

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Robert E. Thomas, III 150 South Highway 160, #310 <u>Paradise, Nevada 89048</u> TELEPHONE NO. (530) 828-1234 FAX NO. (Optional): (None) ATTORNEY FOR (Name): Plaintiffs		FOR COURT USE ONLY Electronically Filed 12/29/2020 10:31 AM SUPERIOR COURT OF CALIFORNIA COUNTY OF SUTTER CLERK OF THE COURT By: Shara Hunter, Deputy	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 1175 Civic Center Blvd. MAILING ADDRESS: CITY AND ZIP CODE: Yuba City, CA 95993 BRANCH NAME:			
CASE NAME: New California State & Paul Preston v. Gavin Newsom & Alex Padilla, et al.			
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	
		CASE NUMBER: CVCS20-2218	
		JUDGE: DEPT.:	

Items 1-6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PIPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3,740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input checked="" type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
---	---	---

2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☐ punitive

4. Number of causes of action (specify): Three (3)

5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case: (You may use form CM-015.)

Date: December 28, 2020

Robert E. Thomas, III

(TYPE OR PRINT NAME)

NOTICE

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3,740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

1 Those required statutory ballot statements are, “(Elections Code) §13205 (b). In elections
2 when electors of President and Vice President of the United States are to be chosen, there shall be
3 placed upon the ballot, in addition to the instructions to voters as provided in this chapter, an
4 instruction as follows:

5 “To vote for all of the electors of a party, mark the voting target next to the names of
6 the presidential and vice presidential candidates of that party. A mark of the voting
7 target next to the name of a party and its presidential and vice presidential candidate,
8 is a vote for all of the electors of that party, but for no other candidates.”

9 IV.

10 In California in the November, 2020 election, the above-mandated language did not appear
11 in ballots distributed in fifty-three (53) of California’s 58 counties.¹

12 V.

13 In the remaining five (5) California Counties², the mandatory language of Election Code
14 §13205(b), apparently did appear on the face of the purported ballot, but the following mandatory
15 language of Election Code §13205(c) was required, but did not appear:

16 “(c) If a group of candidates for electors has been nominated under Chapter 3 (commencing
17 with Section 8400) of Division 8, and has under Chapter 1 (commencing at Section 8300) of
18 Division 8 designated the names of the candidates for President and Vice President of the United
19 States for whom those candidates have pledged themselves to vote, the instructions to voters shall
20 also contain the following:

21 “To vote for those electors who have pledged themselves to vote for a candidate for
22

23 ¹ Alameda, Amador, Butte, Calaveras, Colusa, Contra Costa, Del Norte, El Dorado, Fresno, Glenn, Humboldt,
24 Imperial, Kings, Lake, Lassen, Los Angeles, Madera, Marin, Mariposa, Mendocino, Merced, Modoc, Mono, Monterey,
25 Napa, Orange, Placer, Plumas, Riverside, Sacramento, San Benito, San Bernardino, San Diego, San Francisco, San
26 Joaquin, San Luis Obispo, San Mateo, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Solana, Sonoma, Stanislaus,
Sutter, Tehama, Trinity, Tulare, Tuolumne, Ventura, Yolo, and Yuba Counties Attached hereto and incorporated by
reference as though fully set forth herein as Exhibit 1 is one of those defective ballots.

27 ² Alpine, Inyo, Kern, Nevada, and Santa Barbara Counties. Attached hereto and incorporated by reference as
though fully set forth herein as Exhibit 2 is one of those defective ballots.

1 President and Vice President not supported by any particular party stamp a cross (+)
2 in the square opposite the names of those presidential and vice presidential
3 candidates.”

4 VI.

5 Since none of the ballots in any of the 58 counties of California comply with the mandatory
6 ballot printing requirements, pursuant to specific statute, they cannot be voted nor counted for any
7 purpose. The Court should order all the alleged “votes” from these defective ballots be totally
8 disregarded for all purposes except as exhibits in this matter.

9 **Count 2:**

10 VII.

11 Paragraphs I-VI are re-alleged as though fully set forth herein.

12 VIII.

13 Pursuant to the putative “votes” cast by these statutorily defective ballots, certain
14 “Presidential Electors” were selected to vote at the national Electoral College currently calendared
15 for vote counting on January 6, 2021.

16 IX.

17 Since the putative “Presidential Electors” were elected pursuant to ballots that, in the terms
18 of California Elections Code § 13200, can not “be cast nor counted at any election,” their alleged
19 election is void for all purposes. Any Electoral College “vote” they have allegedly cast should be
20 ruled “void” for all purposes.

21 **Count 3:**

22 X.

23 Paragraphs I-IX are re-alleged as though fully set forth herein.

24 XI.

25 In *James Gallagher and Kevin Kiley v Gavin Newsom*, CVCS20-0912 this Court ruled that
26 certain actions taken by Governor Newsom pursuant to named Executive Orders were
27 unconstitutional.

28 Page 3 of 5 pages: PETITION TO DECLARE BALLOTS CAST IN THE NOVEMBER, 2020 ELECTION VOID
DUE TO STATUTORY NON-COMPLIANCE; PETITION FOR PROHIBITION TO PREVENT ELECTORS
ALLEGEDLY ELECTED IN NOVEMBER, 2020 FROM VOTING AT THE ELECTORAL COLLEGE OR HAVING
THEIR VOTE COUNTED, AS APPROPRIATE.

