

# Election 2020: The US Constitution Goes to Court. Or, ... “Vaccinating America’s Political Virus”.

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Region: [USA](#)

Theme: [History](#)

In-depth Report: [U.S. Elections](#)

*“Petitioners appear to have a viable claim that the mail-in ballot procedures set forth in Act 77 contravene Pa. Const. Article VII Section 14 as the plain language of that constitutional provision is at odds with the mail-in provisions of Act 77.”- PA Judge Patricia McCullough*

In one ruling, a bombshell.

Issued in the late evening this past Friday by Pennsylvania Commonwealth judge, Patricia McCollough, her bold- *and absolutely correct*- ruling is about to make Nov 27, 2020 the day that the highly questionable 2020 election blew to pieces.

To make matters worse for the Dems, the same day, just down the street from Judge McCollough’s chambers, civil war broken out on the floor of the PA State House. Outraged Republicans announced they would proceed, *post haste*, to pass a resolution that,

“Declares that the selection of presidential electors and other statewide electoral contest results in this commonwealth is in dispute” and “urges the secretary of the commonwealth and the governor to withdraw or vacate the certification of presidential electors and to delay certification of results in other statewide electoral contests voted on at the 2020 general election.”

Thinking ahead to the Electoral College:

“urges the United States Congress to declare the selection of presidential electors in this Commonwealth to be in dispute.”

That’s as polite as civil war gets.

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When both McCullough’s decision and the PA’s awakening are considered in detail The Keystone State has, after more than two centuries, once again become the epicenter of the war for American democracy.

Over the past three weeks, this ongoing report has documented the intricacies of: the US Electoral College, Media’s complicity as partisan censorship, the initial allegations of mail-in ballot fraud, and the inner workings of American voting machines. All are players in this high stakes drama unfolding before the eyes of all Americans.

*If they look.*

Outrage is increasing; slowly becoming bi-partisan contempt. Except in the media that has buried this news.

As the author, next in the series, began to examine the illegal, if not unconstitutional, self-serving mandates imposed on the voters by many States' Legislatures, their Governors and their Secretaries of State, this past Wednesday a story leaked out that lit the fuse of Friday's bombshell.

In power politics there are few checkmates, but political irony *is coming* in the form of two previous court decisions, and Judge McCullough's, and are about to force feed these decisions to the DNC's masters of the universe... *for a second time in thirteen days.*

This, is the stuff of history!

Three Weeks in November.

As has been suggested previously that all the salacious allegations across the battleground states are legally, for the moment, nothing more than circumstantial evidence. Yes, these allegations are important and together may have much weight eventually in court. This was evidenced by Trump's handlers losing their case repeatedly in a multitude of jurisdictions.

What has been missing has been a constitutional challenge born of its own merits. Strangely, as the reader will see, those merits became obvious- in writing- first on Nov 3 and again on Nov 6.

When a new law suit was filed on Monday, Nov 23 in PA using purely constitutional reasoning bolstered by the allegation directly germane to the argument, this author snapped to attention. It's been a very busy week.

On Wed Nov. 25, 2020, PA Commonwealth Judge Patricia McCullough ordered the state, "*to not take any further steps to complete the certification of the presidential race*", which the state already announced on Tuesday. In calling for a Friday hearing, McCullough added, "*Respondents are preliminarily enjoined from certifying the remaining results of the election, pending the evidentiary hearing.*" [Emph. added]

McCullough was presiding over a lawsuit brought by Republican affiliates against the Commonwealth of Pennsylvania, Gov. Tom Wolf (D), Secretary of State Kathy Boockvar, and the Pennsylvania General Assembly. All four were instrumental, it is [alleged](#), in the unconstitutional passage of Pennsylvania's absentee ballot and vote-by-mail statute: Act 77. A copy of that action is provided [here](#).

