

**Mei Wong**  
**Dana Hindman-Allen**  
 c/o 13203 SE 172<sup>nd</sup> Avenue, Suite 166, No. 749  
 (City of) Happy Valley,  
 The State of Oregon  
 Zip Code Excepted [97086]

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF OREGON  
 PORTLAND DIVISION**

Mei: Wong; Dana: Hindman-Allen,  Plaintiff(s)  v.  SHEMIA FAGAN, DEBRA SCROGGIN, ALMA WHALEN, BOB ROBERTS, SHERRY HALL, REBEKAH DOLL, CLACKAMAS COUNTY CLERK'S OFFICE and THE OFFICE OF THE SECRETARY OF THE STATE OF OREGON  Defendant(s)	DOCKET/CASE NO. 3:22-CV-01714-SB  JUDGE: STACIE F. BECKERMAN  PLAINTIFF'S OBJECTION TO STRIKE JUDICIAL NOTICE  DEMAND FOR ORAL ARGUMENT
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**This is a court of record.**

**OBJECTION TO STRIKE JUDICIAL NOTICE**

COMETH NOW, Plaintiff(s) MEI WONG and DANA HINDMAN-ALLEN, in err, Mei: Wong and Dana: Hindman-Allen, in *Propria Persona*, living [wo]men, *sui juris*, creation(s) of God, both People of the Territory of Oregon, with and claiming all of their inherent, un-LIEN-able Constitutionally secured Rights, with their name(s) properly spelled only in the upper-and-lower

case letters, and without accepting the jurisdiction of this Court, come before this court, by Special Appearance, to object to the court's striking of Plaintiff's Judicial Notice pursuant to Fed. R. Civ. P. 46 – Objecting to a Ruling or Order, and further citing N.J. R. Evid. 201, Federal Rule of Evidence 201(d), and Fed. R. Civ. P. 8(c), contributory negligence and illegality in context.

### **BASIS OF OBJECTION**

We, the Plaintiffs, reviewed and comprehend Rule 201. Judicial Notice of Adjudicative Facts **(d) Timing.** The court may take judicial notice “at any stage of the proceeding.”

Although Judge Stacie Beckerman deemed that no further briefing is permitted absent leave of the Court, We, the Plaintiff's object to the Defendants' omissions of facts and multiple statements as incorrect on their Motion to Dismiss submitted on February 14, 2023. We, the Plaintiff's, believe the court's striking of Plaintiff's Judicial Notice was made prematurely and without consideration of the Totality of the circumstances related thereto. [*Praetextu licit non debet admitti illinitum*]

The Defendants neglected to mention the violations of security issues surrounding the misprint of over 60% of the ballots and one of the reasons, We, the Plaintiffs, requested to open an investigation into all the security violations surrounding the May 17, 2022 Primary Election.

Defendants claim We, the Plaintiffs, did not file a demand for recount prior to deadlines as outlined under ORS 258.161(2)(8). According to ORS 258.161(2), An elector may file a demand requiring the Secretary of State to direct that a recount be made in specified precincts in which votes were cast on any measure which appeared on the ballot. Clearly, we are not talking about any measure. Pursuant to ORS 285.161(8), the first demand shall be filed in the office of the Secretary of State not later than the 35<sup>th</sup> day and a supplemental demand not later than the 45<sup>th</sup> day

after the date of the election in which votes were cast for the nomination, office or measure. Plaintiff Mei Wong submitted a demand for a recount to the office of Secretary of State on the 28<sup>th</sup> day and the 35<sup>th</sup> day; and Plaintiff Dana Hindman-Allen submitted a demand for a recount with the office of the Secretary of State on the 34<sup>th</sup> day and the 38<sup>th</sup> day. See Exhibits 2, 3, 4 & 5.

These omitted and false statements need to be brought to the court's attention. Therefore, We the Plaintiffs must file this Objection to strike the Judicial Notice and demand to move forward for oral argument.

