

Case Number: 7-15-4-23-9-14-19

Authors/Creators:

Daniel Clayton Wood, Sui Juris

Deborah Ann Boehm, Sui Juris

Brian Edward Steiner, Sui Juris

Joseph Micheal Grimm, Sui Juris

Address: 17253 North Rosemont Street Maricopa, Arizona 85138

Email: dcwsparky@protonmail.com

Phone Number: (520) 759-6783

SUPERIOR COURT OF ARIZONA,

MARICOPA, ARIZONA

Daniel Clayton Wood, Sui Juris

Joseph Michael Grimm, Sui Juris

Deborah Ann Boehm, Sui Juris

Brian Edward Steiner, Sui Juris

Plaintiff, Sui Juris

vs.

**STATE OF ARIZONA PRESIDENT
OF THE SENATE, WARREN
PETERSON ET. AL., STATE OF
ARIZONA SPEAKER OF THE
HOUSE, BEN TOMA ET. AL., STATE
OF ARIZONA ATTORNEY
GENERAL, KRIS MAYES ET. AL.**

Defendant

Case No.:

Original, Writ

**MATTER OF NECESSITY FOR THE
FURTHERANCE OF JUSTICE**

**CONSTITUTIONAL CHALLENGE
TO STATUTES**

**ARCP - RULE 26,
*A.R.S 12-1841***

**TRIAL BY GRAND JURY
DEMANDED**

Notice of Constitutional Questions

NOTICE TO PRINCIPAL IS NOTICE TO AGENT AND NOTICE TO AGENT IS NOTICE TO PRINCIPAL

“In the beginning God created the heaven and the earth... So God created man in his own image, in the image of God created he him; male and female created he them.”

-Authorized King James Version, Genesis 1:1, 27-Almighty God

“We the People of the United States, in Order to form a more perfect Union, establish Justice, ensure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

-The Preamble of the Constitution of the United States- We the People

“We the People of the State of Arizona, grateful to Almighty God for our liberties, do ordain this Constitution.”

-The Preamble of the Arizona Constitution- We the People

COME NOW Plaintiffs, Daniel Clayton Wood, Joseph Michael Grimm, Deborah

Ann Boehm, and Brian Edward Steiner hereby file this petition for a

Constitutional Challenge to statutes for Original Writ and in support thereof, will

show unto “**The State of Arizona**”, Arizona Superior Court of Record as follows:

JURISDICTION AND VENUE

State of Arizona Constitution Article 2 Section 32

“The provisions of this Constitution are **mandatory**, unless by express words they are declared to be otherwise.” See Exhibit 4.

Charles A. Weisman, **Maxims of Law**, Weisman Publications, Burnsville, Minnesota, 1990. See Preface.

Black’s Law Dictionary, 2nd Edition. MAXIM, An established principle or proposition. A principle of law universally admitted, as being a correct statement of the law, or as agreeable to natural reason. Coke defines a maxim to be “conclusion of reason,” and says that is so called “quia maxima ejus dignitas et certissima auctoritas, et quod maxime omnibus probetur” Co. Litt.11a. He says in another place: “A maxime is a proposition to be of all men confessed and granted without proof, argument, or discourse.” Id. 67a.

“Maxims of Law, like any other fundamental laws, always hold true and yield the same results under the same conditions.”

Maxims of Law:

66e. Jurisdiction is a power introduced for the public good, on account of the necessity of dispensing justice. [10 coke, 73a.]

Black’s Law Dictionary, 3rd Edition.

Sui Juris- Lat. Of his own right; possessing full social and civil rights; not under any legal disability, or the power of another, or guardianship. Having capacity to manage one’s own affairs; not under legal disability to act for one’s self. [**Story, Ag. § 2.**]

1. As a matter of necessity, Plaintiffs, coming Sui Juris in this Court of Record, bring forth this petition for an Original Writ of a Constitutional Challenge to a Federal Act and Arizona State Statutes. Jurisdiction is proper in “**The State of Arizona**”. This is Constitutionally mandated for the Superior Court of Record as seen in the Arizona Constitution Article 6 § 25, Arizona Constitution Article 6 § 1, Article 6 § 5(1)(6), Article 6 § 30(A), Article 6 § 3, Article 6 § 26, and Arizona Constitution Article 2 § 3. Jurisdiction is proper pursuant to United States Constitution Article 3, United States Constitution Article 4 § 4, and United States Constitution Article 6. See Exhibits 2, 3, and 4.

