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December 8, 2012

Virginia State Board of Elections
Washington Building, First Floor
1100 Bank Street
Richmond, VA 23219

Attn: Charles E. Judd, Chairman
Kimberly T. Bowers, Vice Chairman
Donald L. Palmer, Secretary

Mr. Chairman and Distinguished Members of the Board:

By law, the ballot used in Virginia's presidential election has been carefully configured so that each vote rendered at the ballot-box may be cast either for a choice of candidates, or for the political party running those candidates.

With the ballot having been configured as such, the electorate is rightly enabled (with irrefutable clarity) to signal its approval of a particular "choice of candidates," or a particular "party designation."

When it comes to the actual counting and proper assignment of these votes, however, the law expressly prohibits them from being counted on behalf of anyone, **except the individual electors themselves.**

> **Virginia Code § 24.2-644B** *(excerpt)*
> "The qualified voter at a presidential election shall mark the square preceding the names and party designation for his choice of candidates for President and Vice President. His ballot so marked **shall be counted as if he had marked squares preceding the names of the individual electors** affiliated with his choice for President and Vice President."

> **Virginia Code § 24.2-644C** *(excerpt)*
> "A write-in vote cast for candidates for President and Vice President, or for a candidate for President only, **shall be counted for the individual electors** listed on the declaration of intent as pledged to those candidates."

That is why, in Virginia, it is improper (and grossly misleading) for any candidate or any political party to "claim" a popular vote victory in a presidential election, because such claims are plainly inadmissible under Virginia law.

**Your agency is not exempt from observing these rules.** They apply to you just the same as they apply to everyone else. No matter what the desired outcome of your inaction may be, it is patently unlawful for the State Board of Elections to divest Virginia's thirteen electors of their rightful victory, and to categorically re-assign it (under false pretense) to Democrat party. No responsible citizen of this Commonwealth can stand by in good conscience and allow you to do this.

If it is your intention, as representatives of the Board, to allow this sort of political devilry to pass [under the façade of "bi-partisanship"], then as a responsible citizen, and a lawfully declared candidate for President of the United States, I am left with no choice but to accuse you and your agency of acting outside of the law, in order to reach a conclusion that has, in advance, been deemed favorable and acceptable to the political parties. Your advocacy of "bi-partisanship," to the exclusion of all non-partisan, grassroots, pedestrian-level considerations, is symbolic of "partisan elitism" at its worst.

As it stands, the electoral college will convene on Monday, December 17, 2012, and when they do, ordinary citizens (those of us who are members of the general public, and who thereby hold "no party affiliation" under Virginia law) deserve the possibility of an outcome **that has not been tainted by your unfairness.**

In point of fact, the general election was not won by "the Democratic Party electors," [as those under the employ of your agency have lately become fond of saying.] It was won by thirteen individual electors: **Terry Carroll Frye** (Bristol, VA); **Anita A. White** (Bristow, VA); **Judy L. Mastrangeli** (Manassas, VA); **Sandra W. Brandt** (Virginia Beach, VA); **Betty L. Squire** (Richmond, VA); **Susan Johnston Rowland** (Chesapeake, VA); **Christopher M. Daniel, Jr.** (Danville, VA); **Gary W. Crawford** (Roanoke, VA); **Ben Ragsdale, Jr.** (Richmond, VA); **Edna N. Frady** (Falls Church, VA); **Melanie B. Salyer** (Big Stone Gap, VA); **Evan D. Macbeth** (Leesburg, VA); and **Janyce N. Hedetniemi** (Annandale, VA).

Virginia law requires that you recognize these thirteen electors as individuals, **without regard to party designation.** Even if both parties have signaled their desire for you to go ahead and count the votes according to "party label," it remains unlawful for you to do so. Virginia's statutory requirements specify that the final vote count shall {exclude/omit/disregard} "party designation," so that each vote is ultimately counted for (and only for) "the individual electors."

My complaint was brought to the attention of Mr. Riemer early on in this process. I am now bringing it directly to your attention, as you three, distinguished members of the Board [Mr. Judd, Ms. Bowers, and Mr. Palmer], possess an even greater obligation and responsibility to take action. Dare I say, it is because of you, and because of your inaction thus far, that the Democratic Party of Virginia continues to falsely boast that it (not the electors) won the general election. **This is a lie.** And so far as my opinion is concerned, your agency is directly responsible for the perpetuation of this lie, by allowing it to pass without objection.

