

**UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF KENTUCKY
EASTERN DIVISION**

Eastern District of Kentucky
FILED

SEP 02 2020

AT LONDON
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

Larry Bailey)
v.)
Donald J. Trump, POTUS)
&)
Ronna Romney McDaniel acting)
Chairwoman of the RNC)
Republican National Committee)

Case No: 6:20-cv-182-KKC

COMPLAINT AND REQUEST FOR INJUNCTION

The Parties to This Complaint

A. The Plaintiff

Name: Larry Bailey
Address: 181 Ben Bailey Road
County: Laurel County
Phone: (606) 261-4761

B. The Defendant(s)

Defendant No. 1

Name: Donald J. Trump (Acting POTUS)
Address: 1600 Pennsylvania Avenue
NW, Washington DC, 20500
County: Sumner
Phone: (202) 456-1414

Defendant No. 2

Name: Ronna Romney McDaniel (RNC Chairperson)
Address: Republican National Committee
310 1st St SE,

Washington, DC 20003
County: Sumner
Phone: (202) 863-8500

Jurisdiction of this District Court

I reside in Laurel County Kentucky and received my mail at 181 Ben Bailey Road, London Kentucky, 40744.

This complaint and request for injunctive relief is a matter of Donald J. Trump, acting as the President of the United States (POTUS) and Ronna Romney McDaniel, acting as the Chairwoman of the Republican National Committee (RNC) collaborating together and using the U.S Postal Service to deceptively and fraudulently interfere with my 1st Amendment right to vote and illegally solicit funds from me for political purposes.

While committing their offences POTUS and the RNC violated the 1st Amendment of the U.S. Constitution and, 42 USCA § 1983; 39 USCA § 3001; 52 U.S.C.A. § 10307; 52 USCA § 10101(d).

"A plaintiff need not wait until a prosecutor initiates adverse action to have standing to sue to protect his First Amendment rights." citing *Steffel v. Thompson*, 415 U.S. 452, 459, 94 S.Ct. 1209, 39 L.Ed.2d 505 (U.S. 1974). [*Russell v. Lundergan-Grimes*, 784 F.3d 1037 (6th. Cir. 2015)].

Complaint

The Defendants conspired to,

1. illegally obtain campaign contributions from me,
2. illegally obtain information not provided on the official voter registration card from

me,

3. illegally interfere with my right to vote for a candidate of my own choice through intimidation.
4. illegally use the U.S. Mail to perpetrate all the above mentioned.

Statement of Facts

On August 14, 2020 I received an envelope addressed from DONALD J. TRUMP PRESIDENT OF THE UNITED STATES VOTER IDENTIFICATION DIVISION. That envelope also states DO NOT FORWARD PERSONAL RECORD INFORMATION {See Exhibit A}. Inside the envelope was a letter from Donald Trump, a document titled PARTY AFFILIATION VOTER CARD, {See Exhibit C}, a document titled REPUBLICAN PARTY VOTER AFFILIATION TRACKING FORM, {See Exhibit D1}, and a letter titled DONALD J. TRUMP PRESIDENT OF THE UNITED STATES, {See Exhibits E p1, p2 p3}. Also included in the envelope is a return envelope addressed to P51 REPUBLICAN NATIONAL COMMITTEE C/O PRESIDENT DONALD TRUMP PO BOX 96994 WASHINGTON DC 20090-6994, {See Exhibit B}.

The President's Voter Identification Division named on the envelope is fictitious. No such government entity exists in the entire U.S. bureaucracy or within the RNC. The information on the Party Affiliation Voter Card (PAVC) and the Republican Party Voter Affiliation Tracking Form (PVATF) is correct including my Voter Identification Number. The PAVC has my home phone and email address blank. The PVATF directs me to see the PAVC and make needed corrections and check yes if the information is correct, complete the PVATF and return in the provided return envelope. Both the PAVC and PVATF have requests for campaign contributions. None of the documents or

envelopes have a disclaimer. Checking Party affiliation is a requirement on the Kentucky Voter Registration Form in Kentucky. Party affiliation is not required to vote in the general election for POTUS, or U.S. Congressional seats.

In 2010 the legislature passed the Prevent Deceptive Census Look Alike Mailings Act, [H.R.4621, 111th Congress (2009-2010)]. In 2019 the RNC was accused by The Lawyers' Committee for Civil Rights Under Law of fraudulent practices using the U.S. Mail to deceive people with look-alike U.S. Census forms, [Stanley Augustin, *Deceptive Census Mailers Commissioned by the Republican Party Mailed to Residents of Montana*, (Feb, 11, 2020), <https://www.lawyerscommittee.org/https-lawyerscommittee-org-wp-content-uploads-2019-10-rnc-census-mailers-final-10-17-19-1-1-pdf/>]. According to the website, the Act was passed after the RNC solicited contributions through look-alike census forms in 2010, [*id*].

