

1 Daniel T. Ladd  
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3 Petitioners In Pro Per

4 Laura Hobbs  
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7 Petitioner In Pro Per

**FILED**

JAN 30 2025

SHASTA COUNTY SUPERIOR COURT  
BY: N. PRESTON, DEPUTY CLERK

8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **FOR THE COUNTY OF SHASTA**

10 DANIEL T. LADD, an individual, Laura  
11 Hobbs an individual.  
12  
13 Petitioners,

14 vs.

15 THOMAS TOLLER, in his official capacity  
16 as Shasta County Registrar of Voters,  
17 Respondent.

Case No. **206952**

**VERIFIED PETITION FOR  
PEREMPTORY WRIT OF MANDATE**

[C.C.P. § 1085  
Cal. Gov't Code § 7923.000, *et seq.*]

**PRIORITY ELECTION MATTER**  
[Cal. Elec. Code § 13315]

21 **INTRODUCTION**

22 Petitioners DANIEL T. LADD, and LAURA HOBBS (“Petitioners”) herein alleges as  
23 follows:

24 1. This petition for writ of mandamus is brought pursuant to California Code of  
25 Civil Procedure § 1085 to compel the Shasta County Registrar of Voters (“Respondent”) to  
26 comply with mandatory duties imposed by the California Elections Code and other  
27 applicable laws governing the administration of elections.

28 2. Petitioners seek to remedy the following ongoing violations of election law by

1 Respondent:

- 2 a. Failure to Comply with California Elections Code § 2226 – Sending  
3 vote-by-mail ballots to voters whose addresses had been designated as  
4 undeliverable, in violation of mandatory list maintenance requirements.
- 5 b. Violation of Public Observation Requirements (Elections Code §  
6 15104) – Preventing election observers from meaningfully observing the  
7 verification and counting of vote-by-mail ballots, thereby obstructing  
8 transparency in the electoral process.
- 9 c. Failure to Maintain Proper Chain of Custody and Ballot Security  
10 (California Code of Regulations, Title 2, § 20873) – Leaving ballots  
11 unattended, failing to document ballot transfers, and maintaining disorganized  
12 storage procedures that undermine the integrity of the election process.
- 13 d. Violation of Federal Voting System Standards (52 U.S.C. § 21081) –  
14 The election system failed to meet the mandatory error rate threshold set forth  
15 in the Help America Vote Act (“HAVA”), rendering the results unreliable.
- 16 e. Time Changes in Audit Logs and Suspected Security Breaches – The  
17 Hart InterCivic voting system audit logs recorded unauthorized time changes,  
18 suggesting an improper adjustment or breach that compromised election  
19 security.
- 20 f. Failure to Comply with California Voting System Standards (“CVSS”)  
21 and Hart InterCivic Compliance Issues – The Hart InterCivic system used in  
22 Shasta County failed to maintain the required audit trail and did not meet  
23 California regulatory standards.
- 24 g. Improper Ballot Duplication Procedures – The use of the Runbeck  
25 Novus Duplication System did not comply with California Elections Code and  
26 failed to allow for meaningful observer oversight, leading to uncertainty about  
27 the integrity of duplicated ballots.
- 28 h. Numerical Discrepancy in Ballot Counts – The official statement of

1 votes reflects 90,162 ballots cast, yet the voter list provided by the Registrar  
2 of Voters records only 87,379 voters. The unexplained difference of 2,783  
3 ballots raises substantial concerns regarding the accuracy of the reported  
4 election results.

5 i. Violation of California Elections Code § 19101(b) – The Hart  
6 InterCivic system and ballot processing methods failed to comply with  
7 mandatory state voting system standards, rendering the system unsuitable and  
8 vulnerable to fraud or manipulation.

9 j. Failure to Follow Voting System Manufacturer’s Technical  
10 Specifications – The County failed to comply with Hart InterCivic’s ballot  
11 printing technical data sheet, leading to widespread ballot rejection and serious  
12 tabulation errors.

13 k. Improper Signature Verification Process – Election observers were  
14 denied meaningful access to the signature verification process, violating  
15 California Elections Code § 15104(d)(1).

16 3. With respect to Respondent’s failure to release public election records, this  
17 petition is also brought under the California Public Records Act (Gov’t Code § 7923.000 et  
18 seq.), which provides a statutory right to public access to government records.

19 4. Despite multiple lawful requests, Respondent has refused to release the  
20 following election-related public records:

21 a. Audit logs documenting the processing, tabulation, and adjudication of  
22 ballots;

23 b. Cast Vote Records (CVRs) necessary for verifying election results;

24 c. Ballot duplication records related to the processing of rejected or  
25 damaged ballots;

26 d. Logic and accuracy testing reports for the electronic voting systems  
27 used;

28 e. Correspondence regarding election security issues raised by election

1 observers and county officials.

