

NO. _____

IN THE UNITED STATES SUPREME COURT

FILED UNDER SEAL 31 U.S.C. §§ 3729-32

KELLYE SORELLE ON BEHALF OF THE UNITED STATES OF AMERICA,

PLAINTIFF/RELATOR,

V.

STATE OF TEXAS, STATE OF CALIFORNIA,

STATE OF FLORIDA, COMMONWEALTH OF

VIRGINIA, COMMONWEALTH OF KENTUCKY,

STATE OF ARIZONA AND STATE OF MICHIGAN,

AND ALL OTHER STATES, COMMONWEALTHS OR TERRITORIES OF

THE UNITED STATES OF AMERICA

DEFENDANTS,

AMENDED FALSE CLAIMS ACT COM-
PLAINT “QUITAM”

TO THE HONORABLE JUSTICES OF THE UNITED STATES SUPREME COURT:

The United States of America, by and through qui tam Relator, Kellye SoRelle, brings this action under 31 U.S.C. §§ 3729-32 (The “False Claims Act”) and any other remedies applicable under the UNITED STATES CONSTITUTION to recover from the State of Texas, State of California, State of Florida, Commonwealth of Virginia, Commonwealth of Kentucky, State of Arizona, State of Michigan and all other Commonwealths, States or Territories of the United States of America, for all damages, penalties, and other remedies available under the False Claims Act on behalf of the United States and claims derived from the United States Constitution and would show unto the Court the following.

This nation was built on Christian principles. I respect the religious rights of others, but I remind this Court that our Founding Fathers opened the Continental Congress of 1774 with the following prayer:

O Lord our Heavenly Father, high and mighty King of kings, and Lord of lords, who dost from thy throne behold all the dwellers on earth and reignest with power supreme and uncontrolled over all the Kingdoms, Empires and Governments; look down in mercy, we beseech Thee, on these our American States, who have fled to Thee from the rod of the oppressor and thrown themselves on Thy gracious protection, desiring to be henceforth dependent only on Thee. To Thee have they appealed for the righteousness of their cause; to Thee do they now look up for that countenance and support, which Thou alone canst give. Take them, therefore, Heavenly Father,

under Thy nurturing care; give them wisdom in Council and valor in the field; defeat the malicious designs of our cruel adversaries; convince them of the unrighteousness of their Cause and if they persist in their sanguinary purposes, of own unerring justice, sounding in their hearts, constrain them to drop the weapons of war from their unnerved hands in the day of battle!

Be Thou present, O God of wisdom, and direct the councils of this honorable assembly; enable them to settle things on the best and surest foundation. That the scene of blood may be speedily closed; that order, harmony and peace may be effectually restored, and truth and justice, religion and piety, prevail and flourish amongst the people. Preserve the health of their bodies and vigor of their minds; shower down on them and the millions they here represent, such temporal blessings as Thou seest expedient for them in this world and crown them with everlasting glory in the world to come. All this we ask in the name and through the merits of Jesus Christ, Thy Son and our Savior.

Amen.

Reverend Jacob Duché

Rector of Christ Church of Philadelphia, Pennsylvania

September 7, 1774, 9 o'clock a.m.

Regardless of your chosen faith, the time is now to seek divine intervention. God founded this country, and God alone determines our outcome.

The United States Constitution protects specific rights in the First Amendment, including the right to petition the government to seek redress of grievances. “We the People” hereby invoke our authority as free persons, as recognized in the United States Constitution and the constitutions of all fifty states. We seek redress for the abuse and destruction of our Constitutional protections by way of our elected officials. These rights are unalienable and endowed upon all men by our Creator. God willing this Court will

act, but regardless this petition serves as notice to actors within our United States Government and the 50 voting regions that we demand justice for the criminal behavior of our government actors, political parties, and the leaders of our states, commonwealths, and territories.

The people -- the people -- are the rightful masters of both congresses, and courts -- not to overthrow the Constitution, but to overthrow the men who pervert it- Abraham Lincoln.

The Declaration of Independence, the U.S. Constitution, and all states through their respective Constitutions, recognize the people's authority to reform the government as we ultimately see fit to secure our rights. The American people, regardless of the establishment's attempt to dissuade us otherwise, are the final arbiters in any determination as to the Constitutionality and justice of actions taken by the agents of our federal, state, and local governments. Millions of Americans know that our major "mainstream" media seeks only to protect the establishment, and that our system at large is corrupted and no longer represents the will of the people.

PARTIES

1. Relator, Kellye SoRelle is an individual and citizen of the United States of America residing in Texas who voted in the 2020 election. Kellye SoRelle is a former prosecutor and an attorney for Latinos for Trump, Blacks for Trump and the Oath Keepers. In her capacity as counsel, she represents a unified people. She represents those whom political parties have sought to divide. "We the People" seek unity and independence from the oligarchs who have attempted to overthrow our representative form of government. We seek peace and the restoration of our rights as endowed upon us by our Creator and reject the notion that the government is our savior.

Kellye SoRelle is the original source of and has direct and independent knowledge of all publicly disclosed information upon which these allegations herein are based. Relator intends for additional information to be brought forth

as it becomes available. She has personally gathered the documentation and photographs substantiating the allegations contained within. Additionally, she has voluntarily provided such information to the Government prior to the filing of this action. In her representative capacity, she declares the door is now open for the majority to stand up and take back our government. As the establishment regime would say, “see something, say something”.

2. Defendants are the State of Texas, State of California, State of Florida, Commonwealth of Virginia, Commonwealth of Kentucky, State of Arizona, State of Michigan and all other Commonwealths, States or Territories of the United States of America. Service is proper through their respective authorized agents. This pleading is to be served on the Department of Justice as required by law. Hereto attached is a separate list of all named states and commonwealths including the names of their governor, attorney general and secretary of state.

JURISDICTION

1. This Court maintains subject matter jurisdiction over this action pursuant to 28 U.S. Code § 1251 (B)(2) All controversies between the United States and a State. This case and controversy derive from the actions taken by the states, commonwealths and territories in the November 2020 election which resulted in their failure to comply with the U.S. Constitution, the Help America Vote Act of 2002 (HAVA) and the laws of all respective state, commonwealths, and territorial legislatures.
2. In the distribution of power, Article III, Section 2, it is declared that "the Supreme Court shall have original jurisdiction in all cases affecting ambassadors, other public ministers, and consuls, and those in which a state shall be a party. In all other cases, the Supreme Court shall have appellate jurisdiction" Marbury v. Madison, 5 U.S. 137 (1803). Relator brings this case on behalf of the United States Government against specifically the states and commonwealths.

