



NORTH CAROLINA STATE BOARD OF ELECTIONS

**COMPLAINT AGAINST
COUNTY BOARD OF
ELECTIONS MEMBER**

P.O. Box 27255
Raleigh, NC
27611-7255
Mailing Address

legal
@ncsbe.gov
E-mail

(919) 814-0700 or
(866) 522-4723
Phone

NC STATE BOARD OF ELECTIONS
(919) 715-0135
Fax

*Submitting fraudulently or falsely
completed declarations is a Class 1
felony under Chapter 163 of the
General Statutes.*

Instructions (08 NCAC 03 .0101)

Any voter desiring to bring charges of a violation of the North Carolina Administrative Code or of Chapter 163 of the North Carolina General Statutes with the State Board of Elections against a member of any county board of elections may do so by filing with the Board a written statement, signed and sworn under oath or affirmation of the voter. The statement must contain:

- 1) the name, residence address, and county of the member against whom the charges are brought;
- 2) a statement of the facts constituting the violation alleged, with a reference to the date and place of such misconduct; and
- 3) the names and addresses of persons who have knowledge or information of the matters referred to in the charges as filed.

Visit <https://bit.ly/2Z89VtS> for all requirements.

1 Information About Person Filing Complaint

Bob Hall

Orange

Name

County

Address

NC

City

State

Zip Code

E-Mail Address

Telephone Number

2 Information about County Board Member Against Whom You are Filing a Complaint

Jerry Forestieri and Tim DeHaan

Surry

Name

County

Address

NC

City

State

Zip Code

Date the alleged violation occurred:

November 18, 2022

Place the alleged violation occurred:

Letter & action in connection with Nov. 2022 election canvass at Surry County Board of
Election in Dobson, NC 27017



3

Description of Violation

Provide a statement of the facts constituting the violation alleged.

Be as specific as you can, providing all relevant facts and circumstances of the potential violations.

You should also include a citation to the applicable rule, law, or duty you believe has been violated. 08 NCAC 03 .0102 states that the State Board shall set a hearing if the charges preferred include prima facie evidence of any of the following: "(1) a violation of these Rules or of any election law under Chapter 163 of the North Carolina General Statutes; (2) a breach of a duty imposed by Chapter 163; or (3) participation in irregularities, incapacity, or incompetency to discharge the duties of the office." **Attach additional pages if needed.**

Jerry Forestieri and Tim DeHaan presented a letter dated Nov. 18, 2022, to fellow Surry Co. Board of Elections members vilifying U.S. District Court Judge Loretta C. Biggs as "delusional" and "the worst election denier in our State and the USA." The two men describe Judge Biggs' rulings as "illegal" and "perverting our election practices." Even if one accepts their right to criticize a judge, the two Board members go well beyond that when they declare: "It can be said without exaggeration that Judge Bigg's rulings gave Federal protection to felonious voter fraud thus raising the possibility of election theft, while decreasing the likelihood of getting caught. Consequently, I don't view election law per NCSBE as legitimate or Constitutional." Jerry Forestieri and Tim DeHaan are both ~~saying~~ saying they do not accept the legitimacy of election law administered by the NC State Board of Elections or the legitimacy of the federal court's rulings - which are statements that directly conflict with their oath of office [NCGS 163-30(e)] and their responsibility to "execute the duties of the office . . . according to the law" The letter begins by saying the "elections in Surry County were conducted in full compliance with applicable laws per NCSBE" (with one possible exception involving an election worker); but it ends by attacking "our election practices" as untrustworthy and producing results that are not "credible." Forestieri didn't sign the canvass; both men disparage and oppose the administration of our election laws and should be removed from office.



NORTH CAROLINA STATE BOARD OF ELECTIONS

4 Names & Addresses of Persons who Have Knowledge Related to the Charges Filed

Provide the names and addresses, so far as you know, of persons who have knowledge or information of the matters referred to in the charges as filed.
Attach additional pages if necessary.

Michella Huff, Director, Surry Co. Board of Elections

Name #1

[Redacted Name]

Address

[Redacted Address]

NC

[Redacted Zip]

City

State

Zip Code

Carter, Poindexter and Comer, Surry Co. BOE members

Name #2

[Redacted Name]

Address

[Redacted Address]

NC

[Redacted Zip]

City

State

Zip Code

5 Attestation

I hereby swear or affirm, under penalty of perjury and other penalties established by North Carolina law, that the information provided in this complaint is true, correct, complete, and of my own personal knowledge, or if not, I believe the information to be true based upon the following:

Mr. Forestieri and Mr. DeHaan's letter, their rejection of the legitimacy of NCSBE's administration of election law, and their actions at the canvassing meeting.