1 XII.

2 One of the orders made as part of the unconstitutional Executive Orders was the ordering and
3 procurement of the defective, non-statutory compliant ballots. Since the ordering of the ballots and
4 the procurement of the ballots were not Constitutionally authorized, the ballots should not be
5 considered for any purpose except as exhibits in this lawsuit.

6 **Count 4:**

7 XIII.

8 Paragraphs I-XII are re-alleged as though fully set forth herein.

9 XIV.

10 Petitioners requests leave of the Court to add such additional causes of action and grounds
11 for relief as may appear by the time of the closing of the hearing in this matter.

12 PRAYER

13 Petitioners request that this Honorable Court:

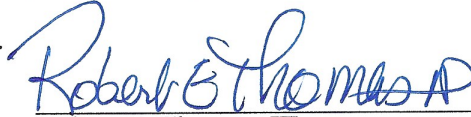
- 14 1. Declare the ballots procured pursuant to the unconstitutional procurement void for all
15 purposes except as exhibits in this matter;
- 16 2. Declare that the defective ballots filed with Registrars of Voters and/or "voted" by
17 submission to any County Clerk in the November, 2020 election statewide be null and void,
18 and not be counted for any purpose in the November, 2020 election.
- 19 3. Declare that any purported "Presidential Elector" allegedly selected as a result of the use of
20 defective ballots that can not "be cast nor counted at any election" allegedly cast in the
21 November, 2020 election is not, in fact, lawfully selected for any purpose;
- 22 4. Prohibit the counting of any purported "vote" by any purported "Presidential Elector"
23 allegedly selected as a result of the use of statutorily defective ballots that can not "be cast
24 nor counted at any election," from being counted in the national Electoral College currently
25 set for January 6, 2021;
- 26 5. That Plaintiffs be awarded costs and fees incurred in this action; and,

27 //

28 Page 4 of 5 pages: PETITION TO DECLARE BALLOTS CAST IN THE NOVEMBER, 2020 ELECTION VOID
DUE TO STATUTORY NON-COMPLIANCE; PETITION FOR PROHIBITION TO PREVENT ELECTORS
ALLEGEDLY ELECTED IN NOVEMBER, 2020 FROM VOTING AT THE ELECTORAL COLLEGE OR HAVING
THEIR VOTE COUNTED, AS APPROPRIATE.

1 6. For such other relief as the Court may deem appropriate.

2 DATED this 28th day of December, 2020.



Robert E. Thomas, III
California Bar #60098

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28 Page 5 of 5 pages: PETITION TO DECLARE BALLOTS CAST IN THE NOVEMBER, 2020 ELECTION VOID
DUE TO STATUTORY NON-COMPLIANCE; PETITION FOR PROHIBITION TO PREVENT ELECTORS
ALLEGEDLY ELECTED IN NOVEMBER, 2020 FROM VOTING AT THE ELECTORAL COLLEGE OR HAVING
THEIR VOTE COUNTED, AS APPROPRIATE.

OFFICIAL BALLOT

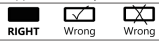
PRESIDENTIAL GENERAL ELECTION - COUNTY OF CALAVERAS - NOVEMBER 3, 2020
4TH CONGRESSIONAL - 8TH STATE SENATE - 5TH ASSEMBLY DISTRICTS

210-BT1

INSTRUCTIONS TO VOTERS

To vote for the candidate of your choice, fill in the box to the left of the candidate's name. Do not vote for more than the authorized number of candidates. To vote for a qualified write-in candidate, fill in the box next to the write-in line and write the candidate's name on the write-in line. To vote on any measure, fill in the box next to "YES" or "NO." Use a black ink pen. Marking the ballot outside of the box may compromise the secrecy of the ballot. If you wrongly stamp, tear, or deface this ballot, return it to the election official and obtain another.

Blacken the box () that appears next to your choice.



PARTY-NOMINATED OFFICES

The party label accompanying the name of a candidate for party-nominated office on the general election ballot means that the candidate is the official nominee of the party shown.

PRESIDENT AND VICE PRESIDENT

Vote for ONE Party

☐ **HOWIE HAWKINS**
Green
For President
ANGELA NICOLE WALKER
For Vice President

☐ **JO JORGENSEN**
Libertarian
For President
JEREMY "SPIKE" COHEN
For Vice President

☐ **JOSEPH R. BIDEN**
Democratic
For President
KAMALA D. HARRIS
For Vice President

☐ **DONALD J. TRUMP**
Republican
For President
MICHAEL R. PENCE
For Vice President

☐ **GLORIA LA RIVA**
Peace and Freedom
For President
SUNIL FREEMAN
For Vice President

☐ **ROQUE "ROCKY" DE LA FUENTE GUERRA**
American Independent
For President
KANYE OMARI WEST
For Vice President

☐
Write-in

Continue Voting in Next Column

VOTER-NOMINATED AND NONPARTISAN OFFICES

All voters, regardless of the party preference they disclosed upon registration, or refusal to disclose a party preference, may vote for any candidate for a voter-nominated or nonpartisan office. The party preference, if any, designated by a candidate for a voter-nominated office is selected by the candidate and is shown for the information of the voters only. It does not imply that the candidate is nominated or endorsed by the party or that the party approves of the candidate. The party preference, if any, of a candidate for a nonpartisan office does not appear on the ballot.

