

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

Civil Division

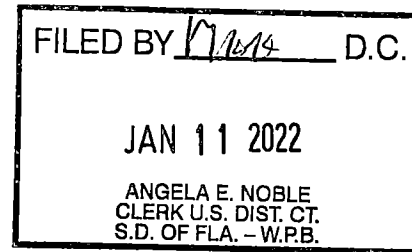
Neville D. Richards,
Voter Registration Number: 124301826,

Case No. _____

(to be filled in by the Clerk's Office)

Plaintiff(s)

-v-

WENDY SARTORI, PALM BEACH COUNTY
SUPERVISOR OF ELECTIONS_____
Defendant(s)

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Neville D. Richards
Street Address	4181 Chukker Dr
City and County	West Palm Beach, Palm Beach County
State and Zip Code	FL 33406
Telephone Number	561-214-0321
E-mail Address	nevillerich66@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

Defendant No. 1

Name	WENDY SARTORY
Job or Title <i>(if known)</i>	PALM BEACH COUNTY SUPERVISOR OF ELECTIONS
Street Address	240 S. Military Trail
City and County	West Palm Beach, Palm Beach County
State and Zip Code	FL 33415
Telephone Number	(561) 656-6200
E-mail Address <i>(if known)</i>	info@votepalmbeach.gov

Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

42 U.S.C. § 1983; 2 U.S.C. § 9: The Ballots approved and printed by the Supervisor's office for Jan. 11, 2022 Federal Congressional District Elections fail to conform to very specific State Laws and Rules (to wit, 1S-2.032 Uniform Design for Election Ballots) which is a violation of 2 U.S.C. § 9. These ballots are an attempt to suppress voter participation hence subject to redress via 2 U.S.C. § 1983.

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.

Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

The Ballots approved and distributed by Wendy Sartory, Palm Beach County Supervisor of Elections, misleads voters into believing that the 01/11/2022 election is a "closed" Primary election when it is, in fact, a Special Election for the 20th Congressional District (Federal). Ms. Sartory and/or her office have deliberately or negligently approved ballots that are to be utilized for Primary Elections. This appears to be a transparent ploy to confuse voters and suppress voter participation which constitutes a violation of federal election law and federal Civil Rights law.

B. What date and approximate time did the events giving rise to your claim(s) occur?

On or about January 10, 2022, 1500hrs EST, which is when Plaintiff downloaded his sample election ballot and, to his horror, realized the grotesqueness and transparency of the attempt to confuse voters and suppress voter participation.

Plaintiff is an African-American veteran of the Armed Forces of the United States and believes, sincerely and in good faith, that the acts and omissions complained off herein are a deliberate ploy to suppress the vote, and especially the African-American vote, to prevent Jason Mariner from winning the election.

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*
Plaintiff downloaded his sample ballot from the website of the Palm Beach County Supervisor and discovered that the Ballot approved for usage for the 01/11/2022 Special Election is, in fact, a ballot that Florida law, to wit, 1S-2.032 Uniform Design for Election Ballots, authorizes for Primary Election not general election. Rightly concluding that this was part of a larger plot to confound the potential voter and suppress voter participation, Plaintiff pressed suit to see emergency redress before this Hon'ble Court.
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IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.
Plaintiff's vote as well as the vote of his friends and neighbors will be suppressed and their favored candidate will lose the election. This is in addition to the per se injury of having fraud perpetrated by a government official to reduce voter participation.

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

An EMERGENCY EX PARTE TEMPORARY RESTRAINING ORDER against the office of Wendy Sartory preventing her from using the impugned ballot and forcing her office to issue ballots that conform to Uniform Special Election Ballot Design as per Florida Secretary of State Rule 1S-2.032.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 01/11/2022

Signature of Plaintiff Neville D. Richards

Printed Name of Plaintiff Neville D. Richards

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____

EXHIBIT “A”

Official Special Election Ballot
January 11, 2022
Republican Party
Palm Beach County, Florida

Boleta Oficial de la Elección Especial
11 de enero de 2022
Partido Republicano
Condado de Palm Beach, Florida

PCT. 2108R

- Instructions: To vote, fill in the oval completely ● next to your choice. Use only black ballpoint pen. If you make a mistake, ask for a new ballot. Do not cross out or your vote may not count. To vote for a write-in candidate, fill in the oval and print the name clearly on the blank line provided for the write-in candidate.
- Instrucciones: Para votar, llene completamente el óvalo ● junto a su selección. Use sólo bolígrafo negro. Si comete un error, solicite una nueva boleta. No borre o realice otras marcas, o su voto puede no ser contado. Para votar por un candidato por escrito, llene el óvalo y escriba el nombre claramente sobre la línea provista para el candidato por escrito.



SPECIAL GENERAL ELECTION
ELECCIÓN GENERAL ESPECIAL

Representative in Congress
District 20

(Vote for One)

Representante en el Congreso
Distrito 20

(Vote por Uno)

- | | |
|--|-----|
| <input type="radio"/> Jason Mariner | REP |
| <input type="radio"/> Sheila Cherfilus-McCormick | DEM |
| <input type="radio"/> Mike ter Maat | LPF |
| <input type="radio"/> Leonard L. Serratore | NPA |
| <input type="radio"/> Jim Flynn | NPA |
| <input type="radio"/> _____ | |
| Write-in / Escribir | |