Plaintiff's cause for objections, even if the court assumed assertion of such was "improper" in form and/or deemed irrelevant, was made for no other purpose then to protect the Integrity of the Court, and We, the Plaintiffs, in congruence. As the creation of the fraud required an action by a judicial entity; it requires an action by a judicial entity to "Terminate" it from the record. [*Actus legis nemini facit injuriam*]

### CONCLUSION

In the name of justice, in good faith, and recognition of the Ninth Amendment, We, the Plaintiffs, do possess sufficient cause of action based on the facts and evidence presented; and cannot allow this overly burdensome trespass upon our cause and good character to continue knowing the purposeful action(s) and/or willful neglect of the Defendant(s) is based in fraud and emoluments. [*Causa Patet*]

As it is customary that a "brief" precedes oral argument according to the Federal Rules of Civil Procedure, We, the Plaintiffs, cordially reminds the court that we have provided findings of facts and conclusions of law within our prior documents presented before the court. Although Plaintiff's "briefing" and/or "briefs", contained within Plaintiffs' prior documents, may not be in

proper and/or traditional format as presented by attorneys and/or seasoned litigants, the court should not show any prejudice towards Plaintiffs' declarations of findings of facts and conclusions of law despite how unartfully presented and/or pleaded they may be. Such was affirmed via the following:

***"Pro Se pleadings are to be considered without regard to technicality; pro se litigants' pleadings are not to be held to the same high standards of perfection as lawyers."***

- *(Picking v. Pennsylvania R. Co. 151 Fed. @nd 240; Pucket v. Cox 456 @nd 233.)*

***"Additionally, pro se litigants are to be given reasonable opportunity to remedy the defects in their pleadings."***

- *Reynoldson v. Schilinger 907F .2d 124 126 (10th Circuit 1990; See also Jaxon v. Circle K. Corp. 773 F .2d 1138. 1140 (10th Cir. 1985(1))*

Should the court persist in denying any further notice and/or presentations of the Plaintiffs before the court, then it is demanded that the court issue its ruling(s) and/or Order(s), in good faith, pursuant to Fed. R. Civ. P. 52(a)(1).

We, the Plaintiffs, in conclusion, hereby request/demand that the court accept the Plaintiff's Judicial Notice, and all-inclusive facts presented therewith, pursuant to Federal Rule of Evidence 201(d), and Fed. R. Civ. P. 8(c), and further grant Plaintiff's request/demand for oral argument as it is clear that there are paramount discrepancies that ultimately require oral argument.

#### **AFFIRMATION**

We declare under penalty of perjury under the laws of the Republic of (but not "State of") Oregon from *without* the "United States" defined in 28 U.S.C. § 1603(c) and 26 U.S.C. § 7701(a)(10) and only when litigated under the following conditions that the foregoing facts,



exhibits, and statements made by me are true, correct, and complete to the best of my knowledge and ability in accordance with 28 U.S.C. § 1746(1).

1. Trial by Jury in a court of record.
2. No jurist or judge may be a “U.S. citizen” under 8 U.S.C. § 1401, or a “taxpayer” under 26 U.S.C. § 7701(a)(14).
3. 3. No jurist or judge, like the Plaintiff, may be in receipt of any federal financial or other benefit or employment nor maintain a domicile on federal property.
4. The common law of the state and no federal law or act of Congress are the rules of decision, as required Fed. R. Civ. P. Rule 17(b), 28 U.S.C. § 1652, *Erie RR v. Tompkins*, 304 U.S. 64 (1938).
5. Any judge who receives retirement or employment benefits derived from Subtitle A of the I.R.C. recuse himself in judging the law and defer to the jury instead, as required under 18 U.S.C. § 208, 28 U.S.C. § 144, and 28 U.S.C. § 455.

Non-acceptance of this affirmation or refusal to admit all evidence attached to this pleading, if attached, into the record by the court shall constitute withdrawal of consent to make a general appearance or submit myself to the jurisdiction of this foreign court and foreign state. This affirmation is an extension of our right to contract guaranteed under Article 1, Section 10 of the United States Constitution and may not be interfered with by any court of the United States.

*“Equity aids the vigilant, and not those that slumber on their rights.”*

*“He who comes into equity must come with clean hands.”*

*“Equity acts in personam”*

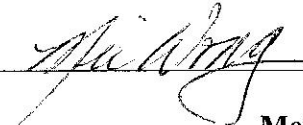
*“Equity delights to do justice, and not by halves.”*

*"Equity follows the law."*

*"Equity will not allow a statute to be used as a cloak for fraud."*

*"Equity regards as done what ought to be done."*

Dated this 11<sup>th</sup> day of the Month of April in the Year of Our Lord Two-Thousand and Twenty-Three (2023).