This year the Defendants sent North Carolina residents fraudulent 2020 state absentee ballot request forms, {See Exhibit F}, [Sophia Ankel, *Is this a joke?' North Carolina voters are being mailed absentee ballot request forms with Trump's face on them*, (8/22/2020)], <https://www.businessinsider.com/north-carolina-voters-receive-ballot-request-forms-with-trumps-face-2020-8>]; [Cortney Drakeford, *North Carolina voters are being mailed absentee ballot request forms with Trump's face on them*, (8/17/2020), <https://www.ibtimes.com/absentee-ballot-form-trumps-picture-arrives-voters-ahead-presidential-election-3029722>].

Defendant 1 (POTUS) states that he asked the RNC to send me a copy of the PAVC for my conformation, {See Exhibit E1}.

Points of Law

Normally to be liable for a civil rights violation under 42 USCA § 1983 an organization (RNC) must willingly act at the direction of a government agent, [*Lugar v. Edmondson Oil Co., Inc.*, 457 U.S. 922 (U.S.1982) citing *U. S. v. Price*, 383 U.S. 787 (U.S. 1966)]. In this case, that government agent is POTUS who directly requested the RNC to send me a copy of my PAVC then asked me to respond by filling it out and sending it back to him at the RNC address.

The Defendants acted under color of law as agents of the state of Kentucky by using voter registration information to violate my civil rights. The RNC is an organization with members in each state including Kentucky, KY ST § 118.015. They used my voter affiliation information which is a requirement for voting in a primary election in Kentucky, KY ST § 116.055. Together the Defendants violated my civil rights under Kentucky law, KY Const § 6.

In his letter, POTUS makes unsubstantiated allegations, i.e. rigged elections, conspiracy theories and dire outcomes if he is not elected. The accompanying official looking documents do not present a disclaimer to inform the reader of the legal status of the documents. Those documents make it appear that my voting record has been, and is, being tracked by the Defendants. It is a violation of my civil rights for the Defendants to attempt to use fear tactics and intimidation to interfere with my right to vote for the people who they explicitly say I should not vote for. It is a violation of law to even attempt interference with voting rights, 52 USCA § 10101(b). The Defendants collaboration interfering in my right to vote for a presidential candidate and senate candidate of my choosing is a violation of my civil rights, 52 USCA § 10307.

The Defendants broke federal law in scheming to obtain money from me by using fraudulent documents and sending them through the U.S. Mail, 18 U.S.C.A. § 1341. The fictitious use of a government agency (VOTER IDENTIFICATION DIVISION) to violate § 1341 is against federal law, 18 U.S.C.A. § 1342.

The Defendants are attempting to defraud the government of a fair election by illegally using the U.S. Mail to influence voter turnout and party preference. Therefore, an injunction is appropriate to stop them from further attempts to commit fraud, 18 U.S.C.A. § 1345.

As an elected official, POTUS has a fiduciary duty to the citizens of the U.S. to uphold and enforce the law. It is illegal for an elected official (POTUS) and those working for him (RNC) to use the U.S. Postal Service to deprive citizens of a duty to protect them from a dishonest election,

*"Defendants whose schemes involved deprivations of "intangible rights" included **public officials** who deprived citizens of their right to the official's honest services," " **elected officials and campaign workers** who deprived the citizenry of its right to an honest election," citing McNally v. United States, 483 U.S. 350, 362-64, 107 S.Ct. 2875, 97 L.Ed.2d 292 (1987) [U.S. v. Turner, 465 F.3d 667 (6th Cir. 2006)].*

Injury

By sending me official looking documents indicating that my voting record is being tracked by the Defendants they have caused me to fear to vote for any candidate other than a Republican. I also fear that the Defendants may retaliate against me for not giving them money to help their campaign efforts.

Argument

I draw SSDI and work part-time for a non-profit company under a state government contract. The Defendants have a history of intimidation and coercion against private companies, agencies, and citizens for not supporting their political agendas. I would be no different than any other citizen who angers them. Only a few days ago POTUS initiated a boycott against Firestone as political retaliation for banning MAGA hats. The Defendants have made no attempts to hide their contempt for anyone who may pose a political threat against POTUS or the Republican Party.

I am afraid they may interfere with my SSDI benefits or my job working at a state facility if I do not respond to their demands for money or vote for a Republican candidate. The Defendants have thumbed their nose at the Constitution and legal system with impunity for the last four years.

The President has authority over the Justice Department, Post Office, and political leverage over many state government entities. The only branch of government left beyond control of the Defendants is the judicial branch.

Therefore, this court should grant an injunction to stop them from their intimidation of a private citizen who wants to vote without fear.

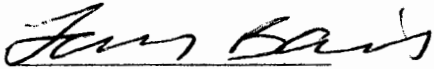
Demands

I beg this Court to instruct the Defendants to,

- (1. expunge all my voting information, or any other personal information the Defendants have obtained legally or otherwise in their possession.
- (2. cease and desist tracking my party affiliation or any further gathering of my voting information, or any other information, whether through legal channels or otherwise.
- (3. reveal all information they have gathered on me and have in their possession.

(4. refrain from any retaliatory acts for this action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Larry Bailey", written over a horizontal line.

Larry Bailey
181 Ben Bailey Road
London Kentucky, 40744
(606) 261-4761