In short, the PA legislature too hastily crafted Act 77 which allowed, in part, for virtually all unregulated mail-in ballots to be tabulated. However, Act 77 was created in violation of PA state statutes and constitutional law. Boockvar knew it, as did the PA Supreme Court. So did SCOTUS, before it put a temporary stop to some of these rather limited but highly effective vote counting irregularities on Nov 5.

At the very moment that this ruling permeated the last remnants of quality American journalism, a storm of a different kind was blowing an ill wind for state democrats in a conference room in Harrisburg, PA.

Upon the request of Pennsylvania Senator Doug Mastriano (R), the state's Senate Majority Policy Committee was holding a public hearing, on Thursday, to discuss these election issues and irregularities. Outside thousands rallied with their demands that their currently elected officials do their duty.

This, for most, of course, translated into *"toss the election to Trump,"* but, interestingly, the additional presence of many banners and signs suggested a growing non-partisan call to, *"Investigate!"*

Echoing the days old of SCOTUS Associate Justice, Samuel Alito, Mastriano said,

"Elections are a fundamental principle of our democracy - unfortunately, Pennsylvanians have lost faith in the electoral system...Over the past few weeks, I have heard from thousands of Pennsylvanians regarding issues experienced at the polls ...We need to correct these issues to restore faith in our republic."

At the public hearing, Trump consiglieri Rudy Giuliani appeared as point man with his usual layout of many allegations and presentation of witnesses. Certainly, this hearing was a very partisan showing of self-serving facts by a legion of GOP sponsored camera moths, but their testimony was indeed pause for further investigation; not a cover-up.

The more important charges were:

- 47 memory cards containing over 50,000 votes are missing.
- PA's registry shows 1.8 million absentee ballots were mailed out, yet 2.5 million mail-in ballots were counted.

Of course, not one MSM source covered the hearing and, as punishment for his efforts, Twitter disabled the Mastriano's account as it did to the author last week. It should be noted now by all that being banned by Twitter, Facebook- and even Parler- is quickly becoming, in the minds of Americans, not censorship, but certification of the allegations themselves.

As goes PA, the voters in both GA and MI will soon watch special sessions of their state congresspersons begin to factually examine very similar claims as those in PA. Other states are sure to follow, if not, their own politicians with stand guilty by the same association to a silent and corrupt media.

Little of this, however, had a purely constitutional foundation.

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To understand the constitutional strength of the civil suit before McCollough in PA a good example is already on the books of Election 2020 and it comes by way of, strangely, *California..*

On election eve Monday, Nov 3 [a California judge ruled](#) that Gov. Gavin Newsom (D) overstepped his authority when he issued an executive order amending state election law and thus required mail-in ballots to be sent to every registered voter amid the COVID-19 pan-panic.

In her ruling, Sutter County Superior Court Judge, Sarah Heckman, said that Newsom's order was "*an unconstitutional exercise of legislative power.*"

In March, Newsom, like many officials in other states, declared a state of emergency in CA due to the alleged spreading of COVID-19. Three months later, in June, Newsom issued a blanket executive order to send mail-in ballots to all registered California voters. Overall, Newsom issued more than fifty orders that changed a number of state laws under the auspices of the California Emergency Services Act (CESA). That law gives the governor the authority to issue orders and rules while suspending certain laws during a declared state of emergency.

But California GOP Assemblymen James Gallagher and Kevin Kiley filed suit against Newsom, claiming his mail-in vote order was a gross abuse of power and an overreach. In May, former GOP Rep. Darrell Issa also [filed suit](#) against Newsom, along with Judicial Watch, in which they, too, claimed the order was "*unconstitutional.*"

Heckman did not overturn Newsom's state of emergency but ruled the CESA,

"does not authorize or empower the governor of the state of California to amend statutory law or make new statutory law, which is exclusively a legislative function not delegated to the governor under the CESA."

In an interstate summation of Newsom's violations, and those in PA and other states, Heckman wrote in finality:

"...the Constitution gives the legislative branch the exclusive authority to make law and the executive branch the power to see that the law is faithfully executed."