STANDING

3. Relator has standing under; Lujan v. Defenders of Wildlife, U.S., 112 S.Ct. 2130, 2136, 119 L.Ed.2d 351 (1992). Standing, in turn, is dependent on three conditions. First, the plaintiff must have suffered an "injury in fact." This consists of an invasion of a legally protected interest which is (a) concrete and particularized and (b) actual or imminent. Second, there must be a causal connection between the injury and the conduct serving as the basis of the lawsuit. In other words, the injury has to be traceable to the challenged action of the defendant and not the result of the conduct of a third party not before the court. Third, it must be likely that the injury will be redressed by a favorable decision. *Id.*
4. The 14th amendment protects our Right to Vote as well as other fundamental rights that shall not be infringed. The constitutional failures of the defendants injured Relator because "the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise." *Bush v. Gore*, 531 U.S. 98, 105 (2000) (quoting *Reynolds v. Sims*, 377 U. S. 533, 555 (1964)) (*Bush II*).
5. Relator was a voter in the 2020 national election and was a candidate for a Texas state office in the 2020 election cycle. Relator sues on behalf of herself and on behalf of all qualified voters who have been deprived of their vote via dilution, debasement, or fraud.
6. All states, commonwealths, and territories, who failed to comply with legal requirements established for free and fair elections, injured the Relator. The states, commonwealths, and territories have violated the U.S. Constitution, Article 1 Section 4 Clause 1¹ and Article 2 section 1², in violating HAVA, and during "COVID" have acted without the consent of their legislatures. defendants receive federal funds and certify in accepting funds that they will comply with the minimum standards as defined in the Help

¹ <https://constitution.congress.gov/browse/article-1/section-4/>, **Clause 1** The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of choosing Senators.

² <https://constitution.congress.gov/constitution/article-2/>, Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

America Vote Act. The Defendants effectively defrauded the United States government.

HISTORY

For too long we have sat idly by and watched the destruction of our country for the benefit of the elite few. We have watched our wealth diminish and our infrastructure decline. We have watched the destruction of American families, the brainwashing of the masses and ultimately the death of our constitutionally protected rights. The grievances for which we seek redress are those listed in this petition, which resulted in the blatant manipulation of the 2020 election, and other issues as provided by the people who choose to come forward.

Although our grievances started from long before now, what we have witnessed over the previous year crossed a line which the people can no longer ignore. We have witnessed our government aid corporations and deliberately created a massive transfer of wealth from Main Street, U.S.A. to corporate America. Government actors, Congresspersons, State Governors, and other officials gave exorbitant amounts of money to corporations to intentionally extinguish our freedom. Our officials have lied to the American people and have created a class of persons who live in fear. The media, social media and corporations have colluded with government actors to establish their oligarchy and destroyed the greatest nation the world has ever known.

The current administration is creating false scarcity of resources and intentionally destroying our economy. Just like the stock market, everything about our current economy is manipulated to benefit the few at the expense of the many. As cover for their corruption, leadership and the political parties have used tactics to divide people and have created a rift that is nearly impossible to overcome without divine intervention. There is evidence that the Covid-19 virus and the vaccines, that the citizens have paid for, are weapons of war or biological weapons that are being used against the American people. Because of the deceitful nature of our officials, Americans are unaware that such weapons are being used against them. Relator believes that the States through their various officials have conspired with corporations and foreign actors to overthrow

the United States Government by; decimating the economy, transferring wealth and resources to the elite few, denying people their liberty through means of false imprisonment, contact tracing and vaccine mandates/passports.

The actions of officials in all fifty states, by failing to comply with the U.S. Constitution, their respective state constitutions, HAVA, and having failed to follow the election laws of their respective states, have failed to protect our republican form of government.

"No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined." *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964)

The failure to comply with the U.S. Constitution and the respective laws and constitutions of the voting regions has resulted in a Constitutional crisis that Relator respectfully asks the Court to address.

This filing is the first in a series of QuiTams to be filed to ensure that our Republican form of government is preserved and that our guarantee to Life, Liberty and the pursuit of Happiness is reestablished. Relator intends to "drain the swamp" and return the power to the American people.

Relator argues that defendants, by certifying the November 2020 election, knowingly certified an election that they knew did not meet the legal requirements of a lawful election and proceeded to defraud the U.S. Government of HAVA³ grants and money allocated in the Coronavirus Aid, Relief, and Economic Security Act (CARES ACT⁴) of 2020. Relator argues that actors within the respective states have committed Treason, Misprision of Treason and/or have engaged in RICO related activity.

FACTS

1. See Affidavit provided by Kellye SoRelle regarding seats in the 117th Congress and the offices of President and Vice President being obtained by illegitimate, unlawful, and unconstitutional means as defined by law.

³ Link to HAVA on the Election Assistance Commission website, https://www.eac.gov/about_the_eac/help_america_vote_act.aspx

⁴ <https://www.congress.gov/bill/116th-congress/house-bill/748/text>

2. As to conduct beginning on January 3, 2021, and every action every day thereafter, the putatively official conduct of all those unconstitutionally and illegally seated is likewise unconstitutional, illegal, and illegitimate, including appointments.
3. Congress carries legislative authority and the power to create laws allocating funding. The 117th Congress is acting without authority. The purpose of the United States Constitution is to protect the citizens of the United States from governmental overreach and abuses of power. The Court's system, Pacer, holds it all.
4. The United States Constitution Article 1 Section 4, Clause 1 states that the respective state legislatures determine the time, places and manner of electing congressional representatives but grants Congress the right to regulate. (Exception being the location for choosing Senators cannot be regulated by Congress).
5. The United States Constitution in article II, Section 1, states that the manner for appointing electors for the President and Vice President are directed by the state legislatures. All of the states failed to comply with their respective legislative directions, codified in state election laws, regarding the choosing of electors and therefor failed to conduct a constitutional selection of the presidential electors.
6. In 2002, after the hanging chad debacle, Congress passed the Help America Vote Act (HAVA).
7. Federal Congressional elections are now regulated through the Help America Vote Act (HAVA) which incorporates numerous requirements from the Civil Rights Act of 1964.
8. The states are given a choice in HAVA, the states can choose to adopt the minimum standards in HAVA, which will allow them to seek grants that finances their election equipment, or a state can continue to legislate their own elections, subject only to requirements from the various US Supreme Court cases over voting rights and legal protections.
9. All states opted to adopt the minimum standards and in 2020 (if not in earlier elections), states failed to maintain the minimum standards requirement in

HAVA for the Congressional race and engaged in significant election modifications that were not authorized by their respective legislatures as to the states' election regarding the Presidential ballot.

