

EXHIBIT H

No. 100303-0

SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	
ex rel., WASHINGTON)	
ELECTION INTEGRITY)	VERIFIED PETITION
COALITION UNITED, a)	WRIT OF MANDAMUS
Washington State Nonprofit,)	
)	
Petitioner and Relator,)	
)	
v.)	
)	
JAY INSLEE, Governor)	
of Washington State,)	
)	
Respondent.)	

Petitioner alleges:

I. PARTIES

1. Petitioner/Relator is an educational nonprofit corporation of Washington State with its principal office in Pierce County, Washington, dedicated to the public interest of transparent, secure and verified elections.

2. Respondent Jay Inslee is the acting Governor for the State of Washington.

II. JURISDICTION

3. This Court has original jurisdiction for actions in mandamus as to state officers. (Article IV, §4, Washington State Constitution (“Constitution”); RCW 7.16.160; RAP 16.2(a).)

III. RESPONDENT MUST BE ENJOINED FROM VIOLATING ARTICLE VI SECTION 1 OF THE CONSTITUTION

4. Upon entering his state office, Respondent swore an oath to support the Constitution:

I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the state of Washington, and that I will faithfully discharge the duties of the office of Governor to the best of my ability.

(RCW 43.01.020 [Oath of Office, Governor].)

5. Respondent's duty to support the Constitution is ministerial; he has no discretion to ignore its provisions. (Article 1, § 29 ["CONSTITUTION MANDATORY"].)

6. Respondent, as the holder of the supreme executive power of the State, is the elected state officer responsible for overseeing an Executive Cabinet, including Executive Cabinet member Teresa Berntsen, Director of the Washington State Department of Licensing.

7. Respondent has a Constitutional duty to see that all laws are faithfully executed by him and his Cabinet. (Article III, §2 ["[t]he supreme executive power of this state shall be vested in a governor. . . ."]; Article III, §5 ["[t]he governor . . . shall see that the laws are faithfully executed."]; <https://www.governor.wa.gov/office-governor/office/executive-cabinet> [Governor's Executive Cabinet member Director Teresa Berntsen].)

8. Under our Constitution, “[a]ll Elections “shall be free and equal” (Article 1, §19.)

9. Under our Constitution, to maintain free and equal elections, qualified electors must be citizens of the United States:

SECTION 1 QUALIFICATIONS OF ELECTORS.

All persons of the age of eighteen years or over who are **citizens of the United States** and who have lived in the state, county, and precinct thirty days immediately preceding the election at which they offer to vote, except those disqualified by Article VI, section 3 of this Constitution, **shall be entitled to vote** at all elections.

(Article VI, § 1 [emphasis added].)

10. Consistent with our Constitution, the Legislature requires applications to register to vote to include “[c]lear and conspicuous language” “stating that the applicant must be a United States citizen in order to register to vote”. (RCW 29A.08.210 (10) [emphasis added]; *see also*, RCW 29A.08.230 [oath of registration includes attestation that “[the applicant is] a citizen of the United States”].)

11. Contrary to our express Constitutional and Legislative requirements that electors be citizens of the United States, Petitioner is informed and believes, and thereon alleges, that Respondent, his Executive Cabinet member Director Teresa Berntsen, appointees, officers, agents, employees, and persons in active concert or participation with Respondent are:

a. actively registering voters who are not citizens of the United States;

b. instructing employees within the Department of Licensing to not ask whether a person registering to vote is a United States citizen;

c. providing voter registration forms with the United States citizenship designation pre-populated and/or filled in;

d. instructing employees within the Department of Licensing to not ask questions about, or to in any way verify, the legality of voter registrations done through the Department of

Licensing as they relate to the applicant's United States citizenship;

e. instructing Department of Licensing employees to pressure applicants into registering to vote even after the applicants disclose that they are not United States citizens; and/or,

f. subjecting Department of Licensing employees to discipline if they inquire as to the legality of a voter registration is it relates to the citizenship of an applicant.

(*See*, Affidavit of Tamborine Borrelli, Appendix A1-A4 incorporated herein by this reference in its entirety.)

12. Petitioner petitioned Respondent and the Attorney General of Washington State to cease and desist from further violations of Article VI, §1 to no avail.