2 f. Voter information and Ballot Return Data from the November 5, 2024  
3 election.

4 g. 1% Random Draw for Hand Count verification (conducted in private  
5 on 11/5/24)

6 5. Respondent has cited no lawful exemption for withholding these records and  
7 has refused to provide any justification for non-disclosure, in violation of Gov't Code §  
8 7922.000, which places the burden on public agencies to justify withholding records.

9 6. Together, these violations have compromised the transparency, integrity, and  
10 legality of the election process in Shasta County. Petitioners do not seek to challenge the  
11 outcome of any particular election but rather seek judicial intervention to compel  
12 Respondent to perform his ministerial duties in accordance with the law.

13 7. It is well established that a writ of mandamus is appropriate where a public  
14 official fails to perform a clear, non-discretionary duty imposed by law. *Kavanaugh v. West*  
15 *Sonoma County Union High School Dist.*, 29 Cal.3d 1, 10 (1981); *Common Cause v. Board*  
16 *of Supervisors*, 49 Cal.3d 432, 442 (1989). The violations alleged herein involve purely  
17 ministerial duties, leaving no discretion to Respondent in their execution.

18 8. The right to vote includes not only the right to cast a ballot but also the right  
19 to have that ballot counted fairly and lawfully. *United States v. Mosley*, 238 U.S. 383, 386  
20 (1915); *Wesberry v. Sanders*, 376 U.S. 1, 17 (1964). Respondent's failures have deprived  
21 electors of this right, warranting immediate relief from this Court.

22 **JURISDICTION**

23 9. This Court has jurisdiction pursuant to California Code of Civil Procedure §  
24 1085, which authorizes the issuance of a writ of mandamus to compel a public official to  
25 perform a clear, non-discretionary duty imposed by law.

26 10. Mandamus relief is appropriate where a public official fails to perform a  
27 mandatory duty or acts in an arbitrary or unlawful manner. *Common Cause*, 49 Cal.3d at  
28 442; *California Ass'n for Health Services at Home v. State Dep't of Health Care Services*,

1 39 Cal.4th 424, 434 (2006).

2 11. Respondent is required by law to comply with the California Elections Code  
3 and other applicable statutes governing the administration of elections, public records  
4 access, and election security. Respondent's failure to perform these duties necessitates  
5 judicial intervention through mandamus relief.

6 12. This petition also seeks relief under the California Public Records Act (Gov't  
7 Code § 7923.000 et seq.), which provides a statutory right to public access to government  
8 records. Where a public agency unlawfully withholds public records, a court may issue a  
9 writ of mandate compelling disclosure. *CBS, Inc. v. Block*, 42 Cal.3d 646, 651 (1986);  
10 *Filarsky v. Superior Court*, 28 Cal.4th 419, 426 (2002).

11 13. Venue is proper in this Court pursuant to Code of Civil Procedure § 393(b)  
12 because:

- 13 a. The acts and omissions complained of occurred in Shasta County; and
- 14 b. Respondent performs his official duties in Shasta County.

15 **PARTIES**

16 14. Petitioners, Daniel T. Ladd and Laura Hobbs, are electors and registered voter  
17 in Shasta County, California. As such, they have a direct, immediate, and substantial interest  
18 in ensuring the lawful administration of elections. *Abbott v. McNutt*, 218 Cal. 225, 228  
19 (1933).

20 15. Respondent, Thomas Toller, is the Registrar of Voters for Shasta County and  
21 is sued in his official capacity.

22 16. Respondent is required by law to comply with the California Elections Code  
23 and other applicable statutes governing the administration of elections, public records  
24 access, and election security. Respondent's failure to perform these duties necessitates  
25 judicial intervention through mandamus relief.

26 17. Venue is proper in this Court pursuant to Code of Civil Procedure § 393(b)  
27 because the acts and omissions complained of occurred in Shasta County, and Respondent  
28 performs his official duties in Shasta County.

1 **STANDING**

2 18. Petitioners have standing to bring this writ as an “elector” under Cal. Elec.  
3 Code § 13314(a)(1). Cal. Elec. Code § 321 defines an elector as “a person who is a United  
4 States citizen 18 years of age or older and . . . is a resident of an election precinct in this state  
5 on or before the day of an election.” Petitioners are United States Citizens over the age of  
6 eighteen and residents of a county for which an elections official is named as a Respondent.

7 **REQUEST FOR PRIORITY**

8 19. Petitioners request that this Petition be given priority consideration pursuant  
9 to Code of Civil Procedure § 35 and Elections Code § 13314, as it concerns the performance  
10 of mandatory election-related duties by the Shasta County Registrar of Voters.

11 20. Elections Code § 13314(b)(2) provides that a peremptory writ of mandate shall  
12 issue only upon proof of both of the following:

- 13 a. That the error, omission, or neglect is in violation of the Elections Code
- 14 or the Constitution; and
- 15 b. That issuance of the writ will not substantially interfere with the
- 16 conduct of the election.