STATE

UNITED STATES REPRESENTATIVE DISTRICT 4

Vote for ONE

☐ **BRYNNE S. KENNEDY**
Democratic
Businesswoman
☐ **TOM MCCLINTOCK**
Republican
United States Representative

MEMBER OF THE STATE ASSEMBLY DISTRICT 5

Vote for ONE

☐ **FRANK BIGELOW**
Republican
Rancher/Businessman/
Assemblyman

SCHOOL

SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT Governing Board Member Trustee Area No. 5

Vote for ONE

☐ **KATHLEEN A GARCIA**
Stockton Unified School District
Board Trustee
☐ **BRUCE GIUDICI**
Fiscal Officer
☐ **STEPHAN CASTELLANOS**
Incumbent
☐
Write-in

MEASURES SUBMITTED TO THE VOTERS

STATE

PROPOSITION 14

AUTHORIZES BONDS CONTINUING STEM CELL RESEARCH. INITIATIVE STATUTE.

Authorizes \$5.5 billion state bonds for: stem cell and other medical research, including training; research facility construction; administrative costs. Dedicates \$1.5 billion to brain-related diseases. Appropriates General Fund moneys for repayment. Expands related programs. Fiscal Impact: Increased state costs to repay bonds estimated at about \$260 million per year over the next roughly 30 years.

☐ YES
☐ NO

Continue Voting in Next Column

PROPOSITION 15

INCREASES FUNDING SOURCES FOR PUBLIC SCHOOLS, COMMUNITY COLLEGES, AND LOCAL GOVERNMENT SERVICES BY CHANGING TAX ASSESSMENT OF COMMERCIAL AND INDUSTRIAL PROPERTY. INITIATIVE CONSTITUTIONAL AMENDMENT.

Taxes such properties based on current market value, instead of purchase price. Fiscal Impact: Increased property taxes on commercial properties worth more than \$3 million providing \$6.5 billion to \$11.5 billion in new funding to local governments and schools.

☐ YES
☐ NO

PROPOSITION 16

ALLOWS DIVERSITY AS A FACTOR IN PUBLIC EMPLOYMENT, EDUCATION, AND CONTRACTING DECISIONS. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

Permits government decision-making policies to consider race, sex, color, ethnicity, or national origin in order to address diversity by repealing constitutional provision prohibiting such policies. Fiscal Impact: No direct fiscal effect on state and local entities. The effects of the measure depend on the future choices of state and local government entities and are highly uncertain.

☐ YES
☐ NO

PROPOSITION 17

RESTORES RIGHT TO VOTE AFTER COMPLETION OF PRISON TERM. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

Restores voting rights upon completion of prison term to persons who have been disqualified from voting while serving a prison term. Fiscal Impact: Annual county costs, likely in the hundreds of thousands of dollars statewide, for voter registration and ballot materials. One-time state costs, likely in the hundreds of thousands of dollars, for voter registration cards and systems.

☐ YES
☐ NO

PROPOSITION 18

AMENDS CALIFORNIA CONSTITUTION TO PERMIT 17-YEAR-OLDS TO VOTE IN PRIMARY AND SPECIAL ELECTIONS IF THEY WILL TURN 18 BY THE NEXT GENERAL ELECTION AND BE OTHERWISE ELIGIBLE TO VOTE. LEGISLATIVE CONSTITUTIONAL AMENDMENT.

Fiscal Impact: Increased statewide county costs likely between several hundreds of thousands of dollars and \$1 million every two years. Increased one-time costs to the state of hundreds of thousands of dollars.

☐ YES
☐ NO

Continue Voting on Back Side

16486 v1

Read Both Sides of the Ballot

PRESIDENTIAL GENERAL ELECTION - COUNTY OF CALAVERAS - NOVEMBER 3, 2020
4TH CONGRESSIONAL - 8TH STATE SENATE - 5TH ASSEMBLY DISTRICTS

210-BT1

16486 v1

MEASURES SUBMITTED TO THE VOTERS
STATE
PROPOSITION 19
CHANGES CERTAIN PROPERTY TAX RULES. LEGISLATIVE CONSTITUTIONAL AMENDMENT. Allows homeowners who are over 55, disabled, or wildfire/disaster victims to transfer primary residence's tax base to replacement residence. Changes taxation of family-property transfers. Establishes fire protection services fund. Fiscal Impact: Local governments could gain tens of millions of dollars of property tax revenue per year, probably growing over time to a few hundred million dollars per year. Schools could receive similar property tax gains.
<input type="checkbox"/> YES <input type="checkbox"/> NO
PROPOSITION 20
RESTRICTS PAROLE FOR NON-VIOLENT OFFENDERS. AUTHORIZES FELONY SENTENCES FOR CERTAIN OFFENSES CURRENTLY TREATED ONLY AS MISDEMEANORS. INITIATIVE STATUTE. Limits access to parole program established for non-violent offenders who have completed the full term of their primary offense by eliminating eligibility for certain offenses. Fiscal Impact: Increase in state and local correctional, court, and law enforcement costs likely in the tens of millions of dollars annually, depending on implementation.
<input type="checkbox"/> YES <input type="checkbox"/> NO
PROPOSITION 21
EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE. Allows local governments to establish rent control on residential properties over 15 years old. Local limits on rate increases may differ from statewide limit. Fiscal Impact: Overall, a potential reduction in state and local revenues in the high tens of millions of dollars per year over time. Depending on actions by local communities, revenue losses could be less or more.
<input type="checkbox"/> YES <input type="checkbox"/> NO
PROPOSITION 22
EXEMPTS APP-BASED TRANSPORTATION AND DELIVERY COMPANIES FROM PROVIDING EMPLOYEE BENEFITS TO CERTAIN DRIVERS. INITIATIVE STATUTE. Classifies app-based drivers as "independent contractors," instead of "employees," and provides independent-contractor drivers other compensation, unless certain criteria are met. Fiscal Impact: Minor increase in state income taxes paid by rideshare and delivery company drivers and investors.
<input type="checkbox"/> YES <input type="checkbox"/> NO
Continue Voting in Next Column

