

U.S. COURTS

MAR 19 2019

Recd. _____ Filed _____ Time _____
STEPHEN W. KENYON
CLERK, DISTRICT OF IDAHO

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

Ryan Isbelle

Plaintiff,

vs.

Defendant.

Lawrence Denney

Case No.

CR 19-093 SCWD

COMPLAINT
(28 U.S.C. § 1331: federal question)

Jury Trial Requested ____ yes X no

1. JURISDICTION

Jurisdiction in this case is based on a federal question (meaning that this suit is based upon a federal statute or provision of the United States Constitution):

- ☐ Federal Statute: _____
☒ United States Constitution
☐ And a state law claim under the Court's supplemental jurisdiction authority.

2. PLAINTIFF

My name is Ryan Isbelle. I am a citizen of the State of Idaho,
presently residing at 217 S. Garden Ct. #F Lewiston, ID 83501

3. DEFENDANT AND CAUSE OF ACTION

(Copy and use a separate page for each defendant and each different type of claim; for example, if you have two different claims against one defendant, you will use two pages. Attach a continuation page if needed, but try to be brief.)

A. I am suing Lawrence Denney, who was acting as Secretary of State
(Defendant) (if applicable: job title, if a person; function, if an entity)
for the State of Idaho
(if applicable: state, county, city, federal government, or private entity performing a public function)

B. (Factual Basis of Claim) I am complaining that on January 5, 2015 to Present, Defendant
(dates)
did the following (state how Defendant participated in the violation and include the reason Defendant so acted if known):

Failed to protect my rights to equal protection of the law under the Fourteenth Amendment. SB 1108 (2013) was signed into law 04/01/13, added a geographic distribution requirement to Idaho Code section 34-1805. This requirement states that all ballot initiative petitions must gather a minimum of 6 percent of the qualified electors at the time of the last general election in at least eighteen (18) legislative districts.

C. (Legal Basis of Claim) I allege that the acts described above violated the following provisions of the Constitution, federal statutes, or state laws:

Equal Protection Clause of the Fourteenth Amendment

D. I allege that I suffered the following injury or damages as a result:

Damages my right to participate in the initiative process

E. I seek the following relief: Invalidation of the geographic distribution requirement in Idaho Code section 34-1805.

4. DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury:

that I am the plaintiff in this action, that I have read the complaint, and that the information contained in the complaint is true and correct, as required by 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

Executed at Coeur d'Alene on 03/19/19.
(Location) (Date)

Ryan F. Helle
Plaintiff's Original Signature