17 21. Both conditions are met in this case. Respondent’s failure to perform  
18 mandatory election-related duties is in clear violation of the Elections Code, and issuing the  
19 writ will not interfere with the conduct of any election but rather ensure future elections are  
20 conducted lawfully.

21 22. Accordingly, Petitioners request that this Court:

- 22 a. Expedite the hearing on the merits of this Petition; and
- 23 b. Issue a ruling as soon as possible to ensure Respondent’s compliance
- 24 with the law in the administration of elections.

25 **FACTUAL BACKGROUND**

26 **I. Overview of Election Irregularities and Violations**

27 23. On November 5, 2024, Shasta County conducted a general election that  
28 included federal, state, and local races, as well as ballot measures.

1           24.     Respondent, as the Shasta County Registrar of Voters, was responsible for  
2 conducting and certifying the election in compliance with California law.

3           25.     The election results were certified on December 3, 2024. However, during and  
4 after the election, multiple violations of the Elections Code, public records laws, and election  
5 security protocols were identified.

6           26.     Respondent failed to comply with mandatory voter roll maintenance  
7 requirements under Cal. Elec. Code § 2226, resulting in vote-by-mail ballots being sent to  
8 voters whose addresses had been designated as undeliverable. (See Exh. A, B.)

9           27.     Respondent obstructed public observation of election processes in violation of  
10 Cal. Elec. Code § 15104 by preventing election observers from meaningfully observing key  
11 procedures, including signature verification and ballot duplication. (See Exh. D and Exh. E)

12          28.     Respondent failed to maintain proper chain of custody and ballot security,  
13 leaving ballots unattended, failing to document ballot transfers, and maintaining  
14 disorganized storage procedures, in violation of C.C.R, Title 2, § 20873.

15          29.     Respondent refused to release public election records, including audit logs and  
16 Cast Vote Records, in violation of the Cal. Gov't Code § 7923.000 et seq.

17          30.     These failures undermined the transparency and security of the election  
18 process and deprived voters of their right to a fair and lawfully administered election. (See  
19 Exh. P)

20          36.     Fifty-two affidavits attest to the foregoing facts and are attached hereto as  
21 Exh. Z.

22 **II.     Failure to Comply with Mandatory Voter Roll Maintenance (Elections Code §**  
23 **2226)**

24          31.     California Elections Code § 2226 requires county elections officials to update  
25 voter registration records based on change-of-address information, returned mail, or non-  
26 forwardable postal data. If election mailings are returned as undeliverable or if official data  
27 sources indicate a voter has moved without providing a forwarding address, the county  
28 elections official must update the voter's registration to inactive status. Voters with an

1 inactive status do not receive election materials, including vote-by-mail ballots. Cal. Elec.  
2 Code § 2226(a)(2). The law further requires that all address updates, cancellations, and status  
3 changes be reflected on the official voter list. Elec. Code § 2226(d).

4 32. Petitioners are informed, believe, and, on that basis allege that, on September 2,  
5 2024, Thomas Toller received an email and a list of addresses that were marked as  
6 undeliverable in the March 5, 2024 election (See Exh. A).

7 33. Petitioners are informed, believe, and, on that basis allege that, despite this  
8 notification, ballots were still sent to these undeliverable addresses during the November  
9 2024 election in violation of California Elections Code § 2226(See Exh. B).

10 34. Petitioners are informed, believe, and, on that basis allege that 2,077 ballots  
11 were sent to voters whose ballots were previously returned as undeliverable during the  
12 March 2024 primary (See Exh. B).

13 35. Petitioners are informed, believe, and, on that basis allege that 672 of those  
14 ballots were returned in November 2024 and were counted as “good” ballots. (See Exh. C).

15 **III. Obstruction of Public Election Observers (Cal. Elec. Code § 15104)**

16 37. California Elections Code § 15104(a) mandates that the processing of vote-  
17 by-mail ballot return envelopes and the processing and counting of vote-by-mail ballots be  
18 open to the public, both prior to and after the election. Respondent failed to comply with this  
19 requirement by preventing election observers from meaningfully observing these processes.  
20 Cal. Elec. Code § 15104(a).

21 38. California Elections Code § 15104(c) requires election officials to notify  
22 vote-by-mail observers and the public at least 48 hours in advance of when ballots will be  
23 processed and counted.

24 39. Nevertheless, Respondent provided only 24 hours’ notice, in violation of this  
25 requirement. Cal. Elec. Code § 15104(c). (See Exh. K, and Decl. Chilson)

26 40. California Elections Code § 15104(d) requires election officials to allow  
27 observers "sufficiently close access" to enable them to observe the handling of vote-by-mail  
28 ballots and to challenge whether established procedures are being followed. Respondent



1 failed to provide sufficiently close access, obstructing observers' ability to meaningfully  
2 review and challenge improper handling of ballots. Cal. Elec. Code § 15104(d).