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**IV. RESPONDENTS CONDUCT VIOLATES THE
EQUAL PROTECTION, FREE SPEECH AND DUE
PROCESS RIGHTS OF QUALIFIED ELECTORS**

13. As a proximate result of Respondent's conduct, qualified electors under Article VI, §1 are being denied equal and free elections. (Article 1, §19 ["[a]ll Elections shall be free and equal. . . ."].)

14. The right of qualified electors to have their vote treated EQUALLY in electing their representatives and influencing the political direction of their government is the democratic republic's indispensable political foundation. Without free and equal elections, there is neither the possibility for citizens to express their will nor the opportunity for citizens to change their leaders, approve policies for the country, address wrongs, or protest the limitation of their rights afforded to them by the Constitution. (Article 1, §19)

15. Elections establish the citizenry's and the individual's right to FREE SPEECH as depicted by the First Amendment of the Constitution of the United States of America. Our Constitution must be followed so that free and equal elections may be held in this State consistent with the free speech will of the People. (Article 1, §2 [“The Constitution of the United States is the supreme law of the land.”].)

16. Elections also establish the citizenry’s right to DUE PROCESS under Article 1 § 3 of our Constitution: "No person shall be deprived of life, liberty, or property without due process of law." The right to have their vote counted in a free and equal election is a fundamental right to which all qualified electors of Washington State are entitled. Qualified electors are being denied due process in the weight and impact of their votes as a proximate result of Respondent’s conduct.

17. There is no plain, speedy and adequate remedy in the ordinary course of law. (RCW 7.16.170) Despite petitions to

the contrary, Respondent has failed to cease or desist from the Constitutional violations.

18. The Constitutional and Legislative requirements for the qualifications of electors may not be ignored by Respondent or this Court. (Article 1, §29; Article VI §1) This Petition should be granted.

V. RELIEF SOUGHT

WHEREFORE, PETITIONER prays for judgment as follows:

1. That this Petition be decided by the Washington State Supreme Court pursuant to RAP 16.2(d);
2. That upon hearing by the Supreme Court, Respondent, his Executive Cabinet member Director Teresa Berntsen, appointees, officers, agents, employees, and persons in active concert or participation with him, be restrained and enjoined from further violations of Article VI §1 as alleged herein, or to show cause before this Court why he has not done so (RCW 7.16.180);

3. That upon hearing by the Supreme Court, Respondent, his Executive Cabinet member Director Teresa Berntsen, appointees, officers, agents, employees, and persons in active concert or participation with him, be mandated to verify the United States citizenship for each voter registered in this State, and to remove any registered voter from all voter databases who is not a United States citizen, or to show cause before this Court why he cannot do so (RCW 7.16.180);

4. For an award of attorney's fees and costs of suit and for such other and further relief as the Court deems just and proper.

Respectfully submitted this 4th day of October, 2021.

Per RAP 18.17(b), I hereby certify the number of words contained in this Petition are as follows: 1,210.

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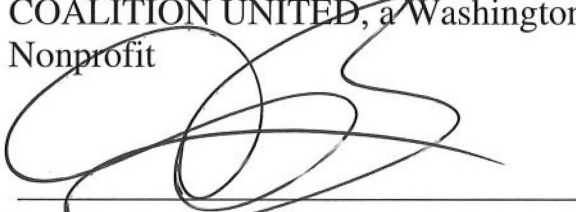
VERIFICATION

I, Tamborine Borrelli, declare:

I am the Director of the named Petitioner/Relator in the above-captioned action. I have read the foregoing VERIFIED PETITION WRIT OF MANDAMUS and know the contents thereof. I am informed and believe that the matters stated therein are true and correct and on that ground I allege that the matters stated therein are true.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct and that this document was executed in the County of Thurston, State of Washington, on this 4th day of October, 2021.