Heckman's words may very soon be re-written even more powerfully by SCOTUS, a court, that on Nov 6 already agreed with Heckman. Both have embodied in their words a singular constitutional prerogative:

Article II Sect 1, Clause Two of the Constitution of the United States of America.

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Returning to PA and Judge McCullough, unilateral violations of PA constitutional provisions and procedures by the legislature are at the foundation of the matter.

As referenced in part two of this series, previously three weeks ago U.S. [Supreme Court](#) Justice Samuel Alito, on Friday, Nov 6, ordered very publically overruled the PA Supreme Court and [Pennsylvania](#) state election officials to segregate and separately count mail-in ballots that arrived after 8 PM on Election Day. Many PA counties did not honor Alito's injunction.

Alito's injunction was a direct result of the PA Supreme court playing fast and loose with US Article II Sect 1, Clause two and the PA constitution as well.

To understand the PA Supreme Courts outrageous decision is to understand a court that

cared not for either.

In 2019, the PA legislature passed a law called Act 77 that, among other provisions, permitted all voters to cast their ballots by mail but, in Justice Alito's words,

"unambiguously required that all mailed ballots be received by 8 p.m. on election day."

This was, by using plain English and the PA constitution, absolutely true.

Indeed, the exact text from [the 2019 Pa. Leg. Serv. Act 2019-77](#), reads,

"No absentee ballot under this subsection shall be counted which is received in the office of the county board of elections later than eight o'clock P.M. on the day of the primary or election."

Even more prohibitively, Act 77 also provided that if *any* portion of Act 77 was ever invalidated, the entirety of Act 77, including its liberalization of absentee balloting voting, would also be immediately void.

Pretty clear so far, except if you're on the Pennsylvania Supreme Court.

Like the edicts imposed by Calif's Gov. Brylcrèem, just as outrageously the PA Supreme Court attempted to use Emergency Powers created for the mythic Coronavirus to justify a strange emergency ruling. The court ruled that mailed ballots *did not* need to be received by election day at 8 PM. Further, that ballots can be accepted if they are postmarked on election day or received within three days thereafter. Next, the court allowed that a mailed ballot with no postmark, or an illegible postmark, *must* be regarded as timely if it is received by that same date.

The SCOTUS injunction of Nov 6 put a temporary stop to all that. However, when Trump attorneys tried to effect certiorari with the court on their allegation of fraud, SCOTUS was reticent. A 4-4 vote sent Trump's forces back to the lower courts to seek further relief.

Of course, MSM called this a defeat for Trump. It was really just a moot attempt applied to the incorrect jurisdiction and court venue and no more than a "*nice try*" that SCOTUS had seen before.

Make no mistake. SCOTUS can afford to be patient and has a long historical track record of watching dramatic cases unfold *before* their eyes while within the pleadings of *their* lower courts.

So, here were the voters of PA as of this past Monday morning, in a lower court. A court and a judge that already had in mind the previous words of wisdom of Calif. Judge Heckman, and the days-old admonishment of Alito, who similarly assessed regarding the "*nice try*," of the PA Supreme Court:

"The provisions of the Federal Constitution conferring on state legislatures, not state courts, the authority to make rules governing federal elections would be meaningless if a state court could override the rules adopted by the

legislature simply by claiming that a state constitutional provision gave the courts the authority to make whatever rules it thought appropriate for the conduct of a fair election.” [Emph. Added]

With these words, Alito is directly referring to the established law of the land in America: Article II Sect 1, Clause two of the US Constitution

So, at the evidentiary hearing, this Friday Judge Mc McCullough likely had a firm grasp of all these words of wisdom. Perhaps, also, the shouts of an ever maddening public just outside her courtroom walls.

What Judge McCullough had most in mind, however, is the PA Constitution and its own legally required provisions under Article VII, Sect 14.