3 41. During the November 2024 election, election observers were routinely denied  
4 meaningful access to the verification and counting of vote-by-mail ballots in violation of  
5 Cal. Elec. Code § 15104.

6 42. Respondent positioned election observers too far away from the signature  
7 verification process to allow them to compare voter signatures with those on file, denying  
8 them their statutory right to meaningful observation. Cal. Elec. Code § 15104(d)(1). (See  
9 Exh. E).

10 43. Election observers were denied access to the ballot duplication process, where  
11 damaged or defective ballots were recreated. Observers were not permitted to view the  
12 duplication process sufficiently close to ensure accuracy, in violation of Cal. Elec. Code §  
13 15104(d)(2). (See Exh. D).

14 44. Petitioners are informed, believe, and, on that basis allege that vote-by-mail  
15 ballots were left unsecured and unattended, without proper safeguards to prevent tampering,  
16 in violation of Cal. Elec. Code § 15104(d)(3).

17 45. Despite multiple objections raised by election observers, Respondent took no  
18 corrective action to ensure compliance with Cal. Elec. Code § 15104. (See Exh D, and Exh  
19 E).

20 46. These violations deprived the public of their statutory right to meaningful  
21 observation of the election process and compromised the transparency of the election.

22 47. Fifty-two affidavits attest to the foregoing facts and are attached hereto as  
23 Exh. Z.

24 **IV. Failure to Maintain Proper Chain of Custody and Ballot Security (Cal. Code**  
25 **Regs., Title 2, § 20873)**

26 46. California Code of Regulations, Title 2, § 20873 establishes election security  
27 standards and mandates that election observers be allowed to review and monitor the  
28 processing and handling of ballots throughout all phases of the election, including vote-by-

1 mail ballot processing, ballot duplication, and ballot security procedures. C.C.R., tit. 2, §  
2 20873(a)–(c) (See Exh. V).

3 47. California Code of Regulations, Title 2, § 20873(c)(1) requires that election  
4 officials secure vote-by-mail ballots to prevent tampering before, during, and after the  
5 ballots are counted. Respondent failed to comply with this requirement by leaving ballots  
6 unsecured and unattended in multiple locations during the election process. C.C.R., tit. 2, §  
7 20873(c)(1). Respondent’s office did not have any procedures in place for chain of custody  
8 for ballots within the building (See Exh. X).

9 48. Petitioners are informed, believe, and, on that basis allege that, during the  
10 November 2024 election, Respondent failed to properly secure ballots and left them  
11 unattended in areas commonly referred to as the “bat cave,” “limbo room,” and “breakroom”  
12 for extended periods, in violation of Cal. Code Regs., tit. 2, § 20873(c)(1). (See Exh. E,  
13 Twelve Affidavits Given to Thomas Toller on 11/4/2024).

14 48. California Code of Regulations, Title 2, § 20873(c)(5) requires election  
15 officials to allow observers sufficiently close access to review the duplication of damaged  
16 or defective ballots. Respondent violated this requirement by conducting ballot duplication  
17 in a location where observers were not permitted access, preventing them from ensuring that  
18 duplicated ballots were accurately recorded. Cal. Code Regs., tit. 2, § 20873(c)(5). (See Exh.  
19 E).

20 49. California Code of Regulations, Title 2, § 20873(c)(9) grants election  
21 observers the right to observe the counting of valid ballots. Respondent failed to comply  
22 with this requirement by restricting observer access to areas where vote tabulation occurred,  
23 making it impossible for them to meaningfully monitor the counting process. Cal. Code  
24 Regs., tit. 2, § 20873(c)(9). (See Exh. E).

25 50. Ballots were transferred between different processing rooms without proper  
26 documentation, and election officials failed to maintain a clear and verifiable chain of  
27 custody for ballot movement. (See Decl. Chilson)

28 51. Petitioners are informed, believe, and on that basis allege that, despite

1 multiple requests from election observers for corrective action, Respondent failed to address  
2 or rectify the chain-of-custody failures, security breaches, and improper handling of ballots.

3 52. These violations compromised election security, undermined public  
4 confidence in the integrity of ballot handling, and necessitate judicial intervention to ensure  
5 future elections comply with chain of custody requirements.

6 53. Fifty-two affidavits attest to the foregoing facts and are attached hereto as  
7 Exh. Z.

8 **V. Election Error Rates Exceeding HAVA Standards (52 U.S.C. § 21081)**

9 54. HAVA establishes mandatory standards for election systems, including an  
10 error rate threshold not greater than 1 in 125,000 ballots. 52 U.S.C. § 21081(a)(5).

