

# Michael Dorrough

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**To:** Wisconsin State Elections Board  
132 East Wilson Street, Suite 200  
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**Subject: Disqualification of James Doyle From 2002 Gubernatorial Election Ballot**

State of Wisconsin,  
Before the Elections Board,

**I Michael L. Dorrough, allege that** compelling evidence exists that James Doyle, Democratic Party candidate for Governor of Wisconsin is not eligible to appear on the November, 2002 ballot. Mr. Doyle has participated in high crimes and misdemeanors so egregious as to disqualify him from holding or running for statewide office. I have personal knowledge about, and have been the victim of acts carried out by Mr. Doyle that are by any reasonable measure in **direct violation of the public trust**. Mr. Doyle has violated his oath of office through a pattern of selective application of the laws of the State of Wisconsin. Further, Mr. Doyle has used his office to infringe the rights of citizens in direct violation of the Constitution of the United States. James Doyle has also engaged in RICO violations by conspiring with private land development interests to deprive citizens of property and due process. In the Steven A. Magritz Case (Dane County # 02CF001170 - State vs Steven A. Magritz), Mr. Doyle has taken a political prisoner by grossly abusing new antiterrorism laws created to safeguard the nation from genuine external and internal threats. Doyle has cynically coined the phrase "Paper Terrorism" in itself an oxymoron. Mr. Magritz faces years of litigation without the right of self-bail. He languishes in Mr. Doyle's American gulag and potentially faces 70-years behind bars for filing leans against the officials (aided and abetted by Mr. Doyle) responsible for the theft of his land. These leans were illegally and improperly deemed "Criminal Slander of Title".

In my case Mr. Doyle selectively ignored a genuine case of "Criminal Slander of Title" aggravated by forgery! The forged signature of my wife on a tax document adjacent to her social security number was presented to Doyle, along with handwriting samples of the forger. My land was stolen through a criminal conspiracy also aided and abetted by Mr. Doyle and his assistant Alan Lee. A title insurance executive and local land speculator unilaterally altered my warranty deed to facilitate a large development project. Efforts to enlist Attorney General Doyle's assistance in this case and associated firearms intimidation by the primary culprit were utterly unsuccessful. Doyle not only failed in his sworn duty to uphold and protect a victim of crime, his office actually took an active role in shunting my case into a slanted civil action during which he lent the power of his office to the cause of the criminal perpetrators. Though my family was terrorized with actual deadly weapons rather than pen and paper, Mr. Doyle again refused to uphold the law or his oath.

These acts of criminal negligence and active support of lawbreakers for profit and political advantage, together with published reports of his efforts to keep qualified opponents from opposing him in the recent primary election are in violation of all but two of Wisconsin's detailed and unambiguous "Rules of Ethics" Wisconsin Statutes: §19.46, §19.45(2), §19.45(4), §19.45(5), §19.45(6), §19.45(7) SEE ATTACHMENTS:

The legacy of James Doyle is far-reaching corruption that robs the common man of hope and the uncommon citizen of faith in the system. His corrupt associates populate the many levels of Dane County government, law enforcement, and even the judiciary. It is vital that Mr. Doyle be replaced with a candidate free from the taint and influence of the lawless Doyle/Thompson administrations. His major opponent in the Democratic primary, Kathleen Falk, once worked in the same office, as did Circuit Court Judge Diane Nicks.

Considering their prolonged exposure to Mr. Doyle's corrupt methods it is not surprising that these political figures have also contributed to the plight of besieged citizens through a pattern of corruption and incompetence. Details of their wrongdoing are available upon request as are hundreds of documents detailing the inexcusable failings of Mr. Doyle's office, complete with return receipts and supporting affidavits.

Members of the Board, the recent indictments of major corporate figures for ethical lapses and the withdrawal of an ethically-challenged United States Senator in the Northeast point to a public outcry for higher standards in high places. Had the justice system worked a bit faster, perhaps Mr. Doyle would not have been able to sign the statutorily required declaration that **"he has not been convicted of any misdemeanor designated under state or federal law as a violation of the public trust or any felony for which he or she has not been pardoned."** The immediate removal of James Doyle from the 2002 gubernatorial ballot will send a message that Wisconsin is no longer a safe haven for corrupt officials, especially those potentially facing multiple federal felony counts.

