



(Set forth in detail the facts that establish probable cause to believe that a violation has occurred. Be as specific as possible as it relates to dates, times, and individuals involved. Also provide the names of individuals who may have information related to the complaint. Use as many separate pages as needed and attach copies of any supporting documentation.)

Date: February 15, 2021

Paul Farrell Sickel  
Signed on 2021.02/15 15:25:40 -8:00  
Complainant's Signature

I, Paul Sickel, being first duly sworn, on oath, state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

Paul Farrell Sickel  
Signed on 2021.02/15 15:25:40 -8:00  
Complainant's Signature

STATE OF WISCONSIN

County of Dane,  
(county of notarization)

Sworn to before me this 15th day of  
February, 20 21.



Alex M. Becker  
Signed on 2021.02/15 15:25:40 -8:00  
(Signature of person authorized to administer oaths)

My commission expires July 24, 2024, or is permanent.

Notary Public or \_\_\_\_\_  
(official title if not notary)

\*This notarial act involved the use of communication technology.

**Please send this completed form to:**

Mail: Wisconsin Elections Commission  
P.O. Box 7984  
Madison, WI 53707-7984  
Fax: (608) 267-0500  
Email: [elections@wi.gov](mailto:elections@wi.gov)

## Sworn Complaint against fraudulent electors under Wis. Stat. § 5.05

1. I am a resident of the State of Wisconsin and a duly qualified voter thereof.
2. I write to support my complaint, which addresses apparent violations of Wis. Stat. § 7.75, outlining the procedures for the meeting of Wisconsin's Presidential Electors, and Wis. Stat. § 5.10, providing that all votes cast for candidates for President and Vice President as named on the general election ballot are in practice votes for the slate of Presidential Electors pledged to support those candidates.
3. Wis. Stat. § 5.10 specifies that Wisconsin's Presidential Electors are chosen by the statewide vote for the offices of President and Vice President:

**Presidential electors.** Although the names of the electors do not appear on the ballot and no reference is made to them, a vote for the president and vice president named on the ballot is a vote for the electors of the candidates for whom an elector's vote is cast. Under chs. 5 to 12, all references to the presidential election, the casting of votes and the canvassing of votes for president, or for president and vice president, mean votes for them through their pledged presidential electors.

4. Wis. Stat. § 7.75 sets forth the requirements for the meeting of those lawfully appointed Presidential Electors to participate in the Electoral College:

### **Presidential electors meeting.**

- (1) The electors for president and vice president shall meet at the state capitol following the presidential election at 12:00 noon the first Monday after the 2nd Wednesday in December. If there is a vacancy in the office of an elector due to death, refusal to act, failure to attend or other cause, the electors present shall immediately proceed to fill by ballot, by a plurality of votes, the electoral college vacancy. When all electors are present, or the vacancies filled, they shall perform their required duties under the constitution and laws of the United States.
  - (2) The presidential electors, when convened, shall vote by ballot for that person for president and that person for vice president who are, respectively, the candidates of the political party which nominated them under s. 8.18...
5. On October 6, 2020, the political parties that qualified for ballot access in Wisconsin for the November 2020 election named the individuals who would serve as Presidential Electors in the event that their candidates won Wisconsin's statewide popular vote for the offices of President and Vice President of the United States. (Copies of the lists of

designees to serve as Presidential Electors for the Constitution Party, the Democratic Party, and the Republican Party are attached here as Exhibits A - C.)

6. Joseph R. Biden, Jr., and Kamala Harris won Wisconsin's statewide election in November 2020 for the offices of President and Vice President of the United States, respectively.
7. A partial recount, timely requested by a losing candidate's campaign, confirmed this result.
8. As provided in Wis. Stat. § 7.70(3), on November 30, 2020, the Chairperson of the Wisconsin Elections Commission certified the results of Wisconsin's November 2020 election for President and Vice President of the United States. (A copy of the certified state canvass is attached here as Exhibit D.)
9. As provided in Wis. Stat. § 7.70(5)(b), on November 30, 2020, the Governor of the State of Wisconsin signed a Certificate of Ascertainment, recognizing the Biden-Harris electors as the state's Presidential Electors in accordance with state law. (A copy of Wisconsin's 2020 Certificate of Ascertainment is attached here as Exhibit E.)
10. The Governor then caused the Certificate of Ascertainment to be transmitted to the Archivist of the United States, whose office posted a copy of Wisconsin's Certificate, along with those of other states, on the National Archives' publicly available website. Wisconsin's Certificate of Ascertainment was posted on the National Archives' website on December 2, 2020.
11. As documented by the Certificate of Ascertainment, Wisconsin's 2020 Presidential Electors were: Meg Andrietsch, Shelia Stubbs, Ronald Martin, Mandela Barnes, Khary Penebaker, Mary Arnold, Patty Schachtner, Shannon Holsey, Tony Evers, and Benjamin Wikler.
12. As prescribed by statute, at noon on Monday, December 14, 2020, the ten Presidential Electors named in the Certificate of Ascertainment convened in the Wisconsin Capitol Building. They did so under the authority, and the obligation, conferred by Wis. Stat. § 7.75(1) and 3 U.S.C. § 7.
13. In an open meeting broadcast live by Wisconsin Eye (the recording of which is now available on the Wisconsin Eye website), the Presidential Electors conducted the business prescribed by state and federal law: they called the roll to ensure all were present, elected a chairperson and a secretary, cast and counted the necessary ballots, signed the necessary papers, and sent valid, official documents reflecting the lawful disposition of Wisconsin's ten electoral votes to the President of the United States Senate, the Wisconsin Secretary of State, the Archivist of the United States, and the Chief Judge of the United States District Court for the Western District of Wisconsin. These documents included official copies of the Certificate of Votes, which reflected