11 55. Shasta County's voting system failed to meet this standard. The Hart  
12 InterCivic Verity system experienced an estimated 46% ballot rejection rate due to  
13 improperly printed ballots. Between October 30<sup>th</sup>, 2024 and November 14<sup>th</sup>, 2024 Observers  
14 witnessed 103,600 ballot cards scanned of which 48,042 were rejected (48,042 divided by  
15 103,600 equals .46 or 46 percent. (See Exh. Y)

16 56. Petitioners are informed, believe, and on that basis allege that this issue  
17 stemmed from ink overspray problems that caused ballot scanning errors.

18 57. The rejection rate of 46 ballots per 100 (or 57,500 ballots per 125,000) far  
19 exceeds the federal legal threshold.

20 58. This level of error is not only unacceptable under HAVA but also calls into  
21 question the validity of the election results, as rejected ballots had to be duplicated—many  
22 of which were not properly duplicated (See Decl. of Hobbs 11/20/24, Hobbs 11/26/2024,  
23 and Jones).

24 59. A 46 percent rejection rate also far exceeds the CVSS rate of one misfeed or  
25 rejection out of 500 (or 0.2 percent) CVSS § 4.1.5.1 (f) (See Exh. L).

26 60. The Shasta County Board of Supervisors found these issues so concerning that  
27 they wrote a formal letter to the U.S. Attorney General requesting an investigation into the  
28 rejection rates and the integrity of the vote tabulation process. (See Exh. M).

1 **VI. Time Changes in Audit Logs and Suspected Security Breaches**

2 60. California Elections Code and federal voting security standards require that  
3 election audit logs be immutable, properly sequenced, and free from unauthorized changes.

4 61. Petitioners are informed, believe, and on that basis allege that audit logs from  
5 the Hart InterCivic voting system recorded multiple unauthorized time changes throughout  
6 the election. (See Exh. S, Exh. R).

7 62. These time changes were recorded at precise, consistent intervals, which  
8 suggests they were system-generated rather than manually entered by election officials.

9 63. CVSS § 2.1.5.1(d)(v) mandates that “voting system equipment shall only  
10 allow administrators to set or adjust the clock.” The repeated automated time changes violate  
11 this standard.

12 64. The Shasta County Board of Supervisors noted in their official concerns that:  
13 “The precision and timing of the adjustments are too consistent for a system  
14 administrator to make them manually. This further suggests that the archival record is able  
15 to be manipulated, making the Hart voting system unable to meet the mandatory required  
16 standard to distinguish and properly order all audit records.” (See Exh. N, Exh. Q)

17 65. Additionally, 100 ballots were written to the voting system’s vDrive (USB  
18 storage) but never appeared in the final Cast Vote Records (CVRs). (See Exh. R).

19 66. Petitioners are informed, believe, and on that basis allege that this indicates  
20 that ballots were removed or failed to be counted properly.

21 67. Under California Elections Code § 17603(b), if any voting equipment is  
22 suspected of compromised security or a chain-of-custody failure, the equipment must be  
23 removed from service immediately.

24 68. Despite this, Respondent failed to take any corrective action and continued  
25 using the system without ensuring proper security compliance.

26 **VII. Failure to Follow Voting System Manufacturer’s Guidelines**

27 69. California Elections Code § 19101(b)(1) and (b)(3) requires that voting  
28 machines be suitable for their purpose and free from fraud or manipulation.

1           70.     Petitioners are informed, believe, and on that basis allege that the Registrar of  
2 Voters failed to comply with Hart InterCivic’s ballot printing standards, leading to the ink  
3 overspray issue that resulted in massive ballot rejection rates. (See Exh. H, Exh. I).

4           71.     Hart InterCivic’s Verity Ballot Printing Guide mandates that: (a) Pre-election  
5 quality assurance tests must be conducted to ensure ballot scan accuracy; (b) all third-party  
6 printed ballots must be tested to prevent scanning errors before being distributed.

7           72.     Petitioners are informed, believe, and on that basis allege that Respondent did  
8 not conduct required ballot testing and ignored manufacturer guidelines (See Exh. I)

9           73.     As a result, voters received defective ballots that caused tabulation errors,  
10 disenfranchising thousands of voters.

11          74.     Petitioners are informed, believe, and on that basis allege that Shasta County  
12 used a convoluted and inaccurate method of identifying and removing rejected ballots, the  
13 respondent was aware of these problems refused to alter the procedure (See Exh. U).

14          75.     The California Voting System Standards require that ballots meet strict  
15 technical specifications, including proper ink application, opacity, and alignment.

16          76.     The Registrar knowingly ignored these standards, violating CVSS § 4.1.4.2,  
17 which governs paper-based voting system requirements.