2. The United States Bill of Rights 1st, 5th, 7th, and 9th Amendments.
See Exhibit 2.

3. The Arizona Declaration of Rights Article 2 Sections 4, 5, and 11.
See Exhibit 4.

4. Common Law jurisdiction is necessary for the People of Arizona, this Constitutionally mandated Court of Record shall be the rule of decision in all

courts of this state pursuant to [*A.R.S. 1-201. Adoption of common law; exceptions.*] and [*A.R.S. 12-122. General power of the superior court*].

See Exhibit 7.

5. Jurisdiction pursuant to [*A.R.S. 12-102(A). Jurisdiction and duties.*] and [*A.R.S. 12-123(B). Jurisdiction and powers*]. See Exhibit 7.

6. Jurisdiction is proper pursuant to [*A.R.S. 12-1841. Parties; notice of claim of unconstitutionality*]. See Exhibit 7.

7. Venue is proper pursuant to [*A.R.S. 12-401. Venue*]. See Exhibit 7.

II. PARTIES

Arizona Constitution Article 2 Section 1

“A frequent recurrence to the fundamental principles is essential to the security of individual rights and the perpetuity of free government.” See Exhibit 4.

State of Arizona Constitution Article 2 Section 2

“All political power is inherent in the people, and governments derive their just powers from the consent of the governed, and are established to protect and maintain individual rights.” See Exhibit 4.

1. Plaintiff Daniel Clayton Wood, Sui Juris, is a resident of Pinal County, Arizona and of the United States.

2. Plaintiff Deborah Ann Boehm, Sui Juris, is a resident of Maricopa County, Arizona and of the United States

3. Plaintiff Brian Edward Steiner, Sui Juris, is a resident of Maricopa County, Arizona and of the United States.

4. Plaintiff Joseph Michael Grimm, Sui Juris, is a resident of Pima County, Arizona and of the United States.

5. Plaintiffs suffered injury by Trespass when the State of Arizona Legislature held unconstitutional elections since the enactment of [*Arizona Revised Statutes Title 16 Chapter 4 Article 4 Sections 16-441; 16-442; 16-442.01; 16-443; 16-444; 16-445; 16-446; 16-447; 16-448; 16-449; 16-450; 16-451; 16-452*] in 2002. As a result of the Arizona’s Legislatures actions, government officials have usurped the People’s right to hold elections in the State of Arizona. These statutes have allowed the use of voting machines, which have turned the control of elections over to (foreign

power) corporations. See United States Bill of Rights 14th Amendment; Arizona Constitution Article 2 § 21 in Exhibits 2, 3, and 4.

6. Defendants, the State of Arizona (Alleged) Legislature, must provide the People of the State of Arizona with a Republican form of government. In “The State of Arizona” Constitution, the People establish in Article 2 Section 3 “The Constitution of the United States is the supreme law of the land to which all government, state, and federal, is subject.” See United States Constitution Article 4 § 4. See Exhibits 2 and 4.

7. Defendants, the State of Arizona (Alleged) Legislature, was formed to enact legislation. Arizona Constitution Article 4 §1 and Arizona Constitution Article 3 § 0. See Exhibit 4.

8. In order to satisfy [*A.R.S 12-1841*] the State of Arizona (Alleged) Attorney General is listed as a defendant. See Exhibit 7.

III. Constitutional Challenge to Statutes

Whereas in Article 4 Section 4 of the United States Constitution it mandates that “The United States shall guarantee to every State in this Union a **Republican Form of government**...” See Exhibit 2.

Black's Law Dictionary, 2nd Edition

Republican Government- “A government in the republican form; a government of the people; a government by representatives chosen by the people.”

Maxim of Law

51p. The main object of government is the protection and preservation of personal rights, private property, and public liberties, and upholding the law of God.

-American Maxim

[Vahorne's Lessee v. Dorrance, 2 U.S. 304, 308 (1795)]

“In America the case is widely different: Every State in the Union has its constitution reduced to written exactitude and precision. What is a Constitution? It is the form of government, delineated by the mighty hand of the people, in which certain first principles of fundamental laws are established. The Constitution is certain and fixed; it contains the permanent will of the people, and is the supreme law of the land; it is paramount to the power of the Legislature, and can be revoked or altered only by the authority that made it. The life-giving principle and the death-doing stroke must proceed from the same hand. What

are Legislatures? Creatures of the Constitution; they owe their existence to the Constitution: they derive their powers from the Constitution: It is their commission; and, therefore, all their acts must be conformable to it, or else they will be void. The Constitution is the work or will of the People themselves, in their original, sovereign, and unlimited capacity. Law is the work or will of the Legislature in their derivative and subordinate capacity. The one is the work of the Creator, and the other of the Creature. The Constitution fixes limits to the exercise of legislative authority, and prescribes the orbit within which it must move. In short, gentlemen, the Constitution is the sun of the political system, around which all Legislative, Executive and Judicial bodies must revolve. Whatever may be the case in other countries, yet in this there can be no doubt, that every act of the Legislature, repugnant to the Constitution, as absolutely void.”]