10. The use of mass mail out of voter's registration cards, mass mail out of mail-in ballots, reduction or elimination of signature requirements to verify a voter's identity, the widespread use of unsecure drop boxes and various other modifications all directly violated state and federal election law and created an environment that promotes fraud. None of these modifications were created by the state legislatures as Articles I and II of the US Constitution requires. All of them directly violated federal election laws.
11. In 2017, Election infrastructure was designated as critical infrastructure under the Department of Homeland Security (DHS) requiring additional security requirements under Cybersecurity and Infrastructure Security Agency (CISA). Those additional security requirements were likewise directly violated.
12. On June 27th, 2019, the 116th House of Representatives sent to the Senate, H.R. 2722 also known as the Securing America's Federal Elections Act (SAFE ACT), an act designed to protect the civil rights of three hundred and twenty-eight million Americans. The SAFE ACT ⁵failed to pass the Senate, however the House committee hearing identified concerns with the electronic voting systems and identified numerous other concerns with our elections, pointing out that systemic fraud was already a substantial risk. That risk was exponentially increased by the unconstitutional and illegal modifications in the 2020 national elections.
13. In 2019 another bill was presented that acknowledged all the security requirements for election critical infrastructure. The bill was the Election Security Act of 2019⁶. This and the SAFE Act discuss the known concerns with our election systems.
14. Without strict compliance to the U.S. Constitution and federal or state election laws, the American people are deprived of their fundamental right to vote and

⁵SAFE ACT, The Securing America's Federal Elections Act, <https://www.congress.gov/bill/116th-congress/house-bill/2722/text>

⁶ Election Security Act of 2019, <https://www.congress.gov/bill/116th-congress/senate-bill/1540/text>

the U.S. government has failed to maintain a republican form of government as required in Article 4 of the United States Constitution.

15. Prior to the election, Congress issued approximately 400 million dollars in federal monies to state actors pursuant to the CARES ACT⁷ without lawfully creating a temporary modification to the requirements of HAVA or sponsoring an amendment to the United States Constitution to change the clear requirements of Articles I and II as to elections.
16. Evidence provided by the Relator obtained from public sources, including media, testimony and other records, show the conduct of numerous state actors, with support of the media, the political parties and the social media companies, caused the defrauding of the United States Government for all monies received under HAVA through the Election Assistance Commission (EAC) in the 2020 federal election cycle.
17. Affidavits and Reports by Dennis Nathan Cain and Harry Haury show HAVA 301 violations and other technical violations derived from the election systems being classified as critical infrastructure.
18. Failure by State and Federal actors to comply with numerous provisions of Sections 302 and 303 of HAVA, as well as failure to comply with Article I and Article II of the U.S. Constitution, resulted in invalid representatives and/or electors, with offices obtained by unlawful, unconstitutional, and fraudulent means, and

Relator believes that because of the actions of the states, as well as actions by parties to a willful conspiracy, who all failed to protect the election process as required by and set forth in the U.S. Constitution, the states and any of their “elected” representatives or electors should not be allowed to continue in positions obtained by unconstitutional, unlawful, and fraudulent means and furthermore should be prevented from further contracting with the United States Government.

As this Court held long ago in *Ex Parte Milligan*:

⁷ CARES ACT. Coronavirus Aid, Relief, and Economic Security Act, introduced by Mitch McConnell, allowed for loans to “distressed” business due to Covid and enticed state governors to deny people of their Constitutionally protected rights. <https://www.congress.gov/bill/116th-congress/senate-bill/3548>.

The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. Ex Parte Milligan, 71 U.S. 2, 120 (1866).

The changes made by voting regions and states for the 2020 federal ballot were neither constitutional nor legal and no emergency can circumvent the constitutionally mandated election process.

FALSE CLAIMS ACT

False Claims Act; 31 U.S. Code § 3729 and all other applicable provisions⁸

(a) Liability for Certain Acts.—

(1) In general.—Subject to paragraph (2), any person who—

(A) knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval;

(B) knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim;

(C) conspires to commit a violation of subparagraph (A), (B), (D), (E), (F), or (G);

(D) has possession, custody, or control of property or money used, or to be used, by the Government and knowingly delivers, or causes to be delivered, less than all of that money or property;

(E) is authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;

(F) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Government, or a member of the Armed Forces, who lawfully may not sell or pledge property; or

⁸ <https://www.law.cornell.edu/uscode/text/31/3729> , all other sections available under the False Claims Act

(G)knowingly makes, uses, or causes to be made or used, a false record or statement material to an obligation to pay or transmit money or property to the Government, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the Government, is liable to the United States Government as well as other remedies as described in Chapter 3

12. Relator argues that Defendants by certifying the November 2020 election knowingly certified an election that actors within each state knew did not meet the constitutional and legal requirements of a lawful election and proceeded to defraud the US Government by nonetheless accepting HAVA and CARES act grants.
13. Governors, county officials and secretaries of state significantly modified the procedures for the 2020 election without the required legislation by the state legislatures, and in direct violation of established state and federal election law, and thus deprived their respective voters of a “free and fair” election.
14. Relator will prove that the defendants knowingly, specifically in 2020, if not years beforehand, failed to meet the minimum requirements of HAVA through unlawful changes.
15. Relator believes that the Defendants and the US Election Assistance Commission (EAC) knowingly allowed the use of machines that do not meet the federal standards for election equipment and security as required in HAVA. The EAC, which has no rulemaking authority, is issuing “waivers” that they are not authorized to issue because of the Constitutional nature of elections and voting rights.
16. In issuing waivers, the EAC does not appear to be seeking testing or an independent analysis regarding whether the election software is still certifiable before issuing a waiver issued on de minimis changes.
17. Relator will show that any election count derived from a ballot that did not meet Federal Law requirements from a State that accepted Federal monies with the clear understanding said monies came with clear legal requirements that the state failed to meet, was an act of fraud and may show the involvement of two parties or more to make a conspiracy.

18. Evidence is beginning to emerge that indicates that the National Institute of Health was involved in funding the Wuhan Lab in China, where allegedly the Covid19 virus originated from. Evidence has also been released that indicates that the Covid19 virus may have been associated with Ft. Detrick, Maryland. But either way, if the leak was intentional then we are being assaulted by a biological weapon. State leadership should be taking an America first position and protecting the residents of their states, not continuing to give aid and comfort to foreign actors.
19. Persons in state office swear an oath to the U.S. Constitution, as well as to their state constitution, which comes with an affirmative obligation to protect and defend. Like any fiduciary position, there is a due diligence obligation to ensure that the steps taken are protective of people's constitutional protections. Greed, being compromised, corruption and/or towing the party line is NOT a legitimate excuse for unconstitutional behavior by our state officials.

ADDITIONAL CLAIMS

- I. Relator also argues that actors within the several States and Commonwealths engaged in a Conspiracy to deprive Relator and clients she represents, of their Civil Rights.

18. Relator is a member of a class of persons who are protected in the Civils Rights Act. Relator is a female and is a registered member of the Choctaw Nation and is registered with the Bureau of Indian Affairs.

- II. Relator believes that actors both foreign and domestic are engaged in acts of Treason or Misprision of Treason against the United States of America. See Relator's Affidavit.

Article III, Section 3, Clause 1

Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the testimony of two Witnesses to the same overt Act, or on Confession in open Court.

Treason 18 U.S. Code § 2381

Whoever, owing allegiance to the United States, levies war against them or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason and shall suffer death, or shall be imprisoned not less than five years and fined under this title but not less than \$10,000; and shall be incapable of holding any office under the United States.