18 **VIII. Improper Ballot Duplication Procedures**

19          76.     California Elections Code § 15104(d)(5) requires that all duplicated ballots be  
20 processed under meaningful public observation to prevent errors or fraud (See Exh. J).

21          77.     Petitioners are informed, believe, and, on that basis allege that Shasta County  
22 utilized the Runbeck Novus Duplication System without proper on-site logic and accuracy  
23 testing as is required by the Secretary of State (See Exh. T)

24          78.     Petitioners are informed, believe, and, on that basis allege that Shasta County  
25 used the Runbeck Novus Duplication System to process rejected ballots without sufficient  
26 transparency.

27          79.     Election observers were denied access to three of the four duplication  
28 workstations, making it impossible to ensure accuracy. Observers documented multiple

1 errors, including: (a) Marks not properly transferred when ballots were duplicated; (b)  
2 ballots being adjudicated by election workers without public oversight. (See Decl. Hobbs  
3 11/20/24, Hobbs 11/26/24, Jones 11/5/2024)

4 80. Petitioners are informed, believe, and, on that basis, allege that the Nevada  
5 County Election Office, which had the same ink overspray problem, implemented proper  
6 transparency measures by allowing observers to stand over the shoulders of workers  
7 duplicating ballots in a similarly confined space.

8 80. Petitioners are informed, believe, and, on that basis allege that Respondent  
9 was aware of the manual vote count alternative during emergencies and times in which use  
10 of a certified voting system is not feasible according to California Elections Code § 15270.3.

11 81. Petitioners are informed, believe, and, on that basis allege that Respondent  
12 was aware of these alternatives but refused to implement them.

13 82. Fifty-two affidavits attest to the foregoing facts and are attached hereto as Exh. Z.

14 **IX. Numerical Discrepancy in Ballot Counts**

15 81. According to the official Statement of Votes, 90,162 ballots were counted in  
16 the November 2024 election. (See Exh. F).

17 82. However, the Registrar of Voters' voter list, obtained through a public records  
18 request on December 9, 2024, shows that only 87,379 voters participated in the election (See  
19 Exh. G).

20 83. This leaves an unexplained discrepancy of 2,783 ballots that were counted but  
21 do not correspond to any identified voter.

22 84. California Elections Code § 15104(d)(3) states that ballots must be properly  
23 accounted for and matched to verified voters.

24 85. The U.S. Supreme Court has long held that the right to vote includes the right  
25 to have one's vote counted accurately. See *Mosley*, 238 U.S. at 386.

26 86. Petitioners are informed, believe, and, on that basis allege that this discrepancy  
27 indicates either unlawful ballot counting, tabulation errors, or failures in voter list  
28 maintenance.

1 **X. Public Records Requests and Violations of Transparency Requirements**

2 87. On or about December 9, 2024, Petitioner HOBBS submitted a formal public  
3 records request to Respondent pursuant to the California Public Records Act (Gov't Code §  
4 7923.000 et seq.) seeking election-related records. These included, but were not limited to,  
5 the following:

- 6 a. Audit logs documenting the processing, tabulation, and adjudication of  
7 ballots of both Hart InterCivic and Runbeck Novus
- 8 b. Cast Vote Records (CVRs) necessary for verifying election results;
- 9 c. Records pertaining to ballot duplication and adjudication processes;
- 10 d. Logic and accuracy testing reports for the Hart InterCivic voting  
11 system;
- 12 e. Communications and reports related to election security concerns and  
13 observed irregularities.

14 88. Respondent refused to provide the requested records, citing unspecified legal  
15 exemptions, and did not meet the burden of demonstrating a lawful basis for withholding  
16 the records (See Exh. P, Exh. W). Respondent's refusal constitutes a violation of the  
17 California Public Records Act, which mandates public access to government records unless  
18 a valid statutory exemption applies (Gov't Code § 7922.540). *Young v. Nevada County*,  
19 2023 ruled in favor of releasing audit logs and CVRs.

20 89. On multiple occasions, election observers and concerned citizens requested  
21 access to election-related documentation to verify the accuracy and security of the  
22 November 2024 election process. These requests were similarly denied, further obstructing  
23 transparency and accountability.

24 90. Petitioners are informed, believe, and, on that basis allege that Respondent's  
25 refusal to release critical election-related records was influenced by concerns over exposing  
26 procedural failures and irregularities, including discrepancies in ballot counts, improper  
27 ballot handling, and security vulnerabilities in the Hart InterCivic voting system.

28

1           91.       The refusal to disclose these public records has denied the Petitioners and the  
2 public essential information necessary to assess the integrity of the election. This lack of  
3 transparency undermines public confidence in the electoral process and obstructs the  
4 statutory right of access guaranteed under Gov't Code § 7923.000 et seq.

