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JUN 28 2022

**U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS**

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI**

ALISON (ALI) GRAEFF,

519 N. 6TH Street

St. Charles, MO 63301

individually and as a

Candidate for Missouri State

Representative

Plaintiff, *pro se*,

v.

**UNITED STATES ELECTION ASSISTANCE
COMMISSION,**

633 3rd Street NW, Suite 200

Washington, DC 20001

THOMAS HICKS, Commission Chairman

all in his individual capacity

and in his official

capacity as sole Federal

Election Authority; and

CHRISTY McCORMICK, Vice Chairwoman

all in her individual capacity and

in her capacities as members

of the Election Assistance Commission

BENJAMIN W. HOVLAND, Commissioner

all in his individual capacities and

in their capacities as members

of the Election Assistance Commission

CIVIL ACTION

4:22-cv-00682 SEP

DONALD L. PALMER, Commissioner

all in his individual capacities and

in their capacities as members

of the Election Assistance Commission

MISSOURI SECRETARY OF STATE

JOHN J. ASHCROFT

**600 West Main Street
Jefferson City, Missouri
65101**

in his individual capacity

and in his official

capacity as Chief Elections Official

Defendant(s),

REQUEST FOR ~~PRELIMINARY INJUNCTION~~

Temporary Restraining Order
TRO

The specific federal statutes, federal treaties, and/or provisions of the United States Constitution, including but not limited to, the issues in this case;

The Secretary of State, Chief Election Official, failed to protect my right to vote in a fair and equal election in the November 3, 2020, General election and subsequent elections under 15 CSR 30-10.010, by allowing electronic machine voting systems to be used throughout the state, which did not legally meet, obtain, or maintain Federal laboratory accreditation as codified into Missouri law RSMo 115.225 (2019), and MO 15 CSR 30-10.020 (2020), as a requirement of participation under the Help America Vote Act 2002, (HAVA 2002) 42 USC §§ 15301 - 15545, Title II, Part 3, Subtitle B, § 231(a)(1), (2) and (b) (1) (2) (A) and U.S. Constitution Art. I. § 4.C1.1.1.1.2, Role of Congress in Regulating Federal Elections and Missouri Constitution Article 1, § 25. These events gave rise in the state of Missouri November 3, 2020, and any subsequent election held within the state of Missouri.

I am disenfranchised as a Missouri voter and Candidate seeking election on the upcoming ballot for the August 2, 2022, Primaries. Any winner of an unlawful election will not be dually elected, as we are operating under a fraudulent government.

Facts of the underlying Complaint

The Secretary of State (SOS), also known as Chief Election Officer, failed to protect my right to vote in a fair and equal election during the November 3, 2020, General election and any subsequent election held within the state of Missouri. The State allowed electronic machine voting systems to be used throughout the state of Missouri which were improperly certified and, which did not legally meet, obtain, or maintain Federal laboratory accreditation compliance as mandated in the Help America Vote Act 2002, (HAVA 2002) 42 USC 15301 - 15545, Title II, Part 3, Subtitle B, Sec. 231 (a) (1), (2) and (b) (1) (2) (A) and, the policy guidelines of the Election Assistance Commission (EAC) Voting System Test Laboratory Accreditation Program Manual version 2.0, (OMB 3265-0018), causing harm to all Missouri registered Voters by rendering all votes cast by Missouri registered Voters Null and Void. Therefore, no legal Certification of Election Results can be put forth by state election officials. The Secretary of State and the EAC failed and continues to fail to perform their mandated duty and responsibility as stated under the Help America Vote Act (HAVA ACT) 42 USC 15301 – 15545, and RSMo 115.225 to properly accredit any Voting System Test Laboratories.

The Missouri Secretary of State sent a letter dated December 2017 regarding the Qualifications of the Unisyn OpenElect 2.0 Voting Systems attesting, “having reviewed the observations of the Missouri Automated Voting Equipment Qualification Committee, the Application for Qualification, and the manufacturer’s compliance with 15 C.S.R. 30-10.020, have determined that Unisyn OpenElect 2.0 Voting System, as certified by the U.S. Election Assistance Commission, meets state criteria under section § 115.225, RSMo, and have this date granted approval of the sale and use in Missouri of Unisyn Voting Solutions’ Open elect 2.0, as certified by the U.S. Election Assistance Commission.” Pro V&V was the laboratory that administered the testing for certification of the Unisyn OpenElect 2.0 voting system, however their accreditation expired February 2017. Pro V&V’s lab had no authority to be testing any critical infrastructure. There was extreme lack of due diligence on our Chief Election Director prior to affixing the Seal of his office and executing a Statement of Qualification claiming this equipment meets state requirements under § 115.225.

