

COMP
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DISTRICT COURT

CARSON COUNTY, NEVADA

Sharron Angle, Bernard Isensee, Jacqui
Isensee, Charla P. Purinton, William G.
Feidrich, Richard L. Jones, Anne B.
Cotter, Leslie P. Barta, Gary J. Duarte,
Nellie J. Butler,

CASE NO.
DEPT. NO.

Contestants,

vs.

Nevada Secretary of State Dean Heller

VERIFIED STATEMENT OF CONTEST

Defendants.

I

FILED TIMELY

(As Required by NRS 293.413 (1))

NRS 293.413 Time for filing statement of contest; precedence of election contest; referral to special master.

1. The statement of contest provided for in NRS 293.407 shall be filed with the clerk of the district court no later than 5 days after a recount is completed, and **no later than 14 days after the election if no recount is demanded**. The parties to a contest shall be denominated contestant and defendant.

II
CONTESTANTS
(As Required by NRS 293.407 (2)(a))

Sharron Angle is a candidate for office for Representative for Congress for District 2 in Nevada. All other contestants electors and registered voter of the appropriate political subdivision.

III
NAME OF DEFENDANT AND OFFICE HE WAS DECLARED TO HAVE WON
(As Required by NRS 293.407 (2) (b) and (c))

Defendant, Dean Heller, was elected to be the Nominee for the Republican Party of Nevada for the office of Representative in the United States House of Representatives for Nevada District 2.

IV
ALLEGED GROUNDS FOR CONTEST OF ELECTION
(As Required by NRS 293.407 (2) (d))

This statement is filed as per NRS 293.407, NRS 293.410, NRS 293.413

1. Election board officers committed malfeasance by not properly training other election board members as to how the voting machines worked, so voters were turned away in violation of NRS 293.273 (See also NRS 293.410 (2)(a) and NRS 293.050 “Election board officer” defined.)
2. Election officials did not bring keys to a polling place so voters were turned away while election board members tracked down the keys creating a violation of NRS 293.273 (1) (See also NRS 293.410 (2)(a))
3. Registered Republicans were not allowed to vote in the Republican primary election

because they were not given Republican ballots in violation of NRS 293.2546 (1)(a) and (b) and NRS 293.2546 (7) and NRS 293.257 (See also NRS 293.410 (2)(a))

4. Failure to show up on time as required by members of the election board as per NRS 293.273 is malfeasance. (See NRS 293.410 (2)(a))
5. Republican Voters voted in the democrat primary due to violations of NRS 293.2546 (1)(a) and (b) and NRS 293.2546 (7) and NRS 293.257 (See also NRS 293.410 (2)(a))
6. Voters in mail ballot precincts did not receive their mail ballot form and were not allowed to vote at an alternative polling place in violation of NRS 293.345 (See also NRS 293.410 (2)(a))
7. Mail ballots were sent out late so voters were not able to vote on time in violation of NRS 293.345 (See also NRS 293.410 (2)(a))
8. An estimated 100 election board members/poll workers did not show up for work, thus causing polling places to open late, therefore would be voters could not vote, in violation of NRS 293.273 (See also NRS 293.410 (2)(a))
9. Election board members/poll workers did not bring supplies on time causing polling places to open late therefore would be voters could not vote, in violation NRS 293.273. (See also NRS 293.410 (2)(a))
10. Election board members/poll workers did not test the voting machines prior to 7 a. m.or possibly not at all causing polling places to open late therefore would be voters could not vote or be sure that their votes were properly counted in violation NRS 293.273. (See also NRS 293.410 (2)(a)and/or (d))
11. Election board members/poll workers slept in, took off, or did not notify the election

board officials causing polling places to open late therefore would be voters could not vote in violation NRS 293.273. (See also NRS 293.410 (2)(a)).

12. Election board members/poll workers that were untrained were expected to or were attempting to replace trained workers that did not show up to work at all or on time therefore would be voters could not vote. (See NRS 293.410 (2)(a)).
13. Washoe County Registrar of Voters admitted that Washoe County must “Go back to the drawing board” on elections, thus admitting malfeasance. Going back to the drawing board may keep these problems from occurring in the next election but does not rectify the fact that in this primary election voters were disenfranchised. (See NRS 293.410 (2)(a)).
14. There were malfunctions and possible malfunctions in some voting or counting devices due to inadequately trained election board members/poll workers. (See NRS 293.410 (2)(f)).
15. Pursuant to NRS 293.410(d), contestants also allege that the election board, in conducting the election made errors sufficient to change the result of the election as to any person who has been declared elected. (See NRS 293.410 (2)(d)).(See generally Exhibit A, the transcript of the videotaped statement of Dan Burk, Washoe County Registrar of Voters.
16. There are 462 under votes in Washoe County that are unaccounted for.
17. Due to the above acts of malfeasance (unlawful acts) by election board members, it is impossible to determine how many voters were prevented from voting in the primary election. The alleged grounds for this challenge show that numerous voters have been

disenfranchised by acts of malfeasance. The exact number of voters that were disenfranchised cannot be known.

V
DATE OF DECLARATION OF RESULTS
(As Required by NRS 293.407 (2)(e))

The date of the declaration of the result of the election and the body or board which canvassed the returns thereof was August 21, 2006.

VI
VERIFIED STATEMENT OF CONTESTANTS
(As Required by NRS 293.407 (3))

The Contestants' verification statements of contest are attached hereto.

VII
ELECTION CONTESTED IS NOT FOR THE OFFICE OF REPRESENTATIVE IN CONGRESS

The election in question was to determine the Republican candidate for the General election of **Representative in Congress for Nevada District 2 and not for the office of Representative in Congress.**

NRS 293.407 Filing of written statement of contest with clerk of district court; verification.

1. A candidate **at any election**, or any registered voter of the appropriate political subdivision, may contest the election of any candidate, except for the office of United States Senator or Representative in Congress.

VIII
STATEMENT OF CONTEST FOR THE ENTIRE CONGRESSIONAL DISTRICT

This Statement of contest is for the entire Congressional District #2 and not for a single County or voting district.

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IX
RELIEF SOUGHT
(As PER by NRS 293.417 (3) & (4))

Wherefore, Contestants pray judgment against Defendant as follows:

The only remedy available to re-enfranchise voters in Congressional District 2 is to declare the primary election to be a nullity. There are no other effective remedies. The real will of the voters cannot be known as it cannot be known how many voters were disenfranchised. The exact number of these disenfranchised voters cannot be determined by either the Contestants or the Defendants or even the election board. Therefore Contestants request that the primary election concerning the nominee for the Republican Party of Nevada as their candidate for the office of Representative in the United States House of Representatives for Nevada District 2 be annulled or set aside by the judgment of this court.

DATED this ____ day of _____, 2006

HANSEN & HANSEN, LLC

BY: _____

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Nevada Bar No.1876

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