PROPOSITION 23
ESTABLISHES STATE REQUIREMENTS FOR KIDNEY DIALYSIS CLINICS. REQUIRES ON-SITE MEDICAL PROFESSIONAL. INITIATIVE STATUTE. Requires physician or other specified medical professional on site during dialysis treatment. Prohibits clinics from reducing services without state approval. Prohibits clinics from refusing to treat patients based on payment source. Fiscal Impact: Increased state and local government costs likely in the low tens of millions of dollars annually.
<input type="checkbox"/> YES <input type="checkbox"/> NO
PROPOSITION 24
AMENDS CONSUMER PRIVACY LAWS. INITIATIVE STATUTE. Permits consumers to: prevent businesses from sharing personal information, correct inaccurate personal information, and limit businesses' use of "sensitive personal information," including precise geolocation, race, ethnicity, and health information. Establishes California Privacy Protection Agency. Fiscal Impact: Increased annual state costs of at least \$10 million, but unlikely exceeding low tens of millions of dollars, to enforce expanded consumer privacy laws. Some costs would be offset by penalties for violating these laws.
<input type="checkbox"/> YES <input type="checkbox"/> NO
PROPOSITION 25
REFERENDUM ON LAW THAT REPLACED MONEY BAIL WITH SYSTEM BASED ON PUBLIC SAFETY AND FLIGHT RISK. A "Yes" vote approves, and a "No" vote rejects, law replacing money bail with system based on public safety and flight risk. Fiscal Impact: Increased costs possibly in mid hundreds of millions of dollars annually for a new process for release from jail prior to trial. Decreased county jail costs, possibly in high tens of millions of dollars annually.
<input type="checkbox"/> YES <input type="checkbox"/> NO
SCHOOL
CALAVERAS UNIFIED SCHOOL DISTRICT
MEASURE H
Under a no-tax-rate-increase financing plan, shall the Calaveras Unified School District measure to renovate and improve aging classrooms and schools, including: career technical education facilities, heating, air conditioning, plumbing and electrical systems, and access to modern technology, authorizing \$32,800,000 in bonds, be adopted, with legal rates, estimated levy averaging less than 4 cents per \$100 of assessed value (\$1.8 million annually) through 2050, citizen oversight, annual audits, and no funds spent on administrator salaries?
<input type="checkbox"/> BONDS YES <input type="checkbox"/> BONDS NO
Continue Voting in Next Column

COUNTY
MEASURE G
CANNABIS ACTIVITIES TAX MEASURE For general revenue purposes, including the improvement of essential County services such as road maintenance, crime prevention, and environmental regulation, shall the measure establishing maximum cannabis activities tax rates not to exceed \$7.00 per square-foot for cultivation canopy area and 8% of gross receipts for all other cannabis activities, in unincorporated Calaveras County, generating an estimated \$1.5 - \$3,000,000 annually, with all funds used locally and annual audits, unless/until repealed, be adopted?
<input type="checkbox"/> YES <input type="checkbox"/> NO
End of Ballot



MAIL BALLOT STUB
2020 PRESIDENTIAL GENERAL ELECTION
 NOVEMBER 3, 2020



This ballot stub shall be removed and retained by the voter.

A*0003-000708E



OFFICIAL BALLOT

MENDOCINO COUNTY, CALIFORNIA
2020 PRESIDENTIAL GENERAL ELECTION

November 3, 2020

100003-GREEN ACRE

INSTRUCTIONS TO VOTERS

- **To vote for a candidate**, blacken the box next to the candidate's name. Do not vote for more than the number listed at the top of each race.
- **To vote for a write-in candidate**, blacken the box next to the write-in line and print the candidate's name on the line.
- **To vote on a measure**, blacken the box next to the word "YES" or "NO."
- **If you make a mistake**, you can get a new ballot from a pollworker.

Fill in the rectangle () that appears next to your choice.



RIGHT



Wrong



Wrong

Party-Nominated Offices

The party label accompanying the name of a candidate for party-nominated office on the general election ballot means that the candidate is the official nominee of the party shown.