WASHINGTON ELECTION INTEGRITY
COALITION UNITED, a Washington State
Nonprofit



By: Tamborine Borrelli
It's: Director

WASHINGTON ELECTION INTEGRITY
COALITION UNITED, a Washington State
Nonprofit



By: Tamborine Borrelli
It's: Director



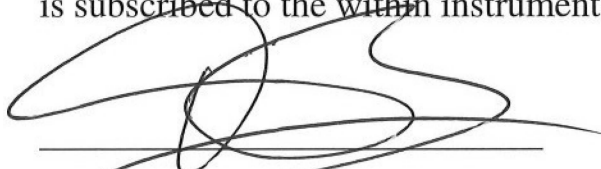
NOTARY ACKNOWLEDGMENT

State of Washington)

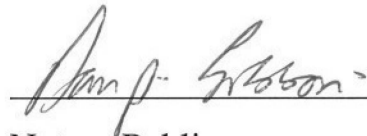
)

County of Thurston)

The foregoing instrument was acknowledged before me this 14th day of October, 2021, by the undersigned, Tamborine Borrelli, who is personally known to me or satisfactorily proven to me to be the person whose name is subscribed to the ~~within~~ instrument.



Signature



Notary Public

Notary Public
State of Washington
Dan P. Sisson
My Commission Expires
January 23, 2024

My Commission Expires: 01/23/2024

APPENDIX

**AFFIDAVIT OF TAMBORINE BORRELLI IN SUPPORT
OF VERIFIED PETITION WRIT OF MANDAMUS A1-A4**

No.

SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,)	
ex rel., WASHINGTON)	
ELECTION INTEGRITY)	AFFIDAVIT OF
COALITION UNITED, a)	TAMBORINE BORRELLI
Washington State Nonprofit,)	IN SUPPORT OF
)	VERIFIED PETITION
Petitioner and Relator,)	WRIT OF MANDAMUS
)	
v.)	
)	
JAY INSLEE, Governor)	
of Washington State,)	
)	
Respondent.)	

AFFIDAVIT

I, Tamborine Borrelli, a citizen residing in the city of Yelm, in the county of Thurston, in the state of Washington do hereby swear under oath that:

1. I am over 18 years of age and competent to make the statements herein.

2. I am filing this affidavit in support of the Verified Petition Writ of Mandamus filed by the Petitioner/Relator in the above captioned matter. (RCW 7.16.300)

3. On August 29, 2021, retired Department of Licensing employee Patti Johnson (“Retiree”) provided public testimony at an Election Integrity Public Hearing in Skagit County, hosted by Bill Bruch, Skagit County Chair for the Washington State Republican Party. The testimony may be viewed at https://www.facebook.com/watch/live/?v=215754943853068&ref=watch_permalink, incorporated herein by this reference in its entirety (commencing at timestamp 1:10:18).

4. Per Patti Johnson’s public statements, she witnessed the Washington State Department of Licensing engaging in the following acts:

a. actively registering voters who are not citizens of the United States;

b. instructing employees within the Department of Licensing to not ask whether a person registering to vote is a United States citizen;

c. providing voter registration forms with the United States citizenship designation pre-populated and/or filled in;

d. instructing employees within the Department of Licensing to not ask questions about, or to in any way verify, the legality of voter registrations done through the Department of Licensing as they relate to the applicant's United States citizenship;

e. instructing Department of Licensing employees to pressure applicants into registering to vote even after the applicants disclose that they are not United States citizens; and/or,

f. subjecting Department of Licensing employees to discipline if they inquire as to the legality of a voter registration is it relates to the citizenship of an applicant.

Under penalty of perjury, I hereby declare and affirm that the above stated facts, to the best of my knowledge, are true and correct.

DATED this 4th day of October, 2021.



Tamborine Borrelli

NOTARY ACKNOWLEDGMENT

State of Washington)

County of Thurston)

The foregoing instrument was acknowledged before me this 4th day of October, 2021, by the undersigned, Tamborine Borrelli, who is personally known to me or satisfactorily proven to me to be the person whose name is subscribed to the within instrument.



Signature

**Notary Public
State of Washington
Dan P. Sisson
My Commission Expires
January 23, 2024**

Dan P. Sisson

Notary Public

My Commission Expires: 01/23/2024

WEICU

October 04, 2021 - 4:34 PM

Filing Original Action Against State Officer

Transmittal Information

Filed with Court: Supreme Court

Appellate Court Case Number: Case Initiation

The following documents have been uploaded:

- OAS_Orig_Act_Against_State_Officer_20211004162628SC381988_0814.pdf

This File Contains:

Original Action Against State Officer

The Original File Name was WEiCUWRITFAF.pdf