In a hangman’s twist of political and judicial irony that will soon extract a dark irony all of its own, the Dems have filed an emergency petition in court to immediately block Judge McCullough’s ruling. That court:

The Supreme Court of the State of Pennsylvania.

For any political aficionado, *it doesn’t get any better than that.*

#### MATERIAL FACTS.

Article VII of the PA Constitution allows for only two kinds of votes to be cast in the Keystone State. One: In Person. Two: Absentee.

However, and here was the consideration for Judge McCullough: Only under the expressed provisions and restrictions of Art VII Sect. 14 can Article VII be changed. No exceptions. Further, these provisions can only be amended by using a mandated process under Article VI Sect.1.

Article VII provides,

“provision[s] underlining the limited circumstances under which an elector is permitted to vote without being present at a polling location- Absentee Voting.”

In the rush to put in place Act 77, PA failed to follow this prescribed methodology that could, at least, only have been finalized as completed legislation during the following state election scheduled for May 18, 2021.

It would appear that the Biden forces realized this mistake

Unconstitutionally, Gov. Tom Wolf (D) signed Article 77 into law on Oct 31, 2019. In the aftermath of the 2020 election, these same PA legislators were scrambling to have the PA Supreme Court come to their rescue by using COVID-19 and emergency powers as the reason to approve the arbitrary mail-in ballot provisions added to Act 77, which Alito rebuked.

The current suit cites that, as to all current changes to absentee ballot regulations, PA has

had no legal changes since being amended in 1967. Further, the suit states that at *that* time the PA legislature did correctly follow both law and precedent in creating and subsequently passing these amended statutes so long ago.

The suit also alleged that the current PA legislature and its spawn ART 77, did not.

Art VI Sect 1 provides the *only* permissible methodology for changing absentee voting rules- or any other part of the PA constitution- in any way at any time. To do so, this statute first requires a majority vote of a joint session of the State House and Senate, not once, but twice and in succession.

Those two vote results and intended legislation, if successful, must then be advertised as pending in two newspapers in each and every PA county for a full three months before the next scheduled State General Election. At the time of that election, the Bill must be presented to the voter as a ballot question about amending the statute, or not. A simple majority must agree.

The PA legislature is deficient on all but one count. They did vote collectively for Act 77 and to change absentee voting rules, but only once on April 29, 2020.

In violating these provisions, the legal actions now before judge McCullough claim Act 77 and all its related mail-in ballots to be constitutionally invalid.

That's a bunch of votes. Potentially, 2.5 million.

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Act 77 started its life first as Bill 411 and was then rolled into Bill 413 on March 9, 2019. The Bill passed the Senate on Oct 22, 2019, and made its way out of the House committee on April 6, 2020. Interestingly, by then the words, "*Mail-in Balloting*" had been removed from the title of the Bill after it was sent to the House.

Then S.B. 413 was passed, one time only, by both House and Senate on April 29.

Act 77 functionally crossed out almost all of Art. VII sect. 14 which required any eligible voter to, when first requesting an absentee ballot, "*provide a permissible reason to do so*" before being sent a ballot.

It did not provide for the mass mailing of unsolicited ballots to the entire PA voting constituency.

The PA mandate that an absentee voter first personally and individually request a ballot is a significant requirement and protection. This allows for the initial substantiation and likely legitimacy of that mail-in vote when received by the state. It also significantly eliminates the temptation towards massive endemic election fraud by mail-in ballots.

Article VII sect. 5 *does* allow for the advent of the possibility of other methods of absentee voting, but only "*as may be prescribed by law.*"

As to this possibility of an amendment, Art VII sect 14 allows for changes only if "*The legislature, by general law, provide [such] a manner.*" General law means, Article VII, Sect 5 and Article VI, Sect 1.



Translated into plain English: Hillary, ...*you have a problem!*

A Multi-State Pandemic.