PRESIDENT AND VICE PRESIDENT

PRESIDENT and VICE PRESIDENT

Vote for One Party

**DONALD J. TRUMP**

REPUBLICAN

For President

MICHAEL PENCE

For Vice President

**GLORIA LA RIVA**

VOTER-NOMINATED AND NONPARTISAN OFFICES

All voters, regardless of the party preference they disclosed upon registration, or refusal to disclose a party preference, may vote for any candidate for a voter-nominated or nonpartisan office. The party preference, if any, designated by a candidate for a voter-nominated office is selected by the candidate and is shown for the information of the voters only. It does not imply that the candidate is nominated or endorsed by the party or that the party approves of the candidate. The party preference, if any, of a candidate for a nonpartisan office does not appear on the ballot.

UNITED STATES REPRESENTATIVE:

HOUSE OF REPRESENTATIVES 2nd Congressional District

Vote for One

**JARED HUFFMAN**

DEMOCRATIC

U.S. Representative

**DALE K. MENSING**

REPUBLICAN

Cashier

MEMBER OF THE STATE ASSEMBLY:

MEMBER OF ASSEMBLY 2nd Assembly District

Vote for One

DISTRICT:

REDWOOD VALLEY/CALPELLA FIRE PROTECTION DIST, DIRECTOR

Vote for no more than 3

**CHRISTINE "WICK" BOYD**

Retired Deputy Fire Marshall

**EUGENE ERICKSON**

Retired Teacher

**JIM TUSO**

Incumbent

**JOHN STRANGIO**

Fire Captain



Write-in



Write-in



Write-in

MEASURES SUBMITTED TO THE VOTERS:

PROPOSITION 14

PROPOSITION 14 AUTHORIZES BONDS CONTINUING STEM CELL RESEARCH. INITIATIVE STATUTE. Authorizes \$5.5 billion state bonds for: stem cell and other medical research, including training; research facility construction; administrative costs. Dedicates \$1.5 billion to brain-related diseases.

55280 v1

PEACE AND FREEDOM
For President
SUNIL FREEMAN
For Vice President

☐ **ROQUE "ROCKY" DE LA FUENTE GUERRA**
AMERICAN INDEPENDENT
For President
KANYE OMARI WEST
For Vice President

☐ **HOWIE HAWKINS**
GREEN
For President
ANGELA WALKER
For Vice President

☐ **JO JORGENSEN**
LIBERTARIAN
For President
JEREMY "SPIKE" COHEN
For Vice President

☐ **JOSEPH R. BIDEN**
DEMOCRATIC
For President
KAMALA HARRIS
For Vice President

☐ _____
Write-in

☐ **JIM WOOD**
DEMOCRATIC
California State
Assemblymember

☐ **CHARLOTTE SVOLOS**
REPUBLICAN
Special Education Teacher

SCHOOL:

UKIAH UNIFIED SCHOOL DIST
Governing Board Member
TA North
SHORT TERM
Vote for One

☐ **SUSAN L. ASBURY**
Parent

☐ **JOSE V. DIAZ**
Appointed Incumbent

☐ _____
Write-in

COUNTY:

SUPERVISOR, 1st District
Vote for One

☐ **GLENN MCGOURTY**
Educator/Scientist/Farmer

☐ **JON KENNEDY**
Local Business Owner

Appropriates General Fund moneys for repayment. Expands related programs. Fiscal Impact: Increased state costs to repay bonds estimated at about \$260 million per year over the next roughly 30 years.

☐ YES

☐ NO

PROPOSITION 15

PROPOSITION 15 INCREASES FUNDING SOURCES FOR PUBLIC SCHOOLS, COMMUNITY COLLEGES, AND LOCAL GOVERNMENT SERVICES BY CHANGING TAX ASSESSMENT OF COMMERCIAL AND INDUSTRIAL PROPERTY. INITIATIVE CONSTITUTIONAL AMENDMENT. Taxes such properties based on current market value, instead of purchase price. Fiscal Impact: Increased property taxes on commercial properties worth more than \$3 million providing \$6.5 billion to \$11.5 billion in new funding to local governments and schools.

☐ YES

☐ NO

Read Both Sides of the Ballot

OFFICIAL BALLOT GENERAL ELECTION

County of Inyo, Tuesday, November 3, 2020
8th Congressional, 8th Senate, and 26th Assembly Districts

Ballot Type: 3

Precinct: 105

INSTRUCTIONS TO VOTERS:

To vote for all of the electors of a party, mark the voting target next to the names of the presidential and vice presidential candidates of that party. A mark of the voting target next to the name of a party and its presidential and vice presidential candidate, is a vote for all of the electors of that party, but for no other candidates.

To vote for a candidate whose name appears on the ballot, mark the voting target next to the candidate's name. Where two or more candidates for the same office are to be elected, place a mark next to the names of all candidates for the office for whom you desire to vote, not to exceed, however, the number of candidates to be elected.

To vote for a qualified write-in candidate, write the person's name in the blank space provided for that purpose after the names of the other candidates for the same office.

To vote on any measure, mark the voting target next to the word "Yes" or after the word "No."

Marking the ballot outside of the designated space to vote for a candidate or measure may compromise the secrecy of the ballot.

If you wrongly mark, tear, or deface this ballot, return it to the precinct board member and obtain another.

On vote by mail ballots mark with pen or pencil.



PARTY-NOMINATED OFFICES

The party label accompanying the name of a candidate for party-nominated office on the general election ballot means that the candidate is the official nominee of the party shown.