Wisconsin's ten electoral votes cast for Biden and Harris. (A copy of Wisconsin's 2020 Certificate of Votes is attached here as Exhibit F.)

14. By these actions, the duly ascertained Presidential Electors vindicated the requirements of Wisconsin law, carried out the wishes of Wisconsin's electorate, and advanced American democracy through the lawful, peaceful transition of power that is the hallmark of our country.
15. At the same time that the duly appointed Presidential Electors were convening, a separate group of individuals gathered elsewhere in the Wisconsin State Capitol. These individuals meeting attendees included: Andrew Hitt, of Appleton, Wisconsin; Robert F. Spindell, Jr., of Milwaukee, Wisconsin; Bill Feehan, of La Crosse, Wisconsin; Carol Brunner, of Franklin, Wisconsin; Edward Scott Grabins, of Verona, Wisconsin; Darryl Carlson, of Sheboygan, Wisconsin; Pam Travis, of Neillsville, Wisconsin; Kelly Ruh, of De Pere, Wisconsin; and Mary Buestrin, of Mequon, Wisconsin.
16. None of the attendees named in the immediately prior paragraph were among Wisconsin's 2020 Presidential Electors. (See Exh. E.) All but one of the attendees named in the immediately prior paragraph had been designated to serve as Presidential Electors in support of the Republican Party candidates for the offices of President and Vice President of the United States. (See Exh. C.)
17. Because the Republican candidates for the offices of President and Vice President of the United States did not win Wisconsin's statewide November 2020 election, the Republican Party's designees were not elected as Wisconsin's Presidential Electors. Accordingly, they had no legal duty to meet on December 14, 2020.
18. Notwithstanding the results of Wisconsin's November 2020 election for President and Vice President of the United States, the individuals named in paragraph 15 above, met without any legal mandate whatsoever and proceeded to undertake the duties Wisconsin and federal law assign to the state's Presidential Electors. (For this reason, the remainder of this Complaint uses the term "fraudulent electors" to refer to these individuals.)
19. The fraudulent electors did not provide public notice of their meeting, which was not live streamed on Wisconsin Eye and of which no recording appears to have been publicly released.
20. At their meeting, the fraudulent electors executed documents that they would later hold out as official documents casting Wisconsin's ten electoral votes for candidates who lost Wisconsin's statewide November 2020 election and therefore had no legal entitlement to those electoral votes. (Copies of those documents, obtained from the Secretary of State's office through the Wisconsin Open Records Law, are attached to this letter as Exhibit G.)

21. First, the fraudulent electors purported to have the power to “fill a vacancy” in the Electoral College. To accomplish this goal, they added at tenth member, who had not been designated by the Republican Party in advance of the November 2020 election, to their conspiratorial ranks, electing an additional fraudulent elector. (Exh. G at 2.) The newly-elected, tenth fraudulent elector was Kathy Kiernan, of Richfield, Wisconsin, who then participated in the fraudulent electors’ subsequent acts.<sup>1</sup>
22. The fraudulent electors then proceeded with their business, as reflected in the documents they produced. In these documents, the fraudulent electors:
- a) falsely claimed to be “the duly elected and qualified Electors for President and Vice President of the United States of America from the State of Wisconsin”;
  - b) declared that they had met “to perform the duties enjoined upon us,” even though the only obligation they had under the Wisconsin Statutes was to *refrain from meeting*, given that the candidates to whom they were pledged had not won Wisconsin’s election; and
  - c) each signed their names to “certify” that Wisconsin’s ten electoral votes were cast for Donald J. Trump and Michael R. Pence, though they knew that was not true and that their documents were fraudulent.