18 U.S. Code § 2382 - Misprision of treason

Whoever, owing allegiance to the United States and having knowledge of the commission of any treason against them, conceals and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor or to some judge or justice of a particular State, is guilty of misprision of treason and shall be fined under this title or imprisoned not more than seven years, or both.

III. Relator also believes that the states acting in concert with the Republican National Party, the Democrat National Party (including their subsidiaries and associated organizations, DCCC, RCCC), and various foreign and domestic actors and organizations are violating via Racketeering Influences and Corrupt Organizations Act (RICO) 18 U.S.C Ch. 96, 18 U.S.C. §§ 1961–1968

PRAYER

For the reasons set forth above, Kellye SoRelle, on behalf of the United States, respectfully requests this Court to find that Defendants have damaged the United States Government because of their conduct under the False Claims Act. Kellye SoRelle prays that judgment be entered against Defendants for all applicable damages, including but not limited to the following damages assessed from the states, commonwealths, and territories for their knowing violation of the U.S. Constitution and HAVA.

Civil Penalties in an amount of three times the actual damages suffered by the Government and any potential punitive damages.

Relator seeks a fair and reasonable amount of any award for her contribution to the Government's investigation and recovery pursuant to 31 U.S.C. §§ 3730(b) and

(d) of the False Claims Act.

- Attorney's fees and costs awarded to Relator.
- Pre-judgment and post judgment interest.
- All other relief on behalf of the Relator and/or United States Government to which they may be entitled at law or equity.
- Any appropriate writs as authorized under the law.

Respectfully submitted to this Court on the 22nd Day of November, 2021

Application for Pro Hac Vice has previously been submitted with Original filing.



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Texas Bar No. 24053486

LIST OF STATE DEFENDANTS
AND OFFICIALS ASSOCIATED WITH THE 2020 ELECTION

**SERVICE UPON: Attorney General of the United States U.S. Department of
Justice 950 Pennsylvania Avenue, NW Washington, DC 20530-0001**

**The following list of States, Commonwealths and Territories and their
known actors associated with the violations of the United States
Constitution and the requirements for grant funding derived from the
Help America Vote Act.**

Alaska:

Mike Dunleavy, as an individual and in his official capacity as Governor of Alaska
550 West 7th Avenue, Ste 1700, Anchorage, AK 99501

Treg Taylor, as an individual and in his capacity as the Attorney General of the
State of Alaska, 1031 W. 4th Avenue, Suite 200 Anchorage, AK 99501-1994

Alabama:

Kay Ivey, as an individual in her official capacity as the Governor of Arkansas,
State Capitol, N-104, 600 Dexter Avenue, Montgomery, AL 36130

John H. Merrill, as an individual in his official capacity as the Secretary of State, of
Alabama, 50 N. Riply St, Montgomery, AL 36130

Steve Marshall, as an individual and in his capacity as the Attorney General of the
State of Alabama, 11 South Union Street Montgomery, AL 36130

Arizona:

Doug Ducey, as an individual in his official capacity as the Governor of Arizona
1700 W. Washington Street, AZ 85007

Katie Hobbs, as an individual in her official capacity as the Secretary of State,
Arizona 1901 W. Madison St, Phoenix, AZ, 85007

Mark Bernovich, as an individual and in his capacity as the Attorney General of the
State of Arizona, 2005 N Central Avenue
Phoenix, AZ 85004

Arkansas

Asa Hutchinson, as an individual in his official capacity as the Governor of
Arkansas
State Capitol Room 250 500 Woodlane Ave. Little Rock, AR, 72201

John Thurston, as an individual in his official capacity as the Secretary of State,
Arkansas State Capitol Room 256 500 Woodlane Ave. Little Rock, AR, 72201
Leslie Rutledge, as an individual and in his capacity as the Attorney General of the
State Arkansas 323 Center St., Suite 200 Little Rock, AR 72201-2610

California

Gavin Newsom, as an individual in his official capacity as the Governor of
California 1303 10th Street, Suite 1173, Sacramento, California 95814

Alex Padilla, as an individual in his official capacity as the Secretary of State,
California, 1500 11th Street, Sacramento, California 95814

Rob Bonta, as an individual in his official capacity as the Attorney General of
California, 1300 I St., Ste. 1740 Sacramento, CA 95814

Colorado

Jared Polis, as an individual in his official capacity as the Governor of Colorado
200 E. Colfax Ave Room 136, Denver, Colorado 80203

Jena Griswold, as an individual and in her official capacity as the Secretary of
State, Colorado, 1700 Broadway, Suite 550, Denver, Colorado 80290

Phil Weiser, as an individual in his official capacity as the Attorney General of
Colorado, Ralph L. Carr Colorado Judicial Center, 1300 Broadway, 10th Floor
Denver, CO 80203

Connecticut

Ned Lamont, as an individual in his official capacity as the Governor of Connecticut
State Capitol 210 Capitol Avenue, Hartford, CT 06106

Denise W. Merrill, Jena Griswold, as an individual in her official capacity as the
Secretary of State, Connecticut, 165 Capitol Ave, Hartford, Connecticut 06106

William Tong, as an individual in her official capacity as the Secretary of
Connecticut, 165 Capitol Avenue, Hartford, CT 06106

Delaware

John Carney, as an individual and in his official capacity as the Governor of
Delaware Carvel State Office Building, 820 N. French Street 12th Floor,
Wilmington, DE 19801

Jeffery Bullock, as an individual and in his official capacity as the Secretary of
State, Delaware Division of Corporations, John G. Townsend Bldg. 401 Federal
Street, Ste. 4, Dover, DE 19901

Kathey Jennings, as an individual and in her official capacity as Attorney General
of Delaware, Carvel State Office Bldg. 820 N. French St., Wilmington, DE 19801

Florida

Ron DeSantis, as an individual in his official capacity as the Governor of Florida
700 N Adams St, Tallahassee, FL 32303

Laura M Lee, as an individual in his official capacity as the Secretary of State of
Florida, 500 South Bronough Street, Tallahassee, FL 32399

Ashley Moody, as an individual and in her official capacity as the Attorney General
of Florida, The Capitol, PL 01 Tallahassee, FL 32399-1050

Georgia

Brian Kemp, as an individual in his official capacity as the Governor of Georgia
391 W Paces Ferry Rd NW, Atlanta, GA 30305

Brad Raffensberger, as an individual in his official capacity as the Secretary of
State of Georgia, 214 State Capitol, Atlanta, GA 30334

Chris Carr, as an individual and in their official capacity as the Attorney General of
Georgia, 40 Capitol Square, SW Atlanta, GA 30334-1300

Hawaii

David Y. Ige, as an individual in his official capacity as the Governor of Hawaii
Josh Green State Capitol Building, Honolulu, HI 968813

Clare Connors, as an individual and in their official capacity as the Attorney
General of Hawaii, 425 Queen St., Honolulu, HI 96813

Idaho

Brad Little, as an individual in his official capacity as the Governor of Idaho
700 W Jefferson Street, Boise City, ID, 83720

Lawrence Denney, as an individual in his official capacity as the Secretary of State
of Idaho 700 W Jefferson St, 8th Street, and State Street, Boise, ID 83702

Lawrence Wasden, as an individual and in their official capacity as the Attorney General of Idaho, 700 W. Jefferson Street, Suite 210, P.O. Box 83720 Boise, ID 83720-1000

Illinois

JB Pritzker, as an individual in his official capacity as the Governor of Illinois
207 State House Springfield, IL 62706

Jessie White, as an individual in his official capacity as the Secretary of State of Illinois, 213 State Capitol, Springfield, IL 62756

Kwame Raoul, as an individual and in their official capacity as the Attorney General of Illinois, James R. Thompson Ctr., 100 W. Randolph St., Chicago, IL 60601

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Kellye SoRelle on behalf of
The UNITED STATES OF AMERICA,

V.