How is it that I am the only one having the nerve and presence of mind to pluck this feather of 'stolen valor' from the plume of their hat? — when, in fact, it remains your responsibility to do so under Virginia law. It is your duty (not mine) to set the record straight, and you should have done this weeks ago! You met on Monday, November 26, 2012, to certify the results of the election. Why was this issue not raised or properly resolved at that time? Why has no visible action been taken?

The facts (again) are as follows:

(1) Your agency holds adequate proof that the Frye/White electors [the thirteen individuals enumerated above] have been elected to the office of "Elector for President and Vice-President" by the required majority of Virginia voters. This requirement was met on Tuesday, November 6, 2012, when these thirteen electors won the popular vote in the general election. The official record shows that these electors won the election, having received 1,971,820 (plus 3) votes.

(2) Your agency holds adequate proof that each of these same thirteen electors have been officially pledged to our campaign. This requirement was met on Friday, October 26, 2012, when our declaration of write-in candidacy [Form SBE-644 (Rev. 4/11)] was properly received, filed, and accepted by the Virginia State Board of Elections.

> Note: What renders these thirteen electors "pledged" to our candidates is not the language contained in Form SBE-644, but the language plainly embedded in the law [Virginia Code § 24.2-644C], where use of this particular form is mandated. The law says, "The declaration of intent shall be on a form prescribed by the State Board and shall include a list of presidential electors." And in reference to those electors included on the form, the law asserts that they are "pledged" by virtue of this inclusion. In establishing the validity of a write-in candidacy, the law is not at all concerned with the will of the electors. It is concerned only with the will of those candidates filing for write-in status. Hence the declaration: "Any write-in vote cast for us shall be counted for the individual electors shown below." **The thirteen individual electors named on our candidacy form are the same thirteen who won the general election.**

(3) Your agency holds adequate proof that the Virginia electorate has signaled "yes" to our choice of candidates. This requirement was met on Tuesday, November 6, 2012, when the Virginia electorate [collectively] cast a vote at the ballot-box to {activate/validate/ratify} the **Glean/Herleikson** ticket — the choice that our campaign offered to Virginia voters as a possible write-in option.

> Note: Since there is no such thing as a "no" vote in a presidential election, the casting of just one, individual vote, specifically cast in support of the **Glean/Herleikson** ticket, satisfies this particular condition with ample sufficiency. **This particular piece does not require a popular vote victory.** On Friday, December 7, 2012, our campaign received hard confirmation that this requirement was accomplished. According to the report I received from your office, three votes were cast for **Glean/Herleikson**. No matter how many 'millions of votes' were accumulated by the other candidates [the official report indicates that 3,854,489 votes cast in total], these three votes stand, and they cannot rightfully or lawfully be suppressed, neglected, or canceled out.

Because this three-way match has been met (and with ample sufficiency), our candidates [*cf.*, **Keyes/Jackson**, our substitute candidates by proper appointment] are qualified for equal consideration at Virginia's electoral college. When the electors convene on Monday, December 17, 2012, they will be rightfully and lawfully entitled to "choose" between **Obama/Biden** (the choice engineered by the political parties) and **Keyes/Jackson** (the choice constructed by ordinary citizens). It is your responsibility, as stewards of the election, to prepare the electoral ballots. And federal law provides you six days to do so. **I urge you to make appropriate use of this time.** Let every qualified consideration be listed on these ballots, so that the electors may simply "mark the square" preceding the name of their choice for President. [And separately, their choice for Vice President.] So that each elector is properly enabled to choose between the two considerations subscribed to them by the Virginia electorate. And to render the 'best' choice for Virginia, in accordance with religious conviction, the dictates of conscience, and the enabling grace of God.

Sincerely,

Joseph A. Glean,

Speaking for the 'choice' constructed by ordinary citizens:

Ambassador **Alan Keyes**, appointed "substitute candidate for President,"
vice **Joseph A. Glean**, write-in candidate, withdrawn.

Bishop **E. W. Jackson**, appointed "substitute candidate for Vice President,"
vice **Darlene Herleikson**, write-in candidate, withdrawn.