VOTER-NOMINATED AND NONPARTISAN OFFICES

All voters, regardless of the party preference they disclosed upon registration, or refusal to disclose a party preference, may vote for any candidate for a voter-nominated or nonpartisan office. The party preference, if any, designated by a candidate for a voter-nominated office is selected by the candidate and is shown for the information of the voters only. It does not imply that the candidate is nominated or endorsed by the party or that the party approves of the candidate. The party preference, if any, of a candidate for a nonpartisan office does not appear on the ballot.

PARTY NOMINATED	MEMBER OF THE STATE ASSEMBLY	CITY
PRESIDENT AND VICE PRESIDENT	26th District	CITY OF BISHOP
Vote for One Party	Vote for One	City Council
<input type="radio"/> DONALD J. TRUMP For President MICHAEL R. PENCE For Vice President Republican	<input type="radio"/> DREW PHELPS Party Preference: Democratic Small Business Advocate	<input type="radio"/> JIM ELLIS Incumbent
<input type="radio"/> GLORIA LA RIVA For President SUNIL FREEMAN For Vice President Peace And Freedom	<input type="radio"/> DEVON MATHIS Party Preference: Republican Incumbent	<input type="radio"/> JOSE S. GARCIA Planning Commissioner
<input type="radio"/> ROQUE "ROCKY" DE LA FUENTE GUERRA For President KANYE OMARI WEST For Vice President American Independent	NONPARTISAN	<input type="radio"/> CHRIS COSTELLO Mayor Pro Tem
<input type="radio"/> HOWIE HAWKINS For President ANGELA NICOLE WALKER For Vice President Green	SCHOOL	<input type="radio"/> KAREN M. KONG Educator
<input type="radio"/> JO JORGENSEN For President JEREMY "SPIKE" COHEN For Vice President Libertarian	BISHOP UNIFIED SCHOOL DISTRICT	
<input type="radio"/> JOSEPH R. BIDEN For President KAMALA D. HARRIS For Vice President Democratic	Governing Board Member	
<input type="radio"/> Write-in	Vote for no more than Two	<input type="radio"/> Write-in
VOTER NOMINATED	<input type="radio"/> STEVE ELIA Program Specialist/Educator	<input type="radio"/> Write-in
UNITED STATES REPRESENTATIVE	<input type="radio"/> KATHY ZACK Appointed Incumbent	<input type="radio"/> Write-in
8th District	<input type="radio"/> MERYL PICARD Parent/Business Owner	<input type="radio"/> Write-in
Vote for One	<input type="radio"/> Write-in	City Treasurer
<input type="radio"/> JAY OBERNOLTE Party Preference: Republican Assemblyman/Business Owner	<input type="radio"/> Write-in	Vote for One
<input type="radio"/> CHRISTINE BUBSER Party Preference: Democratic Businesswoman/Healthcare Professional		<input type="radio"/> NICK LARA Business Owner
		<input type="radio"/> Write-in