DEFENDANTS

FILED UNDER SEAL

31 U.S.C. §§ 3729-32

JURY TRIAL DEMANDED

Kelly Schelle

I, Kellye Kaye Crump SoRelle, do solemnly swear (or affirm) that as an attorney and as a counselor of this Court, I will conduct my- self uprightly and according to law, and that I will support the Constitution of the United States.

Kelly Schelle

STATE BAR OF TEXAS



Office of the Chief Disciplinary Counsel

July 12, 2021

Re: Ms. Kellye Kaye Crump SoRelle, State Bar Number 24053486

To Whom It May Concern:

This is to certify that Ms. Kellye Kaye Crump SoRelle was licensed to practice law in Texas on May 04, 2006, and is an active member in good standing with the State Bar of Texas. "Good standing" means that the attorney is current on payment of Bar dues; has met Minimum Continuing Legal Education requirements; and is not presently under either administrative or disciplinary suspension from the practice of law.

This certification expires 30 days from the date, unless sooner revoked or rendered invalid by operation of rule or law.

Sincerely,

Seana Willing
Chief Disciplinary Counsel
SW/web



APPLICATION FOR EXPEDITED
HEARING SEEKING PRELIMINARY
INJUNCTIVE RELIEF

To Be Presented to the Honorable:

JUSTICE CLARENCE THOMAS

QuiTam filed in August 2021

NO. _____

IN THE UNITED STATES SUPREME COURT

FILED UNDER SEAL 31 U.S.C. §§ 3729-32

KELLYE SORELLE ON BEHALF OF THE UNITED STATES OF
AMERICA,

PLAINTIFF/RELATOR,

V.

STATE OF TEXAS, STATE OF CALIFORNIA,
STATE OF FLORIDA, COMMONWEALTH OF
VIRGINIA, COMMONWEALTH OF KENTUCKY,
STATE OF ARIZONA AND STATE OF MICHIGAN,
AND ALL OTHER STATES, COMMONWEALTHS OR TERRITORIES OF
THE UNITED STATES OF AMERICA
DEFENDANTS,

Application for Expedited Hearing for Preliminary Injunctive Relief

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Application for Expedited Hearing seeking Preliminary Injunctive Relief

PARTIES

1. APPLICANT/Relator, Kellye SoRelle is an individual and citizen of the United States of America residing in Texas who voted in the 2020 election. Kellye SoRelle is a former prosecutor and an attorney for Latinos for Trump, Blacks for Trump and the Oath Keepers. In her capacity as counsel, she represents a unified people. She represents those whom political parties have sought to divide. “We the People” seek unity and independence from the oligarchs who have attempted to overthrow our representative form of government. We seek peace and the restoration of our rights as endowed upon us by our Creator and reject the notion that the government is our savior.
2. Defendants are the State of Texas, State of California, State of Florida, Commonwealth of Virginia, Commonwealth of Kentucky, State of Arizona, State of Michigan and all other Commonwealths, States or Territories of the United States of America. Service is proper through their respective authorized agents. This pleading is to be served on the Department of Justice as required by law. Hereto attached is a separate list of all named states and commonwealths including the names of their governor, attorney general and secretary of state.

AUTHORITY

Injunctive relief is authorized by general principles of equity, federal statutes, or

state law. See *eBay Inc. v. MercExchange, L.L.C.*, 547 U.S. 388, 391 (2006) (injunctive relief is based on well-established principles of equity); *Grupo Mexicano de Desarrollo, S.A. v. Alliance Bond Fund, Inc.*, 527 U.S. 308, 318–19 (1999) (federal district courts have authority to issue injunctions under traditional principles of equity exercised by English Court of Chancery in 1789); see, e.g., 11 U.S.C. § 524(a) (authorizing injunction against collecting debt discharged in bankruptcy); 15 U.S.C. § 1125(c)(1) (authorizing injunction to prevent dilution of distinctive and famous trademark); *Business Records Corp. v. Lueth*, 981 F.2d 957, 959 (7th Cir.1992) (under diversity jurisdiction, federal court granted injunction based on Illinois law).

Equitable factors for injunctive relief.

A plaintiff must address the following equitable factors for granting injunctive relief: (1) irreparable injury, (2) no adequate remedy at law, (3) a likelihood of success on the merits, (4) the balance of hardships, and (5) the effect on the public interest. See *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008) (preliminary injunction); *eBay Inc. v. MercExchange, L.L.C.*, 547 U.S. 388, 391 (2006) (permanent injunction); *Sindicato Puertorriqueño de Trabajadores v. Fortuño*, 699 F.3d 1, 10 (1st Cir.2012) (preliminary injunction); *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1135 (9th Cir.2011) (preliminary injunction); *Northeast Ohio Coalition for the Homeless v. Blackwell*, 467 F.3d 999, 1009 (6th Cir.2006) (TRO).

JURISDICTION

1. This Court maintains subject matter jurisdiction over this action pursuant to 28 U.S. Code § 1251 (B)(2) All controversies between the United States and a State. This case and controversy derive from the actions taken by the states,

commonwealths and territories in the November 2020 election which resulted in their failure to comply with the U.S. Constitution, the Help America Vote Act of 2002 (HAVA) and the laws of all respective state, commonwealths, and territorial legislatures.

INTRODUCTION

Petitioner moves this Court for an emergency hearing on her previously filed Qui Tam (which petitioner has most recently amended). Pursuant to Sup. Ct. Rule 20, Petitioner also moves this Court for a Writ of Quo Warranto, writ of prohibition, injunction, declaratory judgment, or any other extraordinary writ or remedy this Court deems fit. Because of the unprecedented, extraordinary constitutional crisis at issue, and because this is truly uncharted territory, Petitioner seeks leave of the Court to waive any formatting requirements that she may have not complied with in this petition, and/or for leave to amend this Petition as needed and seeks guidance from the Court on how to proceed.