Whereas in Article 7 Section 1 of the Arizona Constitution it mandates “**All elections by the people** shall be by ballot, or by such other method as may be prescribed by law; Provided, that secrecy in voting shall be preserved.”

See Exhibit 4.

Whereas in Article 7 Section 7 of the Arizona Constitution it mandates “**In all elections held by the people** in this state, the person, or persons, receiving the highest number of legal votes shall be declared elected.”

See Exhibit 4.

Whereas in Article 2 Section 21 in the Arizona Constitution it mandates “All elections shall be **free and equal**, and **no power**, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.” See Exhibit 4.

Take notice: that the People of Arizona established in the Arizona Constitution that our elections are to be **Held by the People**. The People also made it mandatory that no powers (corporations) shall interfere with the People’s right of suffrage. Since 2002 the People of Arizona’s rights of suffrage have been subverted by corporations and the government. The People of Arizona no longer have access to **free and equal** elections, leaving them **disenfranchised** due to the lack of a proper **Electoral Due Process**. See Exhibit 4.

Whereas on June 17, 2023, plaintiff Daniel Clayton Wood filed a Remonstrance by Affidavit with the State of Arizona’s Senate President, Speaker of the House, Arizona Supreme Court, Governor, Secretary of State, Attorney General and the

Maricopa County Board of Supervisors. This remonstrance brings forth a list of grievances to the State of Arizona Judicial, Legislative, and Executive branches. These grievances address violations of the Arizona and United States Constitutions. Within the remonstrance is a request for government officials to provide constitutional provisions that would give them the authority to allow corporate powers to interfere with the People's right of suffrage. See Exhibit 1.

Whereas the United States Congress enacted [Help America Vote Act (HAVA) of 2002] and the State of Arizona Legislature adopted HAVA by enacting [*Arizona Revised Statutes under Title 16 Chapter 4 Article 4, Sections 16-441; 16-442; 16-442.01; 16-443; 16-444; 16-445; 16-446; 16-447; 16-448; 16-449; 16-450; 16-451; 16-452*]. These statutes allow the State of Arizona and its 15 counties to enter into contracts with Corporations/LLC's/Third Parties. These contracts allow these entities to use voting machines in the Arizona Electoral Process. Maricopa County for example has a contract with Dominion Voting System, Inc. and Runbeck Election Services. See Exhibit 6. These voting machines require many operational components for them to be functional. Some of the components include EMS Hardware, Dominion Hardware and Software, Third Party Software, ImageCast Central Scanner (ICC), Linux Operating Systems, E-pollbook, XEON CPU's, AuditMark, Artificial Intelligence, Algorithms, and more. These hardware,

software, programs, and components require highly trained staff personnel to operate and maintain. The People of Arizona are removed from the Electoral Process as a result of the inability to observe the inner workings of the voting machines. See Exhibit 6.

Whereas shown in the contract between Maricopa County and Dominion Voting Systems, Inc. Maricopa County “**requires support** for the entire pilot election process from early voting through tabulation and canvassing. These services are outlined as follows: **System Support Services** - Dominion is responsible for all aspects of the initial implementation of the voting system. Dominion shall provide all “Project Management” and “Implementation Activities” onsite with “**experienced** Customer Relations Manager and the **technical resources** that are familiar with the **unique requirements, processes and procedures** applicable to Maricopa County”. See Exhibit 6. The Board of Supervisors of Maricopa County, Arizona contracted with Dominion Voting Systems, Inc. therefor removed the Peoples ability to hold their own elections. See Exhibit 4.

Whereas contracts between the State of Arizona and its 15 counties have clauses for Intellectual Property Infringement Indemnification which further blocks the People of Arizona from holding their own Electoral Process. The contract’s use of

patent, copyright, trade secret, or similar intellectual property right, subverts the chain of custody of the People's Electoral Process. **All elections in The State of Arizona are to be held by the People.** See Exhibit 4 and 6.

Constitutional Questions are as follows:

1. After reviewing the above listed information, are the statutes under Title 16 Chapter 4 Article 4 Constitutional?
2. Is the Help America Vote Act (HAVA) of 2002 Constitutional? By what authority did the United States Congress have to enact HAVA which interferes with the People of Arizona's right of suffrage?
3. Under what provisions of the Arizona Constitution did the People give the legislature the power to allow corporations to interfere with the People's Electoral Process?
4. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-441*]?
5. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-442*]? By what authority did the Arizona Legislature have to give the Secretary of State the power to form a committee which complies with help America vote act of 2002? By what

authority did the Arizona Legislature have to allow the governing bodies of the Arizona counties, cities, and towns to adopt the use of electronic voting machines?

6. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-442.01*]? By what authority did the Arizona Legislature have to allow the involvement of organizations in the People of Arizona's Electoral Process?
7. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-443*]? By what authority did the Arizona Legislature have to allow in all elections ballots or votes cast, recorded, and counted by voting or marking devices and vote tabulating devices?
8. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-444*]?
9. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-445*]?
10. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-446*]? By what authority did the Arizona Legislature have to allow electronic voting systems consisting of a voting or marking device in combination with vote tabulating equipment, to provide for candidates at both primary and general elections?

11. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-447*]? By what authority did the Arizona Legislature have to instruct the board of supervisors for the Arizona County to provide at each polling place a device that complies with help America vote act of 2002 (P.L. 107-252)?
12. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-448*]?
13. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-449*]?
14. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-450*]? By what authority did the Arizona Legislature have to allow the board of supervisors of the county or the governing board of other subdivisions using devices the power to use Arizona taxpayer's funds in order to own or lease devices to tabulate ballots cast in any election?
15. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-451*]? By what authority did the Arizona Legislature have to allow the board of supervisors to enter into lease agreements or lease purchase agreements for the use of vote tabulating equipment?

16. What Arizona Constitutional Provisions gave the Arizona Legislature the authority to enact [*A.R.S. 16-452*]? In this Statute the Secretary of State shall provide personnel who are experts in electronic voting systems and procedures and in electronic voting system security to field check and review electronic voting systems. With the Arizona Constitution Mandatory Provisions that all elections are held by the People would this subvert the People's Electoral Process and allow for outside influence to interfere with the Peoples right of suffrage?

IV. Remedy

Maxims of Law:

64ff. A court can only declare what the law is, and whether consistent with the law of God, and the fundamental or constitutional law of society. [*The State v. Post*, 20 N.J.L. 368, 370 (1845)]

94f. Remedy signifies the judicial means for enforcing a right or redressing a wrong. [*Walters v. City of Ottawa*, 88 N. E. 651, 654, 240 Ill. 259.]

94x. Extraordinary conditions may call for extraordinary remedies. [Schechter v. United States, 295 U. S. 495, 528.]

[**Vanhorne’s Lessee v. Dorrance, 2 Dall. 304.** “If any act of the legislature is repugnant to the Constitution, it is, ipso facto, void; and it is the duty of the court so to declare it.”]

[**Ibid. Fletcher v. Peck, 6 Cranch, 87; 2 Cond. Rep. 308.** “The Constitution fixes the limits to the exercise of legislative authority, and prescribes the orbit in which it must move. Whatever may be the case in other countries, yet here there can be no doubt that any act of the Legislature repugnant to the Constitution is absolutely void.”]

Whereas a matter of necessity it is the duty of the Arizona Superior Court of Record to declare the Help America Vote Act of 2002 (HAVA) null and void.

Whereas a matter of necessity it is the duty of the Arizona Superior Court of Record to declare all [*Arizona Revise Statutes under Title 16 Chapter 4 Article 4*] null and void.

Whereas such other relief to which the Plaintiffs may show themselves to be entitled.

Verification:

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States, and by the provisions of 28 USC § 1746 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.

Executed in _____, Arizona on this _____ day of _____ in the Year of Our Lord Two Thousand Twenty-Three.

Autograph

Notary as JURANT CERTIFICATE
JURAT

State _____

County _____

Subscribed and sworn to (or affirmed) before me _____

On this _____ day of _____ 2023 before me,

A Notary Public personally appeared _____, who proved to me on the basis of satisfactory evidence to be the man/women whose name is subscribed to the within instruments and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her autograph(s) on the instrument the man/women executed the instrument.

I certify under PENALTY OF PERJURY under the lawful laws of Arizona State and that the foregoing paragraph is true and correct. WITNESS my hand and

official seal.

Signature of Notary / Jurat Seal

Verification:

I hereby declare, certify and state, pursuant to the penalties of perjury under the laws of the United States, and by the provisions of 28 USC § 1746 that all of the above and foregoing representations are true and correct to the best of my knowledge, information and belief.

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Autograph

Notary as JURANT CERTIFICATE

JURAT

State _____

County _____

Subscribed and sworn to (or affirmed) before me _____

On this _____ day of _____ 2023 before me,

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official seal.

Signature of Notary / Jurat Seal

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Notary as JURANT CERTIFICATE
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official seal.

Signature of Notary / Jurat Seal