Lofty motivations aside, you are statutorily obligated to immediately remove Mr. Doyle. After five years of stonewalling from every level and department of Wisconsin government, I remind you that the Board of Elections is also bound by oaths and ethics. As a battered Wisconsin landowner in exile I trust only in media attention to force Wisconsin's establishment to perform in the public interest. The Fourth Estate will be watching for your immediate response.

Dated this \_\_\_ day of October, 2002.

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Michael L. Dorrough

**Delivered by Return Receipt Mail to:**

Daniel Blinka, Milwaukee - designated by the chief justice of the supreme court

David Halbrooks, Milwaukee - designated by the senate majority leader;

Patrick J. Hodan, Milwaukee - designated by the speaker of the assembly;

Brenda Lewison, Milwaukee - designated by the assembly minority leader;

Steven V. Ponto, Brookfield - designated by the Governor;

John P. Savage, Milwaukee - designated by the chairperson of the Republican Party of Wisconsin

John C. Schober, New Berlin - designated by the senate minority leader;

Jeralyn Wendelberger, Milwaukee - designated by the chairperson of the Democratic Party of Wisconsin; and

**Prepared by the Wisconsin Ethics Board. 44 East Mifflin Street, Suite 601,  
Madison, WI 53703-2800 (608) 266-8123.  
July 1992. Rev. 2/02. Obtained revised edition after January 2003.  
<http://ethics.state.wi.us>**

**A STATE PUBLIC OFFICIAL SHOULD NOT:**

**ACT OFFICIALLY IN A MATTER IN WHICH PRIVATELY INTERESTED.**

Take any official action in a matter in which (a) the official's action could reasonably be expected to produce a substantial benefit for the official, a member of his or her immediate family, or an organization with which the official is associated or (b) the official or a member of his or her immediate family, or an organization with which the official is associated has a substantial interest. [§19.46, Wisconsin Statutes]

**USE PUBLIC POSITION FOR PRIVATE BENEFIT.** Use his or her public position to obtain financial gain or anything of substantial value for the public official, a member of his or her immediate family, or an organization with which he or she is associated. [§19.45(2)]

**ACCEPT TRANSPORTATION, LODGING, FOOD, OR BEVERAGE EXCEPT AS SPECIFICALLY AUTHORIZED.**

Accept or retain transportation, lodging, meals, food or beverage except (a) payment of expenses for talks and meetings about state government, (b) items and services offered for reasons unrelated to public office, as long as not furnished by a lobbyist or by a lobbyist's employer, (c) items provided by or to the state, or (d) items from a campaign committee under chapter 11. [§19.45(3m)]

**SOLICIT OR ACCEPT REWARDS OR ITEMS OR SERVICES LIKELY TO INFLUENCE.**

Solicit or accept, directly or indirectly, anything of value if it could reasonably be expected to influence an official's action or inaction or could reasonably be considered as a reward for any action or inaction. [§19.45(3)]

**USE CONFIDENTIAL INFORMATION.** Intentionally use or disclose confidential information which could result in the receipt of anything of value. [§19.45(4)]

**USE PUBLIC POSITION TO OBTAIN UNLAWFUL BENEFITS.** Use or attempt to use his or her public position to influence or gain, for anyone, unlawful benefits, advantages or privileges. [§19.45(5)]

**ENTER INTO PUBLIC CONTRACTS WITHOUT NOTICE.** Enter into a contract or lease involving the payment of more than \$3,000 in a 12-month period, in whole or in part derived from state funds, unless written disclosure is made to the Ethics Board and applicable state agency. This prohibition extends also to any organization in which the official has a 10% or greater interest. [§19.45(6)]

**CHARGE A FEE TO REPRESENT A PERSON BEFORE A STATE AGENCY.**

Represent a person or organization for pay before a state agency, except in nondiscretionary matters, at open hearings at which stenographic records are kept, in contested cases which involve parties other than the state with interests adverse to those represented by the state public official, or in matters before the Department of Revenue or the Tax Appeals Commission in connection with a client's tax matter. This restraint does not apply to unsalaried public officials. [§19.45(7)]

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10.04 investigations.

EIBd 10.05 Board meetings.

EIBd 10.06 Hearings.

