

JUDGE SWEET

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

COURT COPY

-----X
WILLIAM MURAWSKI aka and better known as
BILL MURAWSKI and all other candidates who are
similarly situated as the Plaintiff(s).

COMPLAINT

DOCKET# 17 CV _____

v.

NEW YORK STATE BOARD OF ELECTIONS, NEW
YORK CITY BOARD OF ELECTIONS and the NEW
YORK CITY CAMPAIGN FINANCE BOARD as the
Defendants.

17 CV 6859

-----X
I. JURISDICTION

The Federal District Court of the Southern District of New York has jurisdiction in the above captioned complaint because of violations of the 1st, 5th and 14th Amendments to the Constitution of the United States of America; 42 U.S. Code 42 § 1986; U.S. Code 42 § 1985 (3); and the Help America Vote Act (HAVA). The causes of action in the above captioned Complaint are explained in MURAWSKI'S affidavit and the Exhibits attached.

II. PARTIES

A. Plaintiff(s):

WILLIAM MURAWSKI aka and better known as BILL MURAWSKI filed with the NYCBOE as a candidate for Mayor of the City of New York in the Democratic Primary to be held on September 12, 2017 and in the General Election to be held on November 7, 2017. William MURAWSKI is a natural born citizen of the United States of America and lives at 530 West 50th Street in the Borough of Manhattan and has lived at that residence for more than thirty years. The contact telephone number is (917) 407-6492; email address is Information@BillMurawski.com

"Similarly situated candidates" are those persons who filed with the NYCBOE to run for city-wide and local elective offices of the City of New York in the Primary Election to

be held on September 12, 2017 and the General Election to be held on November 7, 2017 AND who have been “knocked off the ballot” as a result of the policies, procedures and rules of the NYSBOE and the NYCBOE. Contact information is unknown.

B. DEFENDANTS

The NEW YORK STATE BOARD OF ELECTIONS is located at NYS BOARD OF ELECTIONS is located at 40 NORTH PEARL STREET, SUITE 5; ALBANY, NY 12207-2729; the contact telephone number is (518) 474-6220.

The NEW YORK CITY BOARD OF ELECTIONS is located at 32-42 Broadway, 7th Floor New York, NY 10004; the contact telephone number is (212) 487-5400.

The NEW YORK CITY CAMPAIGN FINANCE BOARD is located at 100 Church Street, 12th Floor, New York, NY 10007; the contact telephone number is (212) 409-1800.

1. From this point hereon in, WILLIAM MURAWSKI will be referred to as “MURAWSKI”; the NEW YORK STATE BOARD OF ELECTIONS will be referred to as “the NYSBOE”; the NEW YORK CITY BOARD OF ELECTIONS will be referred to as “the NYCBOE”; and the NEW YORK CITY CAMPAIGN FINANCE BOARD will be referred to as “the FINANCE BOARD”.

2. MURAWSKI requests a three judge panel in accordance with 28 U.S. Code § 2284.

3. New York City Council District 3 was gerrymandered against Murawski as a result of the 2000 U.S. Census.

4. The signature scheme developed by the NYSBOE and NYCBOE is an arbitrary and capricious device used by political parties to eliminate persons from being placed “on the ballot” who seek to become public servants as elected officials. Further, the current policies and procedures of the NYBOE and the NYCBOE allow for the political parties to maintain control of elective offices in New York State.

5. The scheduling of primary elections by the NYSBOE and the NYCBOE violates the Equal Protection Clause of the 14th Amendment to the Constitution of the United States of America, hereinafter referred to “the Constitution” .

6. The New York State Election Law violates the 1st Amendment right of the freedom of speech protected by the Constitution for those registered voters who are not enrolled in constituted political parties in the State of New York.

7. The New York State Election Law created an oligarchy in New York State and New York City. Instead of promoting and protecting the democratic process of electing representatives in a representative republic government, representatives are hand-picked by the major parties in the city and state.

8. MURAWSKI’S 1st Amendment and 14th Amendment rights protected by the Constitution have been violated by the NYCBOE and NYSBOE in city, state and local elections since 2001.