As of Friday night's, ruling and keeping in mind Alito's words and the previous decision of CA judge Heckman, the magnitude of McCollough's ruling has equally dramatic national implications.

Across America, many other state governors and Secretaries of State also ignored their state's constitutional procedural mandates thinking that a medical virus would allow the cover to affect a political one.

The voters of at least the states of AZ, GA, MI, MT, NV, IA, ND, VT and WI had their Sec.of State also required unsolicited absentee ballots to be sent out statewide while citing a virus as the reason. Considering the PA example, it is very likely that their unilateral decisions are also in violation of state constitutional law. In NV a state court also helped matters along when refusing to accept a similar challenge from private citizens.

Certainly, these violations with respect to the outcome of the US election matter little in many of these states. However, the voters in every state should be just as outraged as in PA. since the ruse that was a virus-induced rationale for canvassing any state with absentee ballots, and/ or eliminating almost all restriction on other types of mail-in ballots, should now be obvious to anyone following the litany of allegations mounting daily in their own state.

It does indeed seem evident that all of this was by design.

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In GA, WI, MI, however, the states that do matter in their effect on the Electoral College totals for president, all three are at this moment in court and under legal action to petition these state courts to stop and then rectify similar unilateral political moves.

MSM would have their voters believe that, since these states have managed to certify their election results under very dubious circumstances, the matter is settled. AS is the case now in PA, nothing is settled until the Electoral College on each state certifies its slate of electors on Dec 14.

That's two more weeks.

As a previous article highlighted, Trump and his minions had no choice but to be patient and allow for certification before beginning serious legal challenges that may move through state and district courts and then all the way to SCOTUS.

As of Thanksgiving Day, if Trump's lawyers as smart as those in PA, three new judges will soon be facing a similar constitutional determination as McCullough, Heckman, and Alito. Like the PA lower courts, in the other three battleground states, politicians have already attempted to ignore their own state's constitutions, not examined evidence, nor considered the merits of the plaintiff's- the voter's- claim.

Today, Former Assist. US attorney, Sidney Powell finally delivered her, much advertised "*Kraken*" to the courts in both MI and GA. Previously in GA, noted attorney Lin Wood served his own legal action regarding mail-in voting not being constitutionally approved. Wood had



his suit quashed by U.S. District Judge Steven Grimberg, who refused to grant standing to Wood's claims and thus avoided any court examination of evidence or constitutional claims.

Powell has waited until the GA vote was certified. If her salacious accusations of the past week are accurate she will be providing evidence of voter fraud along with allegations of constitutional violations of absentee voting statutes in a manner very similar to PA.

Previously, U.S. District Judge Eleanor Ross, [an Obama appointee wrote](#) that voters must be protected during the [coronavirus](#) pandemic, when record numbers of Georgians were expected to cast absentee ballots and then extended the deadline for absentee ballots to be returned in Georgia, ruling that they must be counted if postmarked by Election Day and delivered up to three days afterwards.

This, like the PA Supreme Court's abuse of power, is certainly unconstitutional per US Art II, Sect 1, Clause two as referenced above.

That GA judge's [decision](#) likely resulted in tens of thousands of ballots being counted after Nov. 3 that would have otherwise been rejected, and enough to swing this close election, since Ross, all by herself, invalidated Georgia's requirement that ballots had to be received at county election offices by 7 p.m. on Election Day.

In MI, similar violations have allowed Powell to virtually cut and paste the GA legal filing when introducing it to the MI courts.

Michigan, Secretary of State Jocelyn Benson (D) unilaterally voided the legal requirement that voters provide a signature when requesting an absentee ballot, establishing instead an online request form. She then took things a step further by announcing that she would *"allow civic groups and other organizations running voter registration drives to register voters on their behalf through the state's online registration website,"* granting activist and partisan groups such as *Rock The Vote* direct access to Michigan's voter rolls.

Since the MI legislature had not created this new law, Ross did so with a stroke of her pen. In doing so she became a co-conspirator in this growing indictment of MI election fraud.