EIBd 10.07 Withdrawal and settlement.

EIBd 10.08 Diligent action; dismissals.

EIBd 10.09 Temporary orders.

EIBd 10.10 Service.

EIBd 10.01 Applicability. This chapter applies to complaints filed with the state elections board pursuant to ss. 5.05 (3), 5.06, 11.60 (5) and 11.66, Stats., requesting the elections board to enforce the election and campaign finance laws. This chapter does not apply to complaints to challenge to nomination papers or petitions which are filed under s. EIBd 2.05 or 2.11. History: Cr. Register, January, 1994, No. 457, eff. 2-1-94.

EIBd 10.02 Definitions. As used in this chapter:

(1) "Board" means the state elections board.

(2) "Complainant" means an elector, a committee or a group filing a matter with the board under this chapter.

(3) "Executive director" means a person duly appointed by the board or any employee of the agency to whom a lawful function has been delegated by the executive director to administer and manage the agency.

(4) "Probable cause" means the facts and reasonable inferences that together are sufficient to justify a reasonable, prudent person, acting with caution, to believe that the matter asserted is probably true.

(5) "Respondent" means a person, committee, or a group whose decisions or actions may be brought before the board on complaint for review under this chapter.

History: Cr. Register, January, 1994, No. 457, eff. 2-1-94.

EIBd 10.03 Filing.

(1) All complaints, answers and replies shall be in writing and shall be sworn to before a person authorized to administer oaths.

(2) The form of the complaint, answer or reply should, but is not required to, follow the format prescribed herein:

State of Wisconsin

Before the Elections Board

The Complaint of

Complainant against COMPLAINANT

Respondent (1) This complaint is under (Insert the applicable section(s) of law in chs. 5-12, Stats., if known) .2

I (Insert the complainant's name), allege that (Set forth in detail the facts that establish probable cause to believe that a violation occurred. Use as many separate pages as needed.) Date: (complainant's signature)

I (complainant's name), being first duly sworn on oath state that I personally read the above complaint, and that the above allegations are true based on my personal knowledge and, as to those stated on information and belief, I believe them to be true.

STATE OF WISCONSIN ) ss. County of ), (county of notarization)

Sworn to before me this day of , 199

(Signature of person authorized to administer oaths)

My commission expires , or is permanent

Notary Public , or (official title if not notary)

1.Substitute complaint, answer or reply, as the case may be, and make the appropriate changes throughout the document.

2.A statutory basis is not required for an answer or reply.

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- (3) The complaint shall specify the statutory basis for the complaint and shall set forth the facts which are alleged to establish probable cause. Information which may establish probable cause includes allegations that set forth which persons are involved; what those persons are alleged to have done; where the activity is believed to have occurred; when the activity is alleged to have occurred and who are the witnesses to the events. The complaint shall be signed by the complainant or by an individual acting as the complainant's representative.
- (4) The complaint shall state the name and last known post office address of the complainant and the respondent.
- (5) The complainant, not the complainant's representative, shall verify the allegations of the complaint. The complainant verifies the complaint by signing a statement under oath before a notary public or other person authorized to administer oaths. The verification statement, or a statement to the same effect, shall state as follows:  
"I, (complainant's name), being first duly sworn upon oath, state that I personally read the above complaint and that the above allegations are true and correct based on my personal knowledge and, as to those allegations stated on information and belief, I believe them to be true." The verification shall be placed at the bottom of the complaint.
- (6) The complainant shall mail to, or personally serve on, the respondent a copy of the complaint no later than the time of filing the complaint with the Board and shall certify to that service on the complaint or in a cover letter filed with the complaint. Each party shall mail to, or personally serve on, each other party any subsequent pleading before filing the pleading with the board and shall certify to the service on the pleading or in a cover letter filed with the pleading.

History: Cr. Register, January, 1994, No. 457, eff. 2-1-94.