By way of obfuscation under the color of law the EAC and MO Secretary of State has failed to follow contractual law based upon its own policy guidelines in issuing Laboratory Accreditation certificates with fraudulent signature and expiration dates. The sole signatory for Laboratory Accreditation is to be the EAC Chairperson not the Executive Director or Program Director.

As Chief Election Director, it is the Secretary of State that is required to ensure the proper testing and certification has occurred prior to approving equipment. Sixty-Six (66) MO counties used Unisyn OpenElect software 1.3 in the 2020 election. This software was updated and tested on 01/2015 by NTS Huntsville. NTS never received EAC accreditation, therefore, no authority to test our voting machines. See NTS Test Report No. PR030407-02¹.

Unisyn OpenElect 2.1 software update was used by Five (5) counties in MO for the 2020 election. This update was tested 10/2017 by the unaccredited Pro V&V laboratory. Pro V&V has been unaccredited since Feb 2017² with no EAC accreditation certification. Pro V&V had no valid EAC accreditation, therefore, no authority to test our voting machines.

Four (4) MO Counties used ES&S EVS 5.2.2.0 in the 2020 election. This software was tested by NTS Huntsville 02/2017. NTS never received EAC accreditation, therefore, no authority to test our voting machines.

Four (4) MO counties used ES&S EVS 6.0.2.0 in the 2020 election. This software was tested by SLI Compliance in 09/2018. The last valid EAC accreditation expired 2/2009. SLI Compliance had no EAC valid accreditation, therefore, no authority to test our voting machines.

Any vote tabulated through electronic voting machines is rendered illegal and invalid. In light of the evidence put forth as presented in the Complaint, I am disenfranchised as a Missouri voter and Candidate seeking election on the upcoming ballot for Primaries on August 2, 2022. Any winner of an unlawful election will not be dually elected, as we are operating under fraudulent government.

Monetary damages would not adequately compensate the people for the injuries sustained, are sustaining, or will sustain as a result of the events described above and compensation cannot be measured.

¹<https://www.eac.gov/voting-equipment/openelect-v13-modification>

² <https://www.eac.gov/voting-equipment/openelect-20>

Art I. § 4.C1.1.1.1.2, Role of Congress in Regulating Federal Elections As noted, although § 2, cl.1, of this Article vests in the states the responsibility, now limited, to establish voter qualifications for congressional elections, the Court has held that the right to vote for Members of Congress is derived from the Federal Constitution, and that Congress therefore may legislate under this section of the Article to protect the integrity of this right. Congress may protect the right of suffrage against both official and private abridgment. Where a primary election is an integral part of the procedure of choice, the right to vote in that primary election is subject to Congressional protection. The right embraces, of course, the opportunity to cast a ballot and to have it counted honestly. What amount of monetary damages can adequately compensate a stolen or nullified vote?

Relief the plaintiff asks the court to order.

Relief sought is de-certification of the November 3, 2020, General election and, removal of all electronic voting machines and poll pad equipment for all elections held subsequent which have not been certified by a Federally Accredited Laboratory under the authority of HAVA and the EAC and, recall of all appointments and appointed officials arising from the November 2020, general election and any subsequent elections held in the state of Missouri for future elections. The EAC failed and continues to fail to perform Its mandated responsibility and duty thru the Help America Vote Act (HAVA ACT) 42 USC 15301 - 15545 by properly accrediting the Voting System Test Laboratories by way of obfuscation under the color of law. The EAC has failed to follow contractual law in the fact EAC has issued Laboratory Accreditation certificates with fraudulent signature. The sole signature is to be the EAC Chairperson not the Executive Director or Program Director.

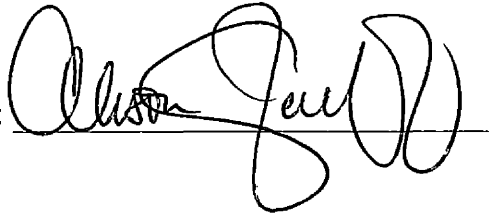
Plaintiff requests the Court to hear this Complaint and request for reliminary Injunction by Tuesday July 5th, 2022, or sooner.

Verification

I hereby declare, certify, and state, pursuant to the penalties of perjury under the laws of the United States of America, and by the provisions of 28 USC § 1746 that all the above and foregoing representations are true and correct to the best of my knowledge, information, and belief.

Executed in St Charles County, Missouri on this 28th day of January in the year of Our Lord Two Thousand and Twenty-Two.

Autograph of Affiant:

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

Notary as JURAT CERTIFICATE:

Missouri State
St. Charles County

On this 28th day of June, 2022, before me,

Theresa Judd ~~Alison Graeff~~, a Notary Public, personally appeared Alison M. Graeff Name of Affiant, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacity, and that by their autograph(s) on the instrument the person executed, the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of the State of Missouri and that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature of Notary / Jurat

Theresa Judd