Extraordinary and emergency action is required because of the grievous, irreparable, ongoing, unprecedented, systemic deprivation of constitutionally protected fundamental rights and other harm caused by defendants' blatant violations of the U.S. Constitution and clear violation of federal and state election law in the 2020 national election, which carries forward into ongoing deprivation of rights.

Defendants actions created an unprecedented constitutional crisis whereby people we're unconstitutionally and illegally installed into the positions of President and Vice President in direct violation of the clear requirements of Article II, as well as the

seating of an entire U.S. House of Representatives and 35 U.S. Senators that were likewise not properly elected pursuant to the requirements of Article I and in clear violation of federal election laws enacted pursuant to Articles I and II, as well as pursuant to the 14th Amendment.

The result is a spectacularly unconstitutional/unlawful and illegitimate government in two of the three federal branches, with an unconstitutional/unlawful executive branch and an unconstitutional and unlawful House of Representatives and 35 Senate seats being unconstitutionally and unlawfully held, which continues to deprive Americans of their fundamental rights.

RELIEF SOUGHT

Petitioner moves this Court for an emergency hearing on her previously filed Qui Tam (see amended Qui Tam filed concurrently with this petition). Pursuant to Sup. Ct. Rule 20, Petitioner also moves this Court for a Writ of Quo Warranto, writ of prohibition, injunction, declaratory relief, or any other extraordinary writ or remedy this Court deems fit under the extraordinary circumstances.

FACTS

1. The United States Constitution Article 1 Section 4, Clause 1 states that the respective state legislatures determine the time, places and manner of electing congressional representatives but grants Congress the right to regulate. (Exception being the location for choosing Senators cannot be regulated by Congress).

2. The United States Constitution in article II, Section 1, states that the manner for appointing electors for the President and Vice President are directed by the state legislatures.
3. In 2002, after the hanging chad debacle, Congress passed the Help America Vote Act (HAVA).
4. Federal Congressional elections are now regulated through the Help America Vote Act (HAVA) which incorporates numerous requirements from the Civil Rights Act of 1964.
5. The states are given a choice in HAVA: the states can choose to adopt the minimum standards in HAVA, which will allow them to seek grants that finances their election equipment, or a state can continue to legislate their own elections, subject only to requirements from the various U.S. Supreme Court cases over voting rights and legal protections. All states opted to adopt the minimum standards.
6. In the 2020 national election (if not in earlier elections), states failed to maintain the minimum standards requirement in HAVA for the Congressional race and, further, engaged in significant election modifications that were not authorized by their respective legislatures as to the states' election regarding the Presidential ballot, as well as for Congressional races.
7. The significant modifications included mass mail out of voter's registration cards, mass mail out of mail-in ballots, reduction, or elimination of signature requirements to verify a voter's identity, the widespread use of unsecure drop

boxes and various other modifications which were not enacted or authorized by the state legislatures, all directly violating state and federal election law and creating an environment that promotes fraud.

8. None of these voting modifications were created by the state legislatures as Articles I and II of the US Constitution requires. All of them directly violated federal election laws.
9. In 2017, Election infrastructure was designated as critical infrastructure under the Department of Homeland Security (DHS) requiring additional security requirements under Cybersecurity and Infrastructure Security Agency (CISA). Those additional security requirements were likewise directly violated during the 2020 national elections.
10. On June 27th, 2019, the 116th House of Representatives sent to the Senate, H.R. 2722 also known as the Securing America's Federal Elections Act (SAFE ACT), an act designed to protect the civil rights of three hundred and twenty-eight million Americans. The SAFE ACT failed to pass the Senate, however the House committee hearing identified concerns with the electronic voting systems and identified numerous other concerns with our elections, pointing out that systemic fraud was already a substantial risk. That risk was exponentially increased by the unconstitutional and illegal modifications in the 2020 national elections.
11. In 2019 another bill was presented that acknowledged all the security requirements for election critical infrastructure. The bill was the Election

Security Act of 2019. This and the SAFE Act discuss the known concerns with our election systems.

12. Prior to the election, Congress issued approximately 400 million dollars in federal monies to state actors pursuant to the CARES ACT without lawfully creating a temporary modification to the requirements of HAVA or sponsoring an amendment to the United States Constitution to change the clear requirements of Articles I and II as to elections.
13. Evidence provided by the Petitioner/Relator in her Qui Tam Affidavit, obtained from public sources, including media, testimony, and other records, show the conduct of numerous state actors, with support of the media, the political parties and the social media companies, caused the defrauding of the United States Government for all monies received under HAVA through the Election Assistance Commission (EAC) in the 2020 federal election cycle.
14. Affidavits and Reports by Dennis C and Harry H. show HAVA 301 violations and other technical violations derived from the election systems being classified as critical infrastructure.
15. Failure by State and Federal actors to comply with numerous provisions of Sections 302 and 303 of HAVA, as well as failure to comply with Article I and Article II of the U.S. Constitution, resulted in invalid representatives and/or electors being seated or appointed, with offices obtained by unlawful, unconstitutional, and fraudulent means.

16. Information to be provided at an en camera, based off my QuiTam, hearing regarding national security concerns as brought to my attention by, PFC Patrick B, Robert C, Harry H, Dennis C. I have been informed of the emergency but am not privy to classified information. I am merely a vessel and would invite others to explain their concerns with our nation's security.

LEGAL ARGUMENT

I. The 2020 Election for President was Unconstitutional, Unlawful, and Thus Void, Creating a Current Vacancy in both the Presidency and Vice Presidency.

The clear, plain provisions of Article II were not followed in the 2020 Presidential election. Article II, Section 1, plainly states that "Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors."

In each state, the state legislatures have passed clear election laws that specify that the presidential electors shall be appointed pursuant to the popular vote by the people. And each state has enacted voting laws that specify how all elections shall be carried out, including the popular vote for U.S. president, and those laws are also required to be in accordance with federal election law, which was enacted to protect voting as a fundamental right under the 14th Amendment. Further, federal election laws mandate that states follow federal standards in order to receive federal funding for elections.

As this Court pointed out in Bush v Gore:

in each of the several States the citizens themselves vote for Presidential electors. When the state legislature vests the right to vote for President in its people, the right to vote as the legislature has prescribed is fundamental; and one source of its fundamental nature lies in the equal weight accorded to each vote and the equal dignity owed to each voter.

The State, of course, after granting the franchise in the special context of Article II, can take back the power to appoint electors. The right to vote is protected in more than the initial allocation of the franchise. Equal protection applies as well to the manner of its exercise. Having once granted the right to vote on equal terms, the State may not, by later arbitrary and disparate treatment, value one person's vote over that of another. See, e.g., *Harper v. Virginia Bd. of Elections*, 383 U. S. 663, 665 (1966) ("Once the franchise is granted to the electorate, lines may not be drawn which are inconsistent with the Equal Protection Clause of the Fourteenth Amendment").

It must be remembered that "the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise." *Reynolds v. Sims*, 377 U. S. 533, 555 (1964). *Bush v. Gore*, 531 U.S. 98 (2000).