X

[Handwritten Signature]

Nov. 28, 2022

Signature of Complainant

Date

6 Notarization

State of North Carolina, County of Orange

Sworn to (or affirmed) and subscribed before me,

This 28 day of November, 2022

Signature of Notary Public:

Brigitte M Slivinski

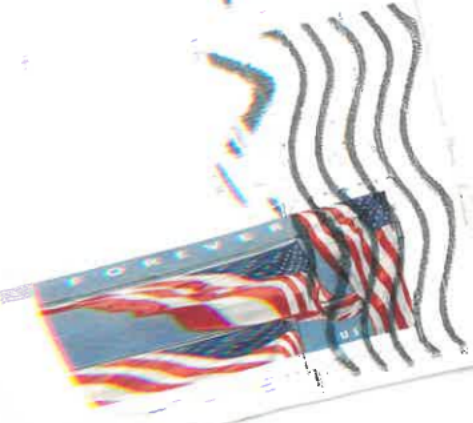
Printed Name of Notary Public:

[Handwritten Signature]

My Commission Expires April 7 2024



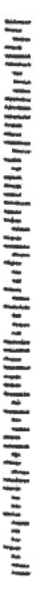
Notary Stamp or Seal



RALEIGH NC 275
Research Triangle Region
28 NOV 2022 PM 2

NC State Board of Elections
Paul Cox, Sen. Counsel
P.O. Box 27255
Raleigh, NC 27611-7255

27611-72555



11/18/2022

The Tuesday November 8, 2022 elections in Surry County were conducted in full compliance with applicable laws per NCSBE, except for alleged actions by one election worker on one day during those elections. The situation is currently under review by the Surry County Board of Elections. I have every confidence the alleged incident will be fully investigated according to law. However, because the resolution of the incident is uncertain at this time, I can't certify at this canvass lawful and accurate election results for that alleged incident. I am glad to certify, to the best of my knowledge, that all other election activities by county staff and voters have shown no irregularities according to law.

The legitimacy of all elections activities in North Carolina is based on the ability to prove accurate voter registration records, voter ID validated at time of voting, NC Constitutional Amendments and related laws. These necessities were missing in the recent 2022 elections, as they have been since 2018, with the rulings of U.S. District Judge Loretta C. Biggs. Thus, all elections conducted in all counties in NC have a very uncertain validity. Judge Biggs's rulings in 2018 were:

1. Our Constitutional Amendment is illegal and no voter ID verification is allowed at the polls other than statement of name and address by the voter at the registration table under NRVA.
2. Imposition of a Federal injunction against voter challenges of registrations for previously registered voters based on change of address.

These rulings have stripped the election process of the trustworthiness they were designed to protect. Since then, the general welfare of the citizens of North Carolina has been damaged by a growing lack of trust in our election process. Theories of election theft conspiracies have proliferated from these swollen voter registration rolls and the lack of photo ID verification for in-person voting. To make matters worse, an attack on our inalienable right of free speech enshrined by our first Amendment, which, as Madison pointed out to Hamilton, was there to protect against a time the population forgets their rights are God-given and inalienable and need to be reminded by the same Patriots who spilled blood to secure them from a tyrannical king. It can be said without exaggeration that Judge Biggs's rulings gave Federal protection to felonious voter fraud thus raising the possibility of election theft, while decreasing the likelihood of getting caught. Consequently, I don't view election law per NCSBE as legitimate or Constitutional. I view them as a grotesque and perverse sham of our real election laws as enacted by our General Assembly.

Keeping my oath of office to uphold the US and NC Constitutions, both of which are based on the expressed will of "We The People", free of perversion of those documents by Judge Biggs, which make the people subservient to one unelected judge in a black robe, and with regard for the sacred blood shed of both my Redeemer and His servants, past Patriots who made the ultimate sacrifice, to secure God granted inalienable rights defended by men of true character, I cannot, I must not call these election results credible and bow to the perversion of truth Judge Biggs foists upon us. Her opinions regulating elections conform to a generally held, though perverted, view of a legal election.

11/18/2022

An election is not a defendant in court. It has no presumption of credibility until proven otherwise. A constitutional amendment of a government of "We The People" by "We The People" cannot, no must not, be perverted by the tyranny of one delusional Judge. Applying the same logic to Judge Biggs as she applied to the State Legislature, her ruling is illegal and therefore she is the worst election denier in our State and the USA.

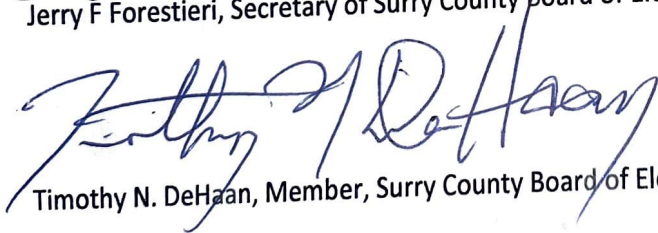
On the prohibition against removal of voters via voter challenge, her decision as best I understand, it prohibited the activity because voters used unofficial data to find the challenged voters and some local BOEs did not properly apply official data to verify the challenges. Therefore nobody can use official data for any voter challenge. This is the height of hypocrisy and election perversion! It is the job of an election process to prove its credibility. The case is still under appeal now more than four years after her initial ruling. This has demonstrated the Proverb that says "A longing delayed makes the heart grow sick." She has sown discord among our citizens and is the root cause for much of the needless division among our fellow citizens and should be impeached and investigated for any broken applicable laws as a warning against such destructive activities.

Because of Judge Biggs's rulings perverting our election practices, this most recent election has again failed to show it did not produce false results based on bloated voter registrations and ghost voters pretending to be real citizens of the counties of this great State.

I respectfully decline to certify these election results as credible.



Jerry F Forestieri, Secretary of Surry County Board of Elections



Timothy N. DeHaan, Member, Surry County Board of Elections