Up in WI, the election is not yet certified. For Trump, the case in point may be the reports that the Wisconsin Elections Commission (WEC) told poll workers to *'add a missing witness address'* to any deficient ballot and that some poll workers allegedly took it one step further by signing for non-existent witnesses.

If proven true in court, these workers, who have testified to these illegal instructions, may have invalidated thousands of more ballots, committed a felony offence and necessitated further SCOTUS intervention.

[Wisconsin Statute 6.86](#) provides that:

"an absentee ballot must be signed by a witness, who is also required to list his or her address. If a witness address is not listed, then the ballot is considered invalid and must be returned to the voter to have the witness correct."

"The statute is very, very clear," said retired Wisconsin Supreme Court Justice Michael Gableman, a Milwaukee poll watcher on Election Day. "If an absentee ballot does not have a witness address on it, it's not valid."

It is a safe bet that the Trump minions will proceed similarly to court within hours of certification.

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The Only Effective Vaccine.

At this point in the story, and with voter interest growing, refusal by any court to provide some degree of investigation will encourage a popular voter revolt on their streets *and* likely on their doorsteps. Should these judges perform their duty to the voter-not the DNC- when they commence these proceedings they will be faced with a difficult and simple constitutional polar choice of decision.

Beyond technicality, wholesale denial of the allegations, or a court refusing standing to the many voter plaintiffs and their allegations, these politicians, judges, and legislators now under popular attack will have only one remaining affirmative defense to offer,

“The virus made me do it.”

This argument did not work previously in CA with judge Heckman nor with SCOTUS judge Alito. So, the choice becomes a simple one for these judges:

One: Allow a virus- a political one- to prevail within their courts and next infect all others.

Or...

Two: Vaccinate publicly, in court, the voters of their states against a national pandemic of viral democratic corruption.

With each day and new civil suit, it appears more probable that it will ultimately be up to SCOTUS to make this all-important polar choice. A landmark choice that will likely decide America’s true future beginning the very next day.

\*

The still-developing story of the election conspiracy of 2020 has, yesterday, taken on the greatest of importance. Election 2020 has revealed many important facts, yet all are almost exclusively covered over by American media which must be considered also a co-conspirator. Why have you *not* heard this week’s historic news? Well, that’s a rhetorical question now, isn’t it?

As this series has progressed, [evidence of demonstrative state-by-state election fraud](#), the complicity of the [Dominion voting machines](#), and the dire need for these states to [invoke the Electoral College](#) to stop this political virus from destroying the *body politic* of a nation, have been offered in these pages as a furthering of this collective indictment.

In PA, this Friday’s call to take back the power of the Electoral College from one Secretary of State of questionable motives, and place it in the hands of a full body of elected officials, is an advent that will almost assuredly be repeated in other states. The public will demand it. [Probably before Dec 14.](#)

The most powerful and necessary vaccine, factual investigation, must now be jabbed, not into the arms, but directly into the foreheads of all Americans of any party affiliation before their country and their democracy dies the violent death of American color revolutions past.

As has been suggested, a purely political virus has utilized the virus known as Covid-19 to great effect: That of anointing, not electing, Joe Biden president.

If the state and federal courts fail in their proper duty, there is but one court remaining.

This court has failed the American public in the past, most famously with the *Citizens United* decision. Will it fail once again at this Rubicon of American history?

Of which of the two polar choices that “*the highest court in the land*” ultimately allows to prevail, Americans are increasingly bearing witness and closer scrutiny each day.

It seems an increasing probability that this political football of Election 2020 will require a landmark decision and will soon be punted as high and as long as it possibly can.

However, when that ball finally lands in the dramatic days to come, it will do so upon the grounds of the most important location in Washington, DC:

*#1 First Street.*

Perhaps, too long ago, there was a *damn good* reason for providing SCOTUS with that address.

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