Autographed by: /s/  [L.S./SEAL]

**Mei: Wong** <sup>®</sup>/Beneficiary  
in propria persona, sui juris and  
without recourse, without prejudice  
non-territorial to the United States as used in 28 USC 1746(1);  
All Rights Retained  
UCC-1-103, 1-308, 9-311. et al.

Autographed by: /s/  [L.S./SEAL]

**Dana: Hindman-Allen** <sup>®</sup>/Beneficiary  
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UCC-1-103, 1-308, 9-311. et al.



Mei Wong &lt;meiwongformetro@gmail.com&gt;

## Complaint, Security & Irregularities in Metro 2 Race

Mei Wong &lt;meiwongformetro@gmail.com&gt;

Tue, Jun 14, 2022 at 2:22 PM

To: WHALEN Alma \* SOS &lt;Alma.WHALEN@sos.oregon.gov&gt;

Cc: elections@multco.us, elections@clackamas.us, elections@co.washington.or.us

Dear Alma,

Thank you for your reply. I will respond as follows:

- Please clarify who you are requesting an investigation into. I see that you copied the three counties, but your complaint doesn't name them as the subjects of your complaint. The letter and complaint was sent to the SOS Elections Office as the information and snapshots were taken from the website. The three counties were cc'd as Metro Council District 2 encompasses all three counties. Therefore, all three counties are part of the complaint and copied. According to **ORS 246.210 County clerk to supervise local elections officials. (1)** Subject to the directives and instructions prepared and distributed or given by the Secretary of State under ORS 246.120 or 246.140, a county clerk may exercise general supervision of administration of election laws by each local elections official in the county for the purpose of achieving and maintaining a maximum degree of correctness, impartiality, efficiency and uniformity in the administration by local elections officials. In this regard the county clerk may assist local elections officials in answering questions concerning the proper administration of election laws. Many of the complaints do originate in Clackamas County as it holds the largest number of voters for Metro District 2. Also, I like some answers regarding the information from the snapshots. Were there staff working at 4:30am on Sunday, May 29<sup>th</sup> in the morning updating? If so, from what office? Why was there a sudden drop in thousands of votes within 8 minutes for both candidates? Were there also staff working Sunday, May 29<sup>th</sup> at night updating at 8:30pm? If so, from what office? Why were the tallies different between the SOS website and Clackamas County website on Sunday, May 29<sup>th</sup> at night?
- For your allegation relating to ORS 254.482, please state which procedures were not followed. There were witnesses to people entering the elections office at Clackamas County prior to office hours. It was stated the county clerk's office was unaware of the people entering prior to office hours. Then procedures and protocols were not followed.

Thank you for the information regarding post-election audits. However, this does not provide for the audit process to a complaint. In reference to the information provided and the variances in the vote tallies, changing in the thousands for Metro District 2 race, **I therefore request a recount addressing an irregularities complaint.** According to **254.529 Choice of conducting hand recount of ballots or risk-limiting audit; procedures for hand recount. (1)** At each primary election, general election and special election, the county clerk shall make a determination on whether to conduct:

(a) A hand count of ballots as described in this section and compare the tally of votes for those ballots produced by a vote tally system with the tally of votes for those ballots produced by the hand count; or

(b) A risk-limiting audit in the manner described in ORS 254.532.

(3) If the county clerk determines that a hand count will be conducted, the county clerk shall conduct a hand count of ballots cast in the election contest between the two candidates receiving the largest number of votes in the county, an election contest for an office to be voted on in the state at large and, if possible, an election contest for a state measure.

Thank you for providing the directive for Clackamas County issued last week. It's great to see there will be additional recounts. However, this does not address my complaint for the Metro District 2 race and the irregularities. Also, majority of the recounts are for positions with only one candidate, whereas the outcome will be the same.

Exhibit 2

I look forward to your reply and addressing my complaints. Thank you. DOCKET/CASE NO. 3:22-CV-01714-SB

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Mei Wong  
Candidate, Metro Councilor District 2  
(503)781-1695

June 21, 2022

Bob Roberts  
Investigations & Legal Specialist  
Office of Secretary of State of Oregon  
Public Service Building, Suite 126  
255 Capitol St., NE  
Salem, OR 97310

RE: Violations of ORS 254.074, 254.482 & 254.532

Dear Bob Roberts,

Thank you for your reply to my email message on June 14, 2022 to the Elections Division of Oregon, and clarification of election law violations. I will contact Clackamas County as well.