VOTE BOTH SIDES OF BALLOT

MEASURES SUBMITTED TO THE VOTERS	
STATE	
14 AUTHORIZES BONDS CONTINUING STEM CELL RESEARCH. INITIATIVE STATUTE. Authorizes \$5.5 billion state bonds for: stem cell and other medical research, including training; research facility construction; administrative costs. Dedicates \$1.5 billion to brain-related diseases. Appropriates General Fund moneys for repayment. Expands related programs. Fiscal Impact: Increased state costs to repay bonds estimated at about \$260 million per year over the next roughly 30 years.	19 CHANGES CERTAIN PROPERTY TAX RULES. LEGISLATIVE CONSTITUTIONAL AMENDMENT. Allows homeowners who are over 55, disabled, or wildfire/disaster victims to transfer primary residence's tax base to replacement residence. Changes taxation of family-property transfers. Establishes fire protection services fund. Fiscal Impact: Local governments could gain tens of millions of dollars of property tax revenue per year, probably growing over time to a few hundred million dollars per year. Schools could receive similar property tax gains.
<input type="radio"/> YES	<input type="radio"/> YES
<input type="radio"/> NO	<input type="radio"/> NO
15 INCREASES FUNDING SOURCES FOR PUBLIC SCHOOLS, COMMUNITY COLLEGES, AND LOCAL GOVERNMENT SERVICES BY CHANGING TAX ASSESSMENT OF COMMERCIAL AND INDUSTRIAL PROPERTY. INITIATIVE CONSTITUTIONAL AMENDMENT. Taxes such properties based on current market value, instead of purchase price. Fiscal Impact: Increased property taxes on commercial properties worth more than \$3 million providing \$6.5 billion to \$11.5 billion in new funding to local governments and schools.	20 RESTRICTS PAROLE FOR CERTAIN OFFENSES CURRENTLY CONSIDERED TO BE NON-VIOLENT. AUTHORIZES FELONY SENTENCES FOR CERTAIN OFFENSES CURRENTLY TREATED ONLY AS MISDEMEANORS. INITIATIVE STATUTE. Limits access to parole program established for non-violent offenders who have completed the full term of their primary offense by eliminating eligibility for certain offenses. Fiscal Impact: Increase in state and local correctional, court, and law enforcement costs likely in the tens of millions of dollars annually, depending on implementation.
<input type="radio"/> YES	<input type="radio"/> YES
<input type="radio"/> NO	<input type="radio"/> NO
16 ALLOWS DIVERSITY AS A FACTOR IN PUBLIC EMPLOYMENT, EDUCATION, AND CONTRACTING DECISIONS. LEGISLATIVE CONSTITUTIONAL AMENDMENT. Permits government decision-making policies to consider race, sex, color, ethnicity, or national origin in order to address diversity by repealing constitutional provision prohibiting such policies. Fiscal Impact: No direct fiscal effect on state and local entities. The effects of the measure depend on the future choices of state and local government entities and are highly uncertain.	21 EXPANDS LOCAL GOVERNMENTS' AUTHORITY TO ENACT RENT CONTROL ON RESIDENTIAL PROPERTY. INITIATIVE STATUTE. Allows local governments to establish rent control on residential properties over 15 years old. Local limits on rate increases may differ from statewide limit. Fiscal Impact: Overall, a potential reduction in state and local revenues in the high tens of millions of dollars per year over time. Depending on actions by local communities, revenue losses could be less or more.
<input type="radio"/> YES	<input type="radio"/> YES
<input type="radio"/> NO	<input type="radio"/> NO
17 RESTORES RIGHT TO VOTE AFTER COMPLETION OF PRISON TERM. LEGISLATIVE CONSTITUTIONAL AMENDMENT. Restores voting rights upon completion of prison term to persons who have been disqualified from voting while serving a prison term. Fiscal Impact: Annual county costs, likely in the hundreds of thousands of dollars statewide, for voter registration and ballot materials. One-time state costs, likely in the hundreds of thousands of dollars, for voter registration cards and systems.	22 EXEMPTS APP-BASED TRANSPORTATION AND DELIVERY COMPANIES FROM PROVIDING EMPLOYEE BENEFITS TO CERTAIN DRIVERS. INITIATIVE STATUTE. Classifies app-based drivers as "independent contractors," instead of "employees," and provides independent-contractor drivers other compensation, unless certain criteria are met. Fiscal Impact: Minor increase in state income taxes paid by rideshare and delivery company drivers and investors.
<input type="radio"/> YES	<input type="radio"/> YES
<input type="radio"/> NO	<input type="radio"/> NO
18 AMENDS CALIFORNIA CONSTITUTION TO PERMIT 17-YEAR-OLDS TO VOTE IN PRIMARY AND SPECIAL ELECTIONS IF THEY WILL TURN 18 BY THE NEXT GENERAL ELECTION AND BE OTHERWISE ELIGIBLE TO VOTE. LEGISLATIVE CONSTITUTIONAL AMENDMENT. Fiscal Impact: Increased statewide county costs likely between several hundreds of thousands of dollars and \$1 million every two years. Increased one-time costs to the state of hundreds of thousands of dollars.	23 ESTABLISHES STATE REQUIREMENTS FOR KIDNEY DIALYSIS CLINICS. REQUIRES ON-SITE MEDICAL PROFESSIONAL. INITIATIVE STATUTE. Requires physician, nurse practitioner or physician assistant on site during dialysis treatment. Prohibits clinics from reducing services without state approval. Prohibits clinics from refusing to treat patients based on payment source. Fiscal Impact: Increased state and local government costs likely in the low tens of millions of dollars annually.
<input type="radio"/> YES	<input type="radio"/> YES
<input type="radio"/> NO	<input type="radio"/> NO
24 AMENDS CONSUMER PRIVACY LAWS. INITIATIVE STATUTE. Permits consumers to: prevent businesses from sharing personal information, correct inaccurate personal information, and limit businesses' use of "sensitive personal information," including precise geolocation, race, ethnicity, and health information. Establishes California Privacy Protection Agency. Fiscal Impact: Increased annual state costs of at least \$10 million, but unlikely exceeding low tens of millions of dollars, to enforce expanded consumer privacy laws. Some costs would be offset by penalties for violating these laws.	
<input type="radio"/> YES	
<input type="radio"/> NO	
25 REFERENDUM ON LAW THAT REPLACED MONEY BAIL WITH SYSTEM BASED ON PUBLIC SAFETY AND FLIGHT RISK. A "Yes" vote approves, and a "No" vote rejects, law replacing money bail with system based on public safety and flight risk. Fiscal Impact: Increased costs possibly in mid hundreds of millions of dollars annually for a new process for release from jail prior to trial. Decreased county jail costs, possibly in high tens of millions of dollars annually.	
<input type="radio"/> YES	
<input type="radio"/> NO	
CITY	
CITY OF BISHOP	
P BISHOP COMMUNITY SAFETY AND ESSENTIAL SERVICES MEASURE. To provide the City of Bishop with funding to maintain essential services such as police, fire, street maintenance, and parks and recreation, shall an ordinance creating a one-cent transactions (sales) and use tax be adopted, providing approximately \$1.8 million annually until repealed by voters, with all funds locally controlled and independently audited?	
<input type="radio"/> YES	
<input type="radio"/> NO	

VOTE BOTH SIDES OF BALLOT

In the Superior Court of the State of California

For the County of Sutter

New California State, a Domestic Non-Profit Corporation, Paul Preston, and John Does 1-10.

Plaintiffs,

vs.

Gavin Newsom, in his individual capacity and as Governor of the State of California, Alex Padilla, as Secretary of State and in his individual capacity, and John Does #1-100

Defendants.

