

**IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF NEW YORK**

Ning Ye)
Petitioner) Ex Parte Petition for TRO
vs.) File No.:
New York Board of Elections)
Respondent)

**PETITIONER NING YE'S EX PARTE, URGENT PETITION FOR
TEMPORARY RESTRAINING ORDER**

/s/Ning Ye, Esq., *pro se*
The Petitioner
135-11 38th Avenue
Apt. 11A
Flushing, NY 11354
Tel.: (718) 308-6626
Email.: yeningusa@gmail.com

**IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF NEW YORK**

Ning Ye) Ex Parte Petition for TRO
Petitioner) File No.:
vs.)
New York Board of Elections)
Respondent)

**PETITIONER NING YE'S EX PARTE, URGENT PETITION FOR
TEMPORARY RESTRAINING ORDER**

New York Board of Elections:

PLEASE TAKE NOTICE that upon the annexed affidavit of Ning Ye, duly affirmed this 30th day of December, 2020 (after hour), with the annexed papers and exhibits, and all the pleadings and proceedings heretofore had herein, the undersigned will move this Court at 50 Pearl Street, New York, NY 10007 on the _____ day of _____, year 202__ at _____ am/pm in the forenoon/afternoon of that day or as soon as thereafter as counsel can be heard for an order for bench ruling on this Ex Parte Petition for TRO, to temporarily enjoin the allegedly rigid New York City Election count, due to most recently discovered election frauds or serious irregularity which disenfranchises the constitutional rights to vote of this petitioner and uncertain number of similarly situated victims within the city of New York, yet to be determined by recounting, votes forensic auditing or reelection. PLEASE TAKE FURTHER NOTICE that answering papers if any must be served on the undersigned no later than _____ days before the Petition is noticed to be heard.

Dated: 12/30/2020

Respectfully submitted by,

/s/Ning Ye, pro se
135-11 38th Avenue, Rm 1A
Flushing, NY 11354
Tel.:7183086626; Fax: 7182285816
Email: yeningusa@gmail.com

To: New York Board of Elections.
119-35 Queens Blvd., 11th Floor
Forest Hill, NY 11375

**IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN
DISTRICT OF NEW YORK**

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Ning Ye)	Ex Parte Petition for TRO
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**PETITIONER NING YE’S EX PARTE, URGENT PETITION FOR
TEMPORARY RESTRAINING ORDER**

Here comes this undersigned petitioner, *pro se*, respectfully prays to this Honorable Court, to immediately issue a Temporary Restraining Order against Respondent to enjoin the apparently rigid vote counts of the City of New York, under the manipulation of the Respondent, pursuant to Rule 65 (b)(1) and Rule 85 (b) (3).

Due to the emergency situation while poisonous fruit of this election under the Respondent’s wrongful manipulation highly likely disfranchising great numbers of voters like this undersigned petitioner casting ballots for candidate Donald Trump will become integral part of fixed finality with all alleged frauds and irregularity on January 6, 2020, approximately a week before finding of newly discovered evidence just emerged on December 28, 2020, this Petitioner respectfully prays that the Honorable Court immediately issue a TRO against the New York City Board of Elections, to freeze the election counts temporarily pending the court’s further disposition pursuant to Rule 65 (b) (3).

In annex to Affidavit of Defendant, Affidavit of Defendant’s Counsel, and to Supporting documentary evidence, Petitioner, respectfully prays to this Honorable Court to hold a post TRO show cause conference ____day of _____, 20____, at _____forenoon/afternoon, to order Respondent to show cause why he should not be enjoined from counting the rigid election results without first re-franchising all discovered or momentarily undiscovered victims of such unconstitutional broadly

infected disenfranchisement through recounting or reelection under this Honorable Court appointed independent monitors. This Petitioner seeks to revocation of the rigid election apparently infected with unethical frauds and pinpointed knowing irregularity with solid evidence as the annexed Affidavits and what the Respondent voluntarily offered evidence against its interests. The counts of the City of New York as the resulting outcome of such self-evident proof was obviously infected with election fraud at the cost of unconstitutionally disenfranchising the voting rights of this undersigned petitioner as well as that of the similarly situated victims, leading to further irreparable harms to the compelling national interests to maintain the integrity of the constitutional democracy being Blessed by the Lord our Creator.