It is great to hear there is an open investigation into ORS 254.482 based on an alleged failure to follow proper procedures pertaining to observers. Can you please add my name to the complaint and forward me a copy of the investigation?

Thank you for addressing violation 254.532 regarding risk limiting audit procedures and rules. It's great the Secretary has issued a directive on this subject pertaining to Clackamas County. However, this does not provide for the audit process to my complaint. In reference to the information provided and the variances in the vote tallies, changing in the thousands for Metro District 2 race, I therefore request a hand recount of original ballots addressing my irregularities complaint. According to **254.529 Choice of conducting hand recount of ballots or risk-limiting audit; procedures for hand recount.** (1) At each primary election, general election and special election, the county clerk shall make a determination on whether to conduct:

(a) A hand count of ballots as described in this section and compare the tally of votes for those ballots produced by a vote tally system with the tally of votes for those ballots produced by the hand count; or

(b) A risk-limiting audit in the manner described in ORS 254.532.

(3) If the county clerk determines that a hand count will be conducted, the county clerk shall conduct a hand count of ballots cast in the election contest between the two candidates receiving the largest number of votes in the county, an election contest for an office to be voted on in the state at large and, if possible, an election contest for a state measure.



Also, I like some answers regarding the information from the snapshots. Were there staff working at 4:30am on Sunday, May 29<sup>th</sup> in the morning updating? If so, from what office? Why was there a sudden drop in thousands of votes within 8 minutes for both candidates? Were there also staff working Sunday, May 29<sup>th</sup> at night updating at 8:30pm? If so, from what office? Why were the tallies different between the SOS website and Clackamas County website on Sunday, May 29<sup>th</sup> at night? Where are the vote tallies originating from on SOS Oregon website?

I look forward to your reply. Thank you for your help.

Best Regards,

A handwritten signature in black ink, appearing to read 'Mei Wong', with a stylized flourish at the end.

Mei Wong  
Candidate Metro Councilor District 2  
(503)781-1695

From: Candidate Dana Hindman-Allen  
Clackamas County Commissioner position 5  
503-413-0527  
Date: 06-20-2022

To: Shemia Fagan

Secretary of State Elections Division  
Public Service Building suite 126  
255 Capital Street NE  
Salem, Oregon 97310

**RE: Complaints, Security, Irregularities and Risk-Limiting Audit**

Dear Shamia Fagan,

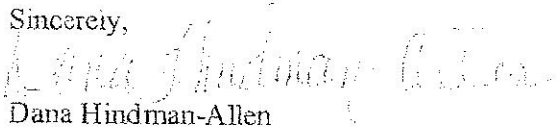
This correspondence is a formal complaint regarding the Primary Elections on May 17<sup>th</sup>, 2022 for Clackamas County Commissioner race position 5 for multiple reasons cited below. The elections were very turbulent and concerning, with the handling of the elections and all the multiple problems that happened it created a lack of confidence in the overall security of the election. The catalyst for my complaint is the most recent information that has come to light regarding the Metro position 2 race with actual screen shots showed to me of the numbers fluctuating erratically with votes being added and subtracted multiple times between candidates in the Metro 2 race. To restore voter confidence in the Oregon election process **I am requesting that a full hand recount of original (not the duplicated) ballots be conducted in all of Clackamas County.** I believe that due to these irregularities and odd occurrences many races could have potentially been affected differently. We must have secure and honest elections in this State to encourage voter confidence, outreach and participation and inclusivity of all of our communities. If it is found that the elections are not secure, we must get to the bottom of it and correct the problems.

1. **254.074 County elections security plan; submission of ballot information to Secretary of State. (D)** Security procedures for processing ballots. (Misprinting of 60% of ballots, observers in elections office prior to office hours, manually inputting incorrect results on the Secretary of State's website.)
2. **254.482 Persons authorized to watch receiving and counting of votes**  
(Procedures were not followed for persons authorized to watch receiving and counting of the votes.) There were witnesses to people entering the elections office at Clackamas County prior to office hours. It was stated the county clerk's office was unaware of the people entering prior to office hours. Then procedures and protocols were not followed.