9. The NYCBOE violated MURAWSKI’S 5th and 14th Amendment protection of Due Process protected by the Constitution during the ballot access portion for attaining ballot access for the Democratic Primary that is planned to be held on September 12, 2017.

10. The NYCBOE violated MURAWSKI’S 1st Amendment right protected by the Constitution during the ballot access portion for attaining ballot access for the Democratic Primary that is planned to be held on September 12, 2017.

11. The Court is respectfully referred to Exhibit A paragraphs 1 to and including paragraph 76, which is a sworn affidavit submitted by MURAWSKI to support the allegations set forth in paragraphs 3 through 10 above.

12. The NYCBOE working in conjunction with, and is complicit with the FINANCE BOARD violates the Equal Protection Clause of the 14th Amendment to the Constitution and the Freedom of Speech protected by the 1st Amendment to the Constitution. The Court is respectfully referred to Exhibit A paragraphs 77 and 78, which is a sworn affidavit submitted by MURAWSKI to support this allegation.

13. The NYCBOE violated the Help America Vote Act ("HAVA") in the 2013 city-wide elections. The Court is respectfully referred to Exhibit A paragraphs ___ to ___, which is a sworn affidavit submitted by MURAWSKI to support this allegation.

14. MURAWSKI'S Complaint is timely filed. All allegations of delays in the filing of MURAWSKI'S Complaint are baseless and are the direct result of the actions by the NYCBOE. The Court is respectfully referred to paragraphs 70 through 75 in Exhibit A, which is MURAWSKI'S sworn affidavit..

Relief:

WHEREFORE, MURAWSKI respectfully requests the following relief from the Court:

1. Place a Temporary Restraining Order ("TRO") on the Primary Elections to be held by the NYCBOE on September 12, 2017 until the following are accomplished:
 - a. Place MURAWSKI'S name on the ballot as a candidate for Mayor in the Democratic Primary that is scheduled to be held on September 12, 2017.
 - b. The publishing of MURAWSKI'S name as a candidate for Mayor in Primary Election in the FINANCE BOARD'S Voters Guide for the Primary Elections that are to be held on September 12, 2017.
 - c. Order the NYCBOE to allow and inform those voters registered in New York City who are not enrolled in any political party be permitted to vote in the Primary Election to be held on September 12, 2017.
2. Place all candidates who have filed with the NYCBOE on the ballot in the Primary Election to be held on September 12, 2017 who are similarly situated as MURAWSKI.
3. Place MURAWSKI'S name on the ballot as a candidate for mayor in the General Election that is to be held on November 7, 2017 under the party name of Voice of the People.
4. Order the NYCBOE and the NYSBOE to develop a ballot access procedure such as a bond requirement that is financially reasonable for candidates to obtain ballot access that is not arbitrary.

5. Order the NYCBOE and the NYSBOE to allow those voters who are not registered in any party to vote in all Primary Elections held in New York State.
6. Declare the 2013 election for mayor of the City of New York as null and void because of collusion and Constitutional violations set forth in MURAWSKI's Complaint.
7. Order the NYSBOE and the NYCBOE to have Primary Elections held in September to be held on any Tuesday in a week that is either before or after the yearly September 11th Commemoration because on September 11, 2001 both towers of the World Trade Center collapsed on the exact day that term limits were put into place for all elective offices in New York City, and as such, the healing process in New York City continues yearly every September 11th thereby distracting voters away from the Primary Elections.
8. Order the NYSBOE and the NYCBOE to schedule all primary elections for city, state and federal elections on the same day to comply with the Equal Protection Clause of the 14th Amendment to the Constitution, which is believed to also assist in saving the taxpayers approximately \$9 million dollars that is spent yearly in overtime by the NYCBOE and the NYSBOE.

Respectfully,



William Murawski

September 8, 20wsq17

*Given to before he at this
3th day of September 2017*
EVELYN APRIL HAMMER
Notary Public, State of New York
No. 01HA6257725
Qualified in New York County
Commission Expires March 19, 2018
April 20, 2020