### EIBd 10.04 Investigations.

- (1) Any matter brought to the board shall be reviewed by the executive director who shall Determine within 10 business days whether the complaint is timely, is sufficient as to form and states probable cause.
- (2) If the complaint does not meet the standards under sub.
  - (1), the executive director shall promptly return the complaint to the complainant, without prejudice unless otherwise provided by law, specifying both the defect in the complaint and the information appropriate to cure the defect. A copy of the executive director's letter to the complainant shall be provided to the respondent.
- (3) If the complaint meets the standards under sub.
  - (1) as applied to complaints under ss. 5.05 (3) and 11.60 (5), Stats., the executive director shall promptly forward the complaint to the respondent at the respondent's last known post office address. The respondent shall file with the board a verified, written answer within 10 business days. After receiving the answer, the executive director shall promptly forward the answer to the complainant at the complainant's last known post office address. The complainant may file a written, verified reply to the answer within 10 business days.
- (4) After receiving an answer that makes any counterclaim against the complainant, the executive director shall promptly forward the counterclaim to the complainant. The complainant shall file a written, verified answer to the counterclaim within 10 business

days. After receiving the complainant's answer, the executive director shall promptly forward the answer to the respondent for a written, verified reply to be filed within 10 business days.

- (5) The executive director has the discretion to extend by not more than an additional 10 business days, the time for the complainant or respondent to file any responsive pleading. A business day is any day that the agency is open for business.
- (6) If the complaint meets the standards under sub. (1), as applied to complaints under ss. 5.06 and 11.66, Stats., the executive director shall proceed as the board authorizes by duly adopted motion and, where no motion is in effect, the executive director shall proceed after consultation with the board's chair.
- (7) A party that fails to obtain an extension of time to respond pursuant to sub. (2), or who fails to respond within 10 business days to a pleading mailed to the party's last known post office address that is not returned to the board, may be deemed to have admitted each allegation contained in the pleading, and to have accepted any other consequences for failing to respond to a pleading.
- (8) The time period for filing an answer or reply begins 3 business days after the date of the transmittal letter from the executive director. An answer or reply will be treated as filed based on the postmark of the envelope transmitting the pleading.
- (9) After all pleadings are filed under ss. 5.05 (3) and 11.60 (5), Stats., the executive director shall analyze the pleadings, present them, with appropriate recommendations, to the Board at its next regularly scheduled meeting, or at the most immediate meeting thereafter at which the matter can be heard if the matter cannot be heard at the next regularly scheduled meeting, and forward a copy of the analysis and recommendations to the complainant and respondent within a reasonable time before the board meeting at which the matter will be considered. After all pleadings are filed under ss. 5.06 and 11.66, Stats., the executive director shall proceed as the board authorizes by duly adopted motion or, where no motion is in effect, the executive director shall proceed after consultation with the board's chair. Where the board has delegated to the executive director the authority to resolve complaints, the executive director shall issue an order making findings and resolving the complaint.  
History: Cr. Register, January, 1994, No. 457, eff. 2-1-94.

#### EIBd 10.05 Board meetings.

- (1) The board shall review the analysis and recommendations of its executive director With respect to pleadings filed under ss. 5.05 (3) and 11.60 (5), Stats., at its next regularly scheduled meeting.
- (2) Any party may submit a written statement of facts approved by the executive director for consideration by the board.
- (3) Personal appearances, limited to 10 minutes per party plus additional time to respond to questions from board members and staff, are permitted at each meeting of the board. A complainant shall make the first presentation and the respondent shall make the second presentation. No rebuttal or extension of time will be allowed unless specifically provided by the board.
- (4) Parties may provide a written argument or brief in support of their positions. Such arguments or briefs are limited to 5 pages, single spaced on one side of a sheet of paper. Parties submitting written material to the board must submit 12 copies to the executive director no later than 3 business days before the board meeting

at which the matter will be considered.

History: Cr. Register, January, 1994, No. 457, eff. 2-1-94.

#### EIBd 10.06 Hearings.

- (1) Before issuing a final decision or order on the merits of a complaint filed with the board under this chapter, the board or its executive director shall conduct an evidentiary hearing, under ch. 227, Stats., if either of the following occurs:
  - (a) In the board's judgement, a hearing is necessary in the interest of justice and a material question of fact exists.
  - (b) A hearing is expressly required by statute.
- (2) Before issuing a final decision or order on the merits of a complaint filed with the board under this chapter, the board or its executive director may conduct an evidentiary hearing, under ch. 227, Stats., when:
  - (a) The board concludes that facts exist which have not been presented and which may tend to resolve the dispute.
  - (b) The board, in its discretion, determines that an evidentiary hearing is appropriate.