3. **254.532 Risk-limiting audit; procedures; rules.** (1) As used in this section: (3) If the county clerk makes a determination under subsection (2) of this section to conduct a risk-limiting audit, the county clerk shall conduct a risk-limiting audit for one or more single-county election contests. For an election contest involving more than one county, the county clerk may request that the Secretary of State or the county clerks in the other counties holding the election coordinate for the purpose of conducting a multicounty risk-limiting audit. (e) Include mechanisms that permit the entity conducting the audit to respond to particular allegations regarding election irregularities. (f) Be conducted in a timely manner that permits the initially reported outcome to be corrected before an election contest is certified.

The most disturbing catalyst for my complaint is: Attached are snapshots of the Metro Councilor District 2 on May 29<sup>th</sup>, 2022 from the Secretary of State website under County elections tab. The first snapshot has a timestamp of May 29<sup>th</sup>, at 4:36am. The second snapshot has a timestamp of May 29<sup>th</sup>, 4:44 am. The votes were significantly lower than the first snapshot. The third snapshot has a timestamp of May 29<sup>th</sup> at 8:36 pm. It is an entirely different number than the first and second snapshots, but still lower than the first. The fourth snapshot has a timestamp of May 29<sup>th</sup> at 8:32 pm. It was from the Clackamas County website. Also, entirely different than the other three snapshots. This should be enough evidence to put into motion a risk-limiting audit with a full hand count of the original (not duplicated) ballots. As you can clearly see if multiple procedures are compromised many races could potentially have flaws stand in question.

Sincerely,



Dana Hindman-Allen

Candidate for Clackamas County Commissioner

42290 SE Erickson Rd

Sandy, Or 97055

503-413-0527

CC: elections@clackamas.us

06/24/2022

Dear Bob,

I appreciate your swift reply to my election security concerns, but as I read through your responses regarding **ORS 254.074, ORS 254.482, ORS 254.532** I am having a difficult time understanding how the attached screenshots of irregularities that I signed for your records regarding the May 29<sup>th</sup>, 2022 period of time during the primary elections do not rise to the level of election law violation. Therefore, triggering you to open a complaint with the State of Oregon, warranting a full investigation and complete hand recount of the original **(not duplicated ballots)** in Clackamas County. I am truly hoping that you will reconsider your first position you took with my letter for the sake of honest and secure elections in Oregon honoring all the constituencies.

Sincerely,

Dana Hindman-Allen

Candidate for Clackamas County Commissioner

[Danafororegon@yahoo.com](mailto:Danafororegon@yahoo.com)

503-413-0527

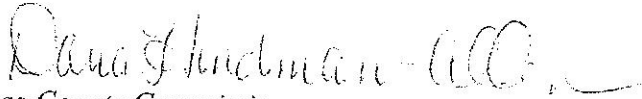


Exhibit 5

DOCKET/CASE NO. 3:22-CV-01714-SB



AFFIDAVIT IN VERIFICATION AND SWORN DECLARATION

I, **Mei: Wong**, DO HEREBY STATE ALL HEREIN AS TRUTH SWORN UNDER PENALTY OF PERJURY UNDER THE OREGON STATE LAWS, THE LAWS OF THE UNITED STATES AND RECORD/CLAIMS ACCURACY LAWS [SEE ALSO 28 USC 1746].

1. I AM OVER AGE 18.
2. ALL SET FORTH HEREIN AND ABOVE AND ANNEXED ARE TRUTH AND TO THE EXTENT ANYTHING IS ON INFORMATION AND BELIEF IT IS BELIEVED TO BE TRUTH.
3. IF CALLED TO REPEAT ANY OF IT I WOULD.
4. I AM A FIRST-HAND WITNESS AND VICTIM OF ALL EXPLAINED.
5. THE foregoing averments ARE TRUE AND CORRECT COPIES FROM MY PERSONAL RECORDS.
6. I HAVE NEVER SEEN ANY PROOF OR EVIDENCE THAT AFFIDAVITS ARE NOT PRIMA FACIE PROOF OF THE TRUTH AND ACCEPTED AS SUCH IN THESE COURTS.

Dated this 11<sup>th</sup> day of the Month of April in the Year of Our Lord Two-Thousand and Twenty-Three (2023)

Autographed by: /s/  [L.S./SEAL]

**Mei: Wong** <sup>®</sup>/Beneficiary  
in propria persona, sui juris and  
without recourse, without prejudice  
non-territorial to the United States as used in 28 USC 1746(1);  
All Rights Retained  
UCC-1-103, 1-308, 9-311. et al.