Unless, and until, the several state legislatures take back the power to appoint electors, the people have a fundamental right to vote for the president, pursuant to the election laws established by the state legislature, and the electors must be appointed in such manner as the legislature has directed, which means pursuant to those state election laws, which must also comply with federal election laws.

None of the above was done with the electors for president in the 2020 federal election. In none of the states were the clearly enacted state election laws followed, nor were the additional federal election laws followed. In each and every state, the clear, enacted state election laws were directly violated by both local and state election officials and in each and every state, the minimum federal election law standards (such as in HAVA) were violated.

If, due to Covid 19 concerns, the states desired to modify their election procedures for the U.S. presidential election, they each should have convened an emergency session of the legislature and modified state election laws (presuming they still met federal election law requirements) or the respective state legislatures could have simply taken back the power to appoint the presidential electors, and thus avoided having to even consider how to hold a popular election for President during a pandemic.

What the states had no authority to do is to allow executive branch officials or local officials to arbitrarily modify election procedures and standards established by state law, without modification of those state election laws by the state legislature. And, as already stated above, they also had no authority to set aside or modify minimal standards established by federal law, which had been incorporated into state law and rules.

The result is that in all the several states there was no valid - constitutional and lawful - election and therefore no valid, constitutional, or lawful appointment of electors.

Because the electors were not constitutionally and lawfully appointed, there could be no proper state certification of those invalid, unconstitutional, unlawful electors, to send to Congress.

Furthermore, because the 2020 elections for U.S. Congress itself were neither constitutional nor lawful because they too did not comport with the U.S. Constitution or federal election law, the 117th U.S. Congress (the entirety of the House and 35 seats in the Senate) was also not legitimately seated, and therefore was/is incapable of certifying the state electors for president (or carry out any other congressional powers or duties).

As a result, there was no valid appointment of electors by means of popular vote under established state law, no valid certification of electors by either the states or the U.S. Congress, and therefore no valid transfer of power from Trump to Biden on January 20, 2021.

This means that neither Joseph Biden nor Donald Trump won the election, because the entire election was unconstitutional and therefore null and void from inception. And the same is also true of Kamala Harris and Mike Pence.

As this Court has held, and reaffirmed on many occasions, any action, by any branch of government, contrary to the Constitution is null and void from inception. That maxim applies here as well, however painful may be the outcome.

And since there was not, and could not have been, a constitutional transfer of power to Biden, and Trump's term ended on January 20, 2021, both the presidency and vice presidency was vacant at that time and the Speaker of the House would have become

the President, except that the current Speaker of the House is herself improperly seated, because her 2020 election, along with that of all other House members, did not comport with the U.S. Constitution and federal election law.

And the same problem also applies to the Senators who ran for office in 2020, and were unlawfully declared the winners (despite the unlawful elections) and seated in January, 2021, and to their subsequent invalid votes in the Senate, such as their vote for President Pro Tempore of the U.S. Senate, who was putatively Senator Patrick Leahy.

This means that the first person in the line of presidential succession who has a valid claim to a legitimate ability to hold that office would not be Leahy, but in fact would be the prior President Pro Tempore, Chuck Grassley, who would still be President Pro Tempore if the election of Leahy were ruled invalid by this Court because of the illegal election of some 35 U.S. Senators.

This Court Should Declare a Vacancy in the Office of President and Vice President and Trigger the Presidential Succession Mechanisms

This constitutes a truly unprecedented constitutional crisis that requires immediate action by this Court to remedy. Thankfully, it is not so far gone, or so advanced, that it cannot be remedied.

First, this Court must rule that the offices of the President and Vice President are vacant. Neither Biden nor Harris has any right or authority to either office. And, neither does Donald Trump or Mike Pence, since President Trump's term ended on January 20, 2021, and he was also a candidate in an unconstitutional and unlawful

election and therefore cannot be considered the winner either. Contrary to the desires of some Trump supporters, Trump cannot be simply reinstated/or declared to still be President. The constitutional line of succession must be followed when there is a vacancy, even if the vacancy occurred under such extraordinary circumstances which in fact did rob President Trump of a fair election which he most likely would have won had it been constitutionally and lawfully carried out (see below for the one constitutional mechanism by which Trump could regain the Presidency prior to either a new election, or the states appointing electors).

The simple fact is, there is now a vacancy in the offices of President and Vice President.

Second, with the massive illegality of the House elections, there is now no current, valid Speaker of the House, but there is a President Pro Tempore of the Senate.

Senator Grassley is the last clearly legitimately and constitutionally elected President Pro Tempore of the Senate, elected by an untainted U.S. Senate. Senator Leahy was subsequently “elected,” in part, by 35 invalid Senators, and therefore cannot properly be considered a legitimate President Pro Tempore.

Senator Grassley, being the last - and therefore still - the legitimate President Pro Temper of the U.S. Senate, must now step into the office of the Presidency, and then select a Vice President, to serve until a new election can be held in November 2022, or until the states appoint new electors.

The above is the immediate solution to the current Presidential crisis, and as a follow-up, the state legislatures could retake their appointment power and appoint electors

for whatever candidate they choose to become President. If the state legislatures do not do so, and instead continue to leave the decision of who shall be elected to the offices of President and Vice President in the hands of the people via popular vote, this Court could, and should, order a new election that actually does comply with Article II (being carried out in the manner directed by the state legislatures as established in state law) and also in compliance with federal election law. Any modifications deemed necessary because of Covid 19 would need to be made by the respective state legislatures, not by local or state executive branch officials as happened in 2020.

That new election could take place in November of 2022, and still be within the two year window of the 22nd Amendment in case that becomes a factor for any reason.

And that brings us back to Trump. Once Senator Grassley becomes President, he will select a Vice President. He could, if he chose to, select Donald Trump to serve as his Vice President. Then, if President Grassley were to resign, Donald Trump would become President and could serve as President until a new popular election could be held, or until the state legislatures directly appointed electors. He would be able to run again for President in the new national election so long as he stayed within the two year window of the 22nd Amendment, which he would if the new election were held in November 2022. If Trump won the new November 2022 election, he could still serve four more years, starting in January 2023, even though he served during 2021 and 2022.

Regardless of how it all pans out, what is clear is that there are vacancies in the offices of President and Vice President, and they must be declared and then the proper steps made to fill them, pursuant to the Constitution and existing law.

This Court Should Declare Vacancies in All U.S. House Seats and in 35 U.S. Senate Seats (all in contest in 2020), Triggering Emergency Vacancy Appointments by the States Until a Valid Election Can be Held.

As established above, the United States Constitution Article 1 Section 4, Clause 1 states that the respective state legislatures determine the time, places and manner of electing congressional representatives but grants Congress the right to regulate. (Exception being the location for choosing Senators cannot be regulated by Congress).

Congress did add its own regulations, culminating in the Help America Vote Act (HAVA) which incorporates numerous requirements from the Civil Rights Act of 1964.