#### 25 EIBd 10.10 STATE ELECTIONS BOARD

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- (3) Except in the case of an emergency, the board shall provide the parties with at least 10 days written notice of a hearing stating the date, the time, and the place of the hearing, the nature of the case, and a general statement of the issues to be heard. The parties may, with the consent of the board, waive the right to notice. Continuances or postponements may be granted by the executive director only in the case of exceptional circumstances entirely beyond the control of the party requesting the continuance or postponement and only upon notice to the director given at least 3 days before the hearing.
- (4) The board, or the executive director, or a hearing examiner proceeding under ch. 227, Stats., may preside over the hearing. The board may, by duly adopted motion of the board or by an order issued before taking any testimony, direct that the executive director's or the hearing examiner's decision be final as to the merits of the matter. Subject to the provisions of this chapter, the executive director or hearing examiner shall have the powers specified in s. 227.46 (1), Stats.
- (5) Based upon the law applicable to the type of proceeding the board is required to conduct, the parties appearing at the hearing shall be afforded reasonable opportunity to be represented by counsel, to call witnesses, to present evidence, and to confront and cross examine adverse witnesses. The statutory and common law rules of evidence shall not be binding as to issues of admissibility. The executive director or hearing examiner may admit all testimony having reasonable probative value, but shall exclude irrelevant, immaterial or unduly repetitious testimony. No material finding of fact shall be made unless supported by competent evidence in the record.
- (6) All testimony at the hearing shall be given under oath and shall be recorded by a stenographer or a recording machine, but

need not be transcribed unless a party requests a transcript and pays any costs required to prepare a transcript.

- (7) All decisions following a hearing shall be in writing and shall set forth, in relevant detail, the findings of fact and conclusions of law. A decision shall be served on the parties by mailing a copy to each party's last known post office address.  
History: Cr. Register, January, 1994, No. 457, eff. 2-1-94.

#### EIBd 10.07 Withdrawal and settlement.

- (1) At any time before the issuance of a final decision, a complainant may file with the board a written request to withdraw his or her complaint, specifying the reasons for the request. Upon receiving such a request, the board may, but is not required to, issue an order dismissing the matter with or without prejudice. If the board decides not to dismiss the case, the board may take any appropriate action, within its authority, that the board determines will serve the public interest.
- (2) The parties to proceedings under this chapter may not settle disputed matters by compromise and conciliation without the consent of the board, except where the settlement is authorized by law. Upon receiving written notice that settlement has been proposed, the board may, at its next regularly scheduled meeting, consider the proposal as the board deems appropriate.  
History: Cr. Register, January, 1994, No. 457, eff. 2-1-94.

#### EIBd 10.08 Diligent action; dismissals.

- (1) The board shall proceed promptly and diligently to decide cases under this chapter.
- (2) If a party fails to appear at a hearing, the board, the executive director, or the hearing examiner may proceed with the hearing, provided that due notice of the hearing was mailed to the party's last known post office address.
- (3) A party may request the board to reconsider its decision if a request for reconsideration is received by the board within 30 days after the party receives written notice of the board's decision by filing a written request with supporting information showing that an obvious mistake of fact or law which materially affects the outcome of the decision has occurred; or showing newly discovered evidence that was not obtainable with due diligence during the course of the hearing.
- (4) A party may request that board consideration of a matter be postponed. The request shall be in writing and shall be served on the executive director and all other parties at least 3 business days before the date scheduled for board consideration of the matter.  
History: Cr. Register, January, 1994, No. 457, eff. 2-1-94.

EIBd 10.09 Temporary orders. The board may issue a protective order or grant such protective relief as the board determines is necessary to preserve the rights of any party to a matter subject to this chapter before issuing a final decision or order.

History: Cr. Register, January, 1994, No. 457, eff. 2-1-94.

EIBd 10.10 Service. The executive director may accept

service of any pleading on behalf of the board including civil actions commenced against the board.

History: Cr. Register, January, 1994, No. 457, eff. 2-1-94.

**Wisconsin State Elections Board  
132 East Wilson Street, Suite 200  
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**Madison, WI 53701-2973**

**Daniel Blinka**

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