing to sue in federal court over a state election claim. But the court went on to dismiss the claims on the additional basis of mootness.
- **12/01/2020: [Complaint](#).** Plaintiff, a Republican presidential elector for the state of Wisconsin, alleges that the Wisconsin Elections Commission violated the Election Code. Plaintiff alleges that defendant used the Dominion voting system; directed clerks not to remove individuals from the list of those who registered as confined to home; permitted ballot certificates without addresses; and, on October 19, directed clerks to fill in missing ballot information. Plaintiff asserts that defendant's actions violate the Elections and Electors Clauses, and that the election results must either be de-certified or certified for Trump.
- **Trump v. Biden, No. 2020CV007092 (Wis. Super. Ct., Milwaukee Cnty.)**
  - **Closed Case**
  - **Issue: Contesting Recount.**
  - **12/14/2020: [Order/Ruling](#).** The Wisconsin Supreme Court held that the Campaign is not entitled to the relief it seeks. It held that the challenge to the indefinitely confined voter ballots is meritless on its face, and the other three categories of ballots challenged fail under the doctrine of laches.
  - **12/11/2020: [Appellant Brief](#).** Appellants focus their objections on four different categories of ballots—each applying only to voters in Dane and Milwaukee Counties. First, they seek to strike all ballots cast by voters who claimed indefinitely confined status since March 25, 2020. Second, they argue that a form used for in-person absentee voting is not a "written application" and therefore all in-person absentee ballots should be struck. Third, they maintain that municipal officials improperly added witness information on absentee ballot certifications, and that these ballots are therefore invalid. Finally, they assert that all ballots collected at "Democracy in the Park," two City of Madison events in late September and early October, were illegally cast.
  - **12/11/2020: [Order/Ruling](#).** The court affirmed the final recount determinations of the Dane County Board of Canvassers and Milwaukee County Elections Commission.

- **12/03/2020: [Complaint](#).** Pursuant to state law, President Trump and Vice-President Pence file an appeal and post a surety in cash to contest the Wisconsin recount.
- **Trump v. Wisconsin Elections Commissions, No. 2:20-cv-01785 (E.D. Wis.)**
  - **Closed Case**
  - **Issue: Request that Wisconsin legislature decide results.**
  - **12/24/2020: [Order/Ruling](#).** The Seventh Circuit panel rejected appellant's claim and upheld Wisconsin's election results. The circuit upheld the district court's ruling that there was no violation of the Electors Clause, agreeing that "Wisconsin lawfully appointed its electors in the manner directed by its Legislature." The court further commented that the President's claim also fails because of the unreasonable delay in bringing suit.
  - **12/12/2020: [Order/Ruling](#).** The court found, as a threshold matter, that it had jurisdiction to resolve plaintiff's claims (plaintiff meets standing requirements and claim is barred neither by mootness nor the Eleventh Amendment). The court then held on the merits that the plaintiff failed to prove that the WEC violated his rights under the Electors Clause. The court found that the record showed Wisconsin's Presidential Electors were "determined in the very manner directed by the Legislature, as required by Article II, Section 1 of the Constitution." With respect to plaintiff's three complaints about the WEC's guidance on indefinitely confined voters, the use of absentee ballot drop boxes, and corrections to witness addresses are not challenges to the "Manner" of Wisconsin's appointment of Presidential Electors, but rather disagreements over election administration. Defendant WEC in fact conducted the election in the manner directed by the state legislature, in accordance with the Electors Clause.
  - **12/02/2020: [Complaint](#).** Plaintiff, Donald Trump, alleges that defendants, local government officials in Wisconsin, undermined the election. Specifically, plaintiff alleges that defendants ignored limits on the availability of mail-in balloting, created ballot dropboxes, did not provide adequate access to poll observers, "eliminated state laws requiring that voters provide information on the mail-in ballot envelope," and permitted election workers to alter ballots. Plaintiff claims that the alleged conduct violates both the Elections and Electors Clauses. As remedy, plaintiff requests that the result of the Wisconsin election be remanded to the Wisconsin state legislature.

- **Trump v. Evers, No. 2020AP1971-OA (Wis. Sup. Ct.)**
  - **Closed Case**
  - **Issue: Request to de-certify results.**
  - **12/03/2020: [Order/Ruling](#).** Petition for leave to commence an original action is denied. Judge Hagedorn, concurring, specifies that Wisconsin law requires that challenges to election results be brought to the circuit court.
  - **12/01/2020: [Complaint](#).** Petitioners, President Trump and Vice President Pence, seek to void Wisconsin's election certification. Petitioners ask the court to reject early in-person absentee votes in Milwaukee and Dane counties, where the ballot envelope contains a voter certification and application. Petitioners also allege violations of the election code with respect to "indefinitely confined" voters having different ID requirements, election workers allegedly filling in missing voter information, and pre-Election Day "Democracy in the Park" initiatives.
  
- **Mueller v. Jacobs, No. 2020AP1958-OA (Wis. Sup. Ct.)**
  - **Closed Case**
  - **12/03/2020: [Order/Ruling](#).** Petition for leave to commence an original action is denied.
  - **11/27/2020: [Complaint](#).** Petitioner, a Wisconsin voter, requests that the Wisconsin Supreme Court take original jurisdiction over the case, in which petitioner alleges that Wisconsin's ballot dropboxes and all ballots placed in such dropboxes were illegal. Petitioner alleges that the Wisconsin Election Commission improperly made law by advising counties to establish such dropboxes.
  
- **Wisconsin Voters Alliance v. Wisconsin Election Commissions**
  - **Closed Case**
  - **Issue: Request to block certification of results.**
  - **12/04/2020: [Order/Ruling](#).** The Wisconsin Supreme Court held that issues of material fact prevent the court from addressing the legal issues presented. Justice Hagedorn, in his concurrence, explains that the petition "falls far short of the kind of compelling evidence and legal support we would undoubtedly need to countenance the court-ordered disenfranchisement of every Wisconsin voter."
  - **11/23/2020: [Complaint](#).** Petitioners, Wisconsin voters, allege that the Mark Zuckerberg-funded Center for Technology and Civic Life, which granted money to

municipalities to conduct elections, circumvented absentee ballot laws and caused illegal votes to be cast, without which Trump would have won Wisconsin.

- **Langenhorst v. Pecore, No. 1:20-cv-01701 (E.D. Wis.)**
  - **Closed Case**
  - **Issue: Request to exclude the votes of counties with alleged voting irregularities from the state's overall vote count.**
  - **11/16/2020: [Dismissed](#).** Plaintiffs voluntarily dismiss suit.
  - **11/12/20: [Complaint](#).** Plaintiffs, Wisconsin voters, state that Wisconsin had many absentee ballots this year, and such ballots are purportedly conclusively linked to fraud. Plaintiffs further allege that three deceased individuals voted and that voters who had received absentee ballots voted in person, after election officials tore up their unvoted absentee ballots. Plaintiffs claim that these alleged practices violate plaintiffs' fundamental right to vote by diluting their votes, and seek to exclude the presidential vote count from these counties from the state's overall total.