The states are given a choice in HAVA: the states can choose to adopt the minimum standards in HAVA, which will allow them to seek grants that finances their election equipment, or a state can continue to legislate their own elections, subject only to requirements from the various US Supreme Court cases over voting rights and legal protections. All states opted to adopt the minimum standards

In the 2020 national elections for the U.S. Congress, states failed to maintain the minimum standards requirement in HAVA for the Congressional races and, further, engaged in significant election modifications that were not authorized by their respective legislatures as to the states' election regarding the Congressional races.

The use of mass mail out of voter's registration cards, mass mail out of mail-in ballots, reduction or elimination of signature requirements to verify a voter's identity, the widespread use of unsecure drop boxes and various other modifications all directly violated state and federal election law and created an environment that promotes fraud. None of these modifications were created by the state legislatures as Article I of the US Constitution requires. All of them directly violated federal election laws. The result is there was no valid, constitutional, and lawful seating of a 117th U.S. House of Representatives. Once again, however painful, any act, by any branch of government, that violates the Constitution is null and void from inception, as if it never occurred. It carries no force or effect.

Congress carries legislative authority and the power to create laws allocating funding. The putative 117th Congress is acting without authority.

Beginning on January 3, 2021, and every day thereafter, the putatively official conduct of all those unconstitutionally and illegally seated in the U.S. Congress is likewise unconstitutional, illegal, and illegitimate, including appointments.

There now exists mass vacancies in all House seats and 35 vacancies in the U.S. Senate because of the unconstitutional and unlawful election for those 35 Senate seats in the 2020 election.

This Court should declare those seats to be vacant which will prompt the state governors to make emergency vacancy appointments to their respective seats in the House of Representatives until special elections can be held that do in fact comport

with the Constitution and with federal election law. That is the Constitutional answer to an ongoing unconstitutional situation that must be remedied immediately. No emergency, including even a pandemic, sets aside the rule of law, and the Supreme Law of the Land is, always, the U.S. Constitution and the laws enacted thereto. As this Court held long ago in *Ex Parte Milligan*:

The Constitution of the United States is a law for rulers and people, equally in war and in peace, and covers with the shield of its protection all classes of men, at all times, and under all circumstances. No doctrine, involving more pernicious consequences, was ever invented by the wit of man than that any of its provisions can be suspended during any of the great exigencies of government. *Ex Parte Milligan*, 71 U.S. 2, 120 (1866).

The changes made by voting regions and states for the 2020 federal ballot were neither constitutional nor legal and no emergency can circumvent the constitutionally mandated election process.

CONCLUSION

This constitutes a constitution crisis because at this time, the United States has no legitimately functioning legislative branch and no legitimately functioning executive branch. The entire House of Representatives are improperly - unconstitutionally and unlawfully - seated with people who were not actually elected in constitutional and lawful elections, and the White House is currently occupied by someone who was not actually elected President pursuant to the Constitution and federal election laws. Nor is there a valid Vice President.

Therefore, any and all actions taken by anyone within those two branches, and their agents, appointments, and orders, are null and void from inception, as if they never occurred, because they are initiated or carried out by illegitimate personnel who have no constitutional/lawful, authority.

This Court must remedy this situation in an expedited manner to remedy the ongoing, irreversible harm of unlawful, illegitimate government that is not in accordance with our Constitution and not carried out with the consent of the governed, which is directly, spectacularly, in an ongoing fashion, violating the clear constitutionally protected rights of the American people. Justice delayed is justice denied. As this Court has held:

No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined. *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964)

Applicant understands that this crisis is unprecedented and this Court will have to navigate uncharted territory, but our Constitution contains within it the necessary remedies that can still right the ship of state and restore Constitutional government, and thereby restore the American people's faith in their system of government, and restore government of, by, and for the people. A failure to correct this crisis will send this nation spiraling into a civil conflict which it may well not survive. The people cannot, and will not, live under an illegitimate regime made up of usurpers and imposters who have wholly stepped outside the bounds of the U.S. Constitution and

are acting without lawful authority, without the consent of the governed, and with the clear prospect that the abuses and usurpations will only get worse over time if not stopped now. That is a dictatorship, and the American people will not long tolerate such an unacceptable state of illegitimacy, depravity, and injustice. There is still time for this Court to act, but that window is closing fast.

Applicant believes that the additional information provided in a hearing will assist the Court with identify and aid the Court with issues of national security. The accompanying affidavit provided by Applicant provides the basis for the imminent threat our nation is facing.

PRAYER FOR RELIEF

Applicant asks this Court to rule that the 2020 national elections were carried out in a manner that violated the U.S. Constitution and federal election law, depriving Americans of their fundamental right to select their national leadership.

Petitioner further asked this Court to declare that there now exists vacancies in the offices of President and Vice President, as well as vacancies in all of the current U.S. House seats, including that of the Speaker of the House, and in 35 of the U.S. Senate seats (all those up for election in 2020), and that therefor, pursuant to the line of succession, the U.S. Senate President Pro Tempore must step into the Presidency.

Petitioner further asks this Court to rule that Senator Grassley is the last properly seated President Pro Tempore, and is therefore still the current President Pro Tempore, and is now, pursuant to the Presidential line of succession, to become the

rightful President (to serve until such time as the states appoint valid electors who then select a President, or until a new national election can be held).

Petitioner further asks this Court to enjoin all of the persons currently seated in the U.S. House of Representatives from acting in any capacity as a representative. Their seats are vacant and they hold no valid office in the federal Legislative branch.

Petitioner further asks this Court to do the same as to the 35 U.S. Senate seats that were vacated and not constitutionally filled in 2020.

Petitioner further asks this Court to instruct the states that their governors will need to make emergency vacancy appointments to fill the vacancies in the U.S. Congress until a special election can be held in each state. As there is no functioning Congress, no federal legislation or appointments can be made until those vacancies are filled by the states. There is nothing wrong with holding our elected officials accountable for mistakes and protecting the very foundation of our Nation.

Petitioner further asks this Court to enjoin Joseph Biden and Kamala Harris from acting in any capacity as President or Vice President, as those seats are now vacant and they hold no valid office in the Executive branch.

Petitioner further asks this Court to declare vacancies to exist in all cabinet positions, as the appointments made since January 20, 2021, were all invalid. Deputy or assistant personnel in each agency who were properly seated by a valid Congress, after nomination by a valid President, will need to step in as acting secretaries until

the new President can nominate replacements, and until the states appoint new representatives.

Petitioner further asks this Court to instruct the states that they either need to hold a new federal election to select Presidential electors that actually complies with the U.S. Constitution, or the respective state legislatures will need to take back their power to directly appoint said electors and choose the electors.

Petitioner asks this court for any other declaratory, injunctive, or extraordinary writ relief it deems proper under these extraordinary circumstances.

Motion for admission Pro Hac Vice pending
See affidavit for full factual background.

A handwritten signature in black ink, reading "Kellye SoRelle", written over a horizontal line.

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