5           92.       These failures are further compounded by the California Voting System  
6 Standards, which require audit logs and Cast Vote Records to provide an immutable,  
7 verifiable record of election activity. Respondent's withholding of these documents  
8 contravenes both state standards and the overarching principles of transparency in election  
9 administration. (See Exh. O)

10       **FIRST CAUSE OF ACTION FOR WRIT OF MANDATE UNDER C.C.P. § 1085**

11       **(Against Respondent Thomas Toller, in his Official Capacity as Shasta County**  
12                               **Registrar of Voters)**

13           93.       Petitioners incorporate by reference all preceding paragraphs as though fully  
14 set forth herein.

15           94.       Under Code of Civil Procedure § 1085, a writ of mandate is appropriate where  
16 a respondent has a clear, ministerial duty imposed by law and has failed to perform that duty.  
17 The petitioners must establish (1) the existence of a clear, present, and ministerial duty on  
18 the part of the respondent; (2) a beneficial interest in the respondent's performance of that  
19 duty; and (3) the absence of a plain, speedy, and adequate remedy at law.

20           95.       Respondent, as the Registrar of Voters for Shasta County, has a clear,  
21 ministerial duty to conduct elections in compliance with state and federal law, including  
22 ensuring the accuracy, security, and transparency of election processes and in accordance  
23 with the legal requirements set forth hereinabove.

24           96.       Respondent has failed to perform these mandatory duties by engaging in  
25 multiple violations of the California Elections Code, the California Code of Regulations,  
26 and applicable federal laws, including but not limited to:

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1 a. Failure to Maintain Accurate Voter Rolls (Cal. Elec. Code § 2226) –  
2 Sending ballots to voters whose addresses had been marked as undeliverable,  
3 resulting in ineligible ballots being issued and counted.

4 b. Failure to Allow Meaningful Observation of Election Processes (Cal.  
5 Elec. Code § 15104) – Preventing public observers from meaningfully  
6 monitoring critical election processes, including vote-by-mail signature  
7 verification, ballot duplication, and tabulation.

8 c. Failure to Maintain Proper Chain of Custody and Ballot Security  
9 (C.C.R., Title 2, § 20873) – Failing to properly secure and document the  
10 movement of ballots, leading to discrepancies in ballot tracking and handling.

11 d. Tabulation Errors and Voting System Malfunctions (52 U.S.C. §  
12 21081; Cal. Elec. Code § 19101) – Using a voting system that experienced  
13 widespread tabulation errors, including an estimated 46% ballot rejection rate  
14 due to ink overspray issues, in violation of federal and state standards.

15 e. Use of a Compromised Voting System (Cal. Elec. Code § 17603(b)) –  
16 Failing to remove a voting system that recorded multiple unauthorized time  
17 changes in its audit logs, indicating potential security vulnerabilities.

18 f. Failure to Follow Proper Ballot Duplication Procedures (Cal. Elec.  
19 Code § 15104(d)(5)) – Preventing election observers from meaningfully  
20 overseeing the ballot duplication process, leading to potential errors in  
21 duplicate ballots.

22 g. Unexplained Discrepancies in Ballot Counts – Certifying election  
23 results despite an unexplained discrepancy of 2,783 ballots between the  
24 official vote count and the number of recorded participating voters.

25 97. These violations constitute a failure to perform mandatory, non-discretionary  
26 duties under the Elections Code and other applicable laws.

27 98. Petitioners have a direct, beneficial interest in the performance of these duties,  
28 as they are registered electors in Shasta County and is entitled to participate in elections that

1 are conducted lawfully and transparently. The violations identified herein have  
2 compromised the integrity of the election process and have deprived Petitioners, as well as  
3 all voters in Shasta County, of their right to a fair election.

4 99. Petitioners have no plain, speedy, or adequate remedy at law. There is no  
5 administrative remedy available that would compel Respondent to comply with the Elections  
6 Code and other applicable statutes governing election administration. Given the fundamental  
7 importance of election integrity, judicial intervention is necessary to compel Respondent to  
8 perform his mandatory duties in accordance with the law. A writ of mandate is the only  
9 means by which Petitioners can ensure that future elections in Shasta County are conducted  
10 lawfully, transparently, and in compliance with state and federal requirements.

11 100. Accordingly, Petitioners seek a writ of mandate compelling Respondent to (a)  
12 comply with his ministerial duties under the Elections Code, the California Code of  
13 Regulations, and applicable federal law; (b) correct the identified violations to ensure  
14 compliance with voter roll maintenance, public transparency, ballot security, and tabulation  
15 accuracy requirement; and (c) conduct a full review of the November 5, 2024, election  
16 process and implement remedial measures to prevent similar violations in future elections.