AFFIDAVIT IN VERIFICATION AND SWORN DECLARATION

I, **Dana: Hindman-Allen**, DO HEREBY STATE ALL HEREIN AS TRUTH SWORN UNDER PENALTY OF PERJURY UNDER THE OREGON STATE LAWS, THE LAWS OF THE UNITED STATES AND RECORD/CLAIMS ACCURACY LAWS [SEE ALSO 28 USC 1746].

1. I AM OVER AGE 18.
2. ALL SET FORTH HEREIN AND ABOVE AND ANNEXED ARE TRUTH AND TO THE EXTENT ANYTHING IS ON INFORMATION AND BELIEF IT IS BELIEVED TO BE TRUTH.
3. IF CALLED TO REPEAT ANY OF IT I WOULD.
4. I AM A FIRST-HAND WITNESS AND VICTIM OF ALL EXPLAINED.
5. THE foregoing averments ARE TRUE AND CORRECT COPIES FROM MY PERSONAL RECORDS.
6. I HAVE NEVER SEEN ANY PROOF OR EVIDENCE THAT AFFIDAVITS ARE NOT PRIMA FACIE PROOF OF THE TRUTH AND ACCEPTED AS SUCH IN THESE COURTS.

Dated this 11th day of the Month of April in the Year of Our Lord Two-Thousand and Twenty-Three (2023)

Autographed by: /s/  [L.S./SEAL]

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**CERTIFICATE/PROOF OF SERVICE**

I do hereby swear that a true and correct copy of the above and attachments are forwarded to the court via USPS fcm postage prepaid (OR Next day Delivery/Fed Ex) and the parties in and of interest listed in the case (state) including the agency business owner/head personally by forwarding to the business addresses thereof and as stated in the case or by hand delivery provided it to the same. All prepaid.

Sworn under penalty of perjury under the laws of the state of OREGON AND 28 USC 1746.

A copy of the foregoing was sent to the Court via online portal and/or U.S. Certified Mail as addressed to:

U.S. DISTRICT COURT – PORTLAND DIVISION  
1000 SW 3<sup>RD</sup> AVE. #740  
PORTLAND, OR 97204

Copies of the foregoing were provided by Certified U.S. Mail to:


BRIAN SIMMONDS MARSHALL (ATTORNEY ID# 196129)  
SENIOR ASSISTANT ATTORNEY GENERAL OREGON DEPARTMENT OF JUSTICE  
100 SW MARKET STREET PORTLAND, OR 97201  
CERTIFIED MAIL: \_\_\_\_\_

BIJAL C. PATEL (ATTORNEY ID#224694)  
ASSISTANT ATTORNEY GENERAL OREGON DEPARTMENT OF JUSTICE  
100 SW MARKET STREET PORTLAND, OR 97201  
CERTIFIED MAIL: \_\_\_\_\_

STEPHEN L. MADKOUR (ATTORNEY ID#941091)  
CLACKAMAS COUNTY COUNSEL OFFICE OF CLACKAMAS COUNTY COUNSEL  
2051 KAEN ROAD OREGON CITY, OR 97045-1819  
CERTIFIED MAIL: \_\_\_\_\_

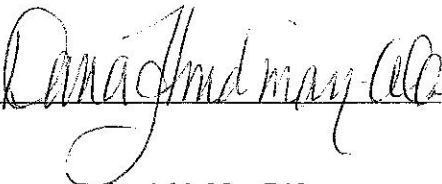
SARAH FOREMAN (ATTORNEY ID#042859)  
ASSISTANT COUNTY COUNSEL OFFICE OF CLACKAMAS COUNTY COUNSEL  
2051 KAEN ROAD OREGON CITY, OR 97045-1819  
CERTIFIED MAIL: \_\_\_\_\_

this 11<sup>th</sup> day of the Month of April in the Year of Our Lord Two-Thousand and Twenty-Three (2023).

Autographed by: /s/  [L.S./SEAL]

**Mei Wong**  
c/o 13203 SE 172<sup>nd</sup> Avenue, Suite 166, No. 749  
(City of) Happy Valley,  
The State of Oregon  
Zip Code Excepted [97086]

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