Case Number: CVCS20-0002218

DECLARATION OF ROBERT E. THOMAS, III, IN SUPPORT OF PLAINTIFFS' NOTICE OF EX-PARTE APPLICATION AND EX-PARTE FOR ORDER SHORTENING TIME; MEMORANDUM OF POINTS AND AUTHORITIES.

I, ROBERT E. THOMAS, III, HAVING FIRST BEEN DULY SWORN ON OATH, DO DEPOSE AND DECLARE:

I am an attorney duly licensed to practice law in the State of California and have so been since June, 1974. I am familiar with the contents of Plaintiffs' Petition and the documents supporting said Petition, and Elections Code §§13200-13208.

I am informed and believe that the ballots submitted by mail throughout California conform to either Petition Exhibits 1 or 2, and are therefore, as a matter of law, are legally deficient pursuant to Elections Code §13200. Further, I am aware that these legally deficient ballots were used to elect purported "Presidential Electors" who have cast votes due to be counted in the Congress of the United States, sitting as the Electoral College, on January 6, 2021.

This Matter must be heard *before* the Electoral College counts California's putative votes. For this reason, I have requested this Honorable Court Shorten Time. Further, the Court can rule on this Matter as a matter of law without taking live testimony.

DATED this 28th day of December, 2020.



Robert E. Thomas, III, California Bar #60098

Name, Address, & Telephone #

ROBERT E. THOMAS, III
150 South Hwy 160, #310
Panorama, NV 89048

Attorney for: Plaintiffs

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SUTTER

Petitioner: New California State, Paul Preston *et al*

Case No.: CVCS20-2218

vs.

DECLARATION RE: NOTICE OF EX
PARTE APPLICATION FOR ORDER
(CRC, Rule 3.1204) (FC6300)

Respondent: Gavin Newsom, Alex Padilla, *et al*

I Robert E. Thomas, III am the party/attorney for the party seeking an ex-parte hearing/ or an order without a hearing: (Insert type of order) Motion to Shorten Time.

CHECK ONE (Use the reverse side of the form if necessary)

() I gave the following notice to the above-named individual that I would be asking for this ex parte order (state exactly what you said and when you said it):

✓ Alex Padilla
I have made a reasonable and good faith effort to notify the above-named individual of my intent to apply for an ex parte order, but have been unsuccessful. My attempts to notify that individual have consisted of the following (state exactly what attempts you made and when you made them):
At 3:55 PM, Tuesday, December 29, 2020, I called Secretary Alex Padilla's office [(916) 653-6814]. When a female came on the line, I started to read my script. She interrupted me and referred me to another office where I had to leave a recorded message. I said, "Hello, my name is Robert Thomas, an attorney representing New Nevada State and Paul Preston in the case of *New California State and Paul Preston, et al v. Gavin Newsom & Alex Padilla et al* in Sutter Superior Court, case #CVCS20-2218. This afternoon, I will be filing a Motion to Shorten Time in this case to have a hearing on Monday, January 4, 2021 in the above-named court. My return phone number is (530) 828-1234. an ex-parte order because I believe such notice would be inappropriate or impractical, or would result in irreparable injury. These are the detailed reasons for not giving such notice:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

correct. Dated: 12/29/2020

Robert E. Thomas, III
Print Name

REX Thomas
Signature

NOTICE OF EX PARTE APPLICATION FOR ORDER

Name, Address, & Telephone #

ROBERT E. THOMAS, III
150 South Hwy 160, #310
Pawamoo, NV 89048

Attorney for: Plaintiffs

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SUTTER

Petitioner: New California State, Paul Preston *et al*

Case No.: CVCS20-2218

vs.

DECLARATION RE: NOTICE OF EX
PARTE APPLICATION FOR ORDER
(CRC, Rule 3.1204) (FC6300)

Respondent: Gavin Newsom, Alex Padilla, *et al*

I Robert E. Thomas, III am the party/attorney for the party seeking an ex-parte hearing/ or an order
without a hearing: (Insert type of order) Motion to Shorten Time.

CHECK ONE (Use the reverse side of the form if necessary) Gavin Newsom

☒ I gave the following notice to the above-named individual that I would be asking for this ex parte order
(state exactly what you said and when you said it):

At 3:49 PM, Tuesday, December 29, 2020, I called Governor Newsom's office [(916) 445-2841, & spoke to "Carston."
I told her, "Hello, my name is Robert Thomas, an attorney representing New Nevada State and Paul Preston in the case
of *New California State and Paul Preston, et al v. Gavin Newsom & Alex Padilla et al* in Sutter Superior Court, case
#CVCS20-2218. This afternoon, I will be filing a Motion to Shorten Time in this case to have a hearing on Monday,
January 4, 2021 in the above-named court." She referred me to "service.ofprocess@gov.ca.gov."

☐ I have made a reasonable and good faith effort to notify the above-named individual of my intent to
apply for an ex parte order, but have been unsuccessful. My attempts to notify that individual have consisted of
the following (state exactly what attempts you made and when you made them):

☐ I have not made any attempt to notify that above-named individual of the application for an ex-parte
order because I believe such notice would be inappropriate or impractical, or would result in irreparable injury.
These are the detailed reasons for not giving such notice:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and

correct. Dated: 12/29/2020

ROBERT E. THOMAS, III

Print Name

RE Thomas

Signature

NOTICE OF EX PARTE APPLICATION FOR ORDER