17 **SECOND CAUSE OF ACTION FOR WRIT OF MANDATE UNDER**  
18 **GOVERNMENT CODE § 7923.000**

19 **(Against Respondent Thomas Toller, in his Official Capacity as Shasta County**  
20 **Registrar of Voters)**

21 101. Under Government Code § 7923.000, a writ of mandate is appropriate where  
22 petitioners establish that (1) the respondent is a public official or agency subject to the  
23 California Public Records Act; (2) the petitioners have made a proper request for records  
24 that are subject to disclosure; (3) the respondent has refused to disclose the requested records  
25 without a lawful exemption; and (4) the petitioners have no plain, speedy, or adequate  
26 remedy at law.

27 102. Respondent, as the Registrar of Voters for Shasta County, is a public official  
28 subject to the California Public Records Act. The Act guarantees public access to

1 government records to ensure transparency and accountability in the conduct of public  
2 affairs. Government Code § 7923.000 imposes a mandatory duty on public officials to  
3 disclose records upon request unless a specific exemption applies.

4 103. Petitioners made lawful requests for public records related to the November  
5 2024 election, including audit logs, Cast Vote Records (CVRs), ballot duplication records,  
6 logic and accuracy testing reports, and correspondence regarding election security issues.  
7 These records are subject to disclosure under Government Code § 7922.530, which requires  
8 public access to election-related data that pertains to the integrity, security, and accuracy of  
9 the voting process.

10 104. Respondent has refused to disclose these records without citing any lawful  
11 exemption. The Public Records Act places the burden on the public agency to justify  
12 withholding records, yet Respondent has failed to provide any valid legal basis for non-  
13 disclosure. The refusal to provide access to these records is a violation of Government Code  
14 § 7922.540, which prohibits public officials from unlawfully obstructing public access to  
15 government records.

16 105. Petitioners have a clear and beneficial interest in the disclosure of these  
17 records, as they pertain to the administration of an election in which he participated as a  
18 voter. The withholding of these records prevents the Petitioners and the public from  
19 verifying the accuracy and transparency of the election process, undermining public  
20 confidence in the electoral system.

21 106. Petitioners have no plain, speedy, or adequate remedy at law. There is no  
22 administrative mechanism available to compel Respondent to release the requested records.  
23 The continued withholding of these public records deprives Petitioners and all voters in  
24 Shasta County of critical information necessary to ensure election transparency and  
25 accountability.

26 107. A writ of mandate is the only means by which Petitioners can enforce their  
27 statutory right to access these public records. Accordingly, Petitioners seek a writ of mandate  
28

1 compelling Respondent to produce the requested records in compliance with the California  
2 Public Records Act.

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**PRAYER FOR RELIEF**

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WHEREFORE, Petitioners respectfully request that this Court grant the following  
9 relief:

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1. **Issuance of a Peremptory Writ of Mandate** directing Respondent, in his  
11 official capacity as Shasta County Registrar of Voters, to:

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a. Comply with all mandatory statutory and regulatory duties governing  
13 election administration, including those set forth in the California Elections  
14 Code, the California Code of Regulations, and applicable federal law;

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15

b. Immediately take corrective action to ensure compliance with voter roll  
16 maintenance requirements, election observer access, ballot security protocols,  
17 tabulation accuracy standards, and all other election integrity safeguards  
18 violated in the November 5, 2024 election;

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c. Conduct a full review of the election process and implement remedial  
20 measures necessary to ensure the lawful administration of future elections;

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21

d. Provide public notice and transparency regarding all corrective actions  
22 taken in response to the violations identified in this Petition.

22

23

2. **Alternative Writ of Mandate:** If the Court determines that the issuance of a  
24 peremptory writ without further briefing or argument is not warranted, Petitioners request  
25 the issuance of an alternative writ directing Respondent to show cause why a peremptory  
26 writ should not issue.

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3. **Judicial Oversight and Declaratory Relief:** That this Court retain  
28 jurisdiction over this matter to ensure Respondent's full compliance with any orders issued

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1 and, if necessary, issue declaratory relief affirming that Respondent's actions constitute  
2 violations of law and ordering appropriate corrective measures.

3 4. **Attorney's Fees and Costs:** That Petitioners be awarded reasonable  
4 attorney's fees and costs incurred in bringing this action pursuant to California Code of Civil  
5 Procedure § 1021.5 and any other applicable provisions of law.

6 5. **Further Relief:** That this Court grant such other and further relief as it deems  
7 just and proper in the interests of justice.

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9 DATED: January 30, 2025

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By: \_\_\_\_\_

Daniel T. Ladd, *pro per*

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1-30-25

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By: \_\_\_\_\_

Laura Hobbs

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**VERIFICATION**

*and Laura Hobbs are*

I, Daniel T. Ladd, ~~am~~ the Petitioners in the above-entitled action. I have read the foregoing Petition and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein alleged on information and belief, and as to those matters, I believe it to be true.

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

Date:

1/30/25

Daniel T. Ladd

Date: 1-30-25

\_\_\_\_\_

Laura Hobbs

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