(Exh. G at 3-4.)

23. According to the documents, the fraudulent electors then conveyed these documents, with knowledge that the documents were not legally valid, to several federal and state officials as an ostensible record of “Wisconsin’s Electoral Votes for President and Vice President.” The officials to whom the fraudulent electors sent these documents included the President of the United States Senate, the Wisconsin Secretary of State, the Archivist of the United States, and the Chief Judge of the United States District Court for the Western District of Wisconsin. (Exh. G at 1.)
24. The only reasonable inference that can be drawn from these documents is that the fraudulent electors created and delivered these documents for the purpose, and with the intent, that they be received as valid documentation for the purpose of inducing the United States Congress to credit the wrong candidates with having earned Wisconsin’s ten electoral votes.
25. It therefore appears that the fraudulent electors met in a concerted effort to ensure that they would be mistaken, as a result of their deliberate forgery and fraud, for

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<sup>1</sup> The documents prepared by the fraudulent electors spell her last name as Kiernen; this appears to be a typographical error.

Wisconsin's legitimate Presidential Electors, chosen by the mechanism prescribed under the United States Constitution, federal law, and the Wisconsin Statutes.

26. The fraudulent electors' actions thereby sought to undermine the November 2020 presidential election and to achieve through fraud a result that their preferred candidates had been unable to secure through campaigning as part of a fair, free election or by advancing a bevy of meritless post-election lawsuits challenging the results of Wisconsin's November 2020 election for President and Vice President of the United States.
27. The names and signatures of the fraudulent electors appear on page 4 of Exhibit G.
28. Further documentation of the actions of the fraudulent electors is available online. At least one fraudulent elector, Bill Feehan, posted photos and a description of the convening on social media. (A printout of Bill Feehan's 12/15/20 Facebook post is attached to this letter as Exhibit H.)
29. Andrew Hitt, another one of the fraudulent electors, is quoted in a press release as acknowledging after the fact that the sham meeting occurred at the State Capitol. (A copy of the press release is attached to this letter as Exhibit I.)
30. The Wisconsin Elections Commission has responsibility to administer all provisions in Chapters 5 to 10 and 12 of the Wisconsin Statutes. Wis. Stat. § 5.05(1), (2w).
31. The Wisconsin Elections Commission "shall investigate violations of laws administered by the commission." Wis. Stat. § 5.05(2m)(a). Such an investigation is initiated "based on a sworn complaint filed with the commission." *Id.*
32. By this sworn Complaint, I hereby request that the Wisconsin Elections Commission investigate the apparent violations of Wis. Stats. §§ 5.10 and 7.75 outlined above.
33. Pursuant to Wis. Stat. § 5.05(2m)(c)2.a., by this sworn Complaint I hereby request that the Wisconsin Elections Commission notify each of the fraudulent electors whom this Complaint alleges committed violations of Wisconsin law and, after giving them an opportunity to respond, initiate an investigation pursuant to Wis. Stat. § 5.05(2m)(c)4. of the apparent violations of Wis. Stats. §§ 5.10 and 7.75 outlined above.
34. I further request that, after such an investigation, the Wisconsin Elections Commission, pursuant to Wis. Stat. § 5.05(2m)(c)9., make preliminary findings of fact and conclusions of law and, pursuant to Wis. Stat. § 5.05(2m)(c), undertake any and all appropriate actions against any or all of the ten fraudulent electors named above, including but not limited to publicly declaring that their actions, as outlined in this Complaint, were contrary to law.

35. For purposes of completeness and transparency, I hereby disclose to the Wisconsin Elections Commission that I have, through counsel, written to the District Attorney for Milwaukee County and requested that he investigate apparent criminal violations arising out of these actions, including but not limited to what the Wisconsin Statutes denominate “crimes affecting the administration of government,” forgery, and conspiracy to commit criminal acts.
36. The possibility of criminal investigation and/or prosecution is distinct from the civil actions I request the Wisconsin Elections Commission to undertake, and there is therefore no reason this Commission cannot and should not proceed with consideration of this Complaint in parallel with any criminal investigation and/or prosecution.
37. I request that any communication with me in regard to this matter be directed to my counsel, Law Forward, at:

LAW FORWARD  
P.O. Box 326  
Madison, WI 53703  
(608) 535-9808  
[mbarnes@lawforward.org](mailto:mbarnes@lawforward.org)  
[jmandell@lawforward.org](mailto:jmandell@lawforward.org)