Petitioner's experience of being unlawfully deprived his constitutional rights to vote is apparently not an isolated incident, There must be enormous number of voters for President Donald Trump and GOP candidates were similarly disenfranchised. Doing so by the Respondent has brutally violated also our nation's constitutional safeguard for equal protections under the 14th Amendment.

Brief Discussion

In this great nation of constitutional democracy whose foundation was laid by our founding fathers, a citizen's right to vote is deemed sacred and each vote counts while knowing disenfranchisement of such citizens' equally protected rights is not permissible neither will it be tolerated in the eyes of law.

Respondent's disenfranchisement against the petitioner and the similarly situated victims has violated the petitioner's equal voting rights under 42 USC 1965 and 1974. 52 USC 10101, as well as the equal protection under 14th Amendment.

"Having once granted the right to vote on equal terms, the State may not, by later arbitrary and disparate treatment, value one person's vote over that of another. See, e.g., **Harper v. Virginia Bd. of Elections**, 383 U.S. 663, 665 (1966) This petitioner's ballots should not be undervalued and illegally invalidated for such

frivolous and clueless reason, if any, because he was found to have voted for President Donald Trump and candidates of GOP, This is just for the same for such other similarly situated disfranchised victims as Ms. Shuqin Xu, the eyewitness whose ballots was also undervalued and uncounted for the same clueless reason, if any reason. (Please refer to her Affidavits and annexed exhibits 4, 5, 6 and 7.)

It must be remembered that “the right of suffrage can be denied by a debasement or dilution of the weight of a citizen’s vote just as effectively as by wholly prohibiting the free exercise of the franchise.” **Reynolds v. Sims**, 377 U. S. 533, 555 (1964).

When such illegal disenfranchisement has evidently occurred and judicial remedy is being pursued, such judicial remedy may need to be carried out in timely manner.

Conclusion

Wherefore, in foregoing light, Petitioner humbly prays that this Honorable Court immediately issue an urgent TRO order, prior to hearing, to enjoin Respondent from making further harms against the Petitioner, the similarly disenfranchised victims within the City of New York, as well as the greater victim, the entire nation of the United States, for the sake in preserving the integrity of our nation’s constitutional democracy being Blessed by the Lord our God.

Wherefore, accordingly, this undersigned respectfully prays tot his Honorable Court that a TRO to temporarily enjoin the Respondent from continuing compounding its vote counts into the State of New York’s vote pool, pending the Court’s further injunctive and declaratory disposition for the interests of justice.

This petitioner respectfully prays for a Three Justice Panel to hear and adjudicate this petition.

Due to the emergency situation being caused by too-late arriving of such decisive evidence in exposing the vote frauds under the Respondent’s manipulation, this Petitioner prays that the Honorable Court kindly allows the Petitioner to submit the

full length Bill of Complaint by the Court designated deadline after this TRO Petition was firstly filed and docketed.

Respectfully submitted by,

/s/Ning Ye, Esq.

Petitioner, *Pro se*

135-11 38th Avenue, Rm 1A

Flushing, NY 11354

Tel.:7183086626; Fax: 7182285816

Email: yeningusa@gmail.com

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Respondent)	

TEMPORARY RESTRAINING ORDER(draft)

On reading of the Affidavit of Ning Ye, dated December 30, 2020, with annexed Affidavits and the Exhibits annexed thereto, as proof as to the absolute and immediate need for emergency relief sworn to on this December 30, 2020, it is hereby

Ordered that Respondent is hereby temporarily enjoined from continuing disenfranchising the Respondent and all the similarly situated victims of such disenfranchisement, whose number and identity must be found through recounting and such other proper and practicable inspection and voting related forensic vote auditing.

Before such Court ordered remedial measures are fully implemented and carried out, the election counts within the jurisdiction of the Respondent should be temporarily frozen, and deducted from the count of that of the State of New York, pending further disposition from this Court;

The respondent or its counsel shall appear and show cause before this Court at 500 Pearl Street, New York, NY 10007 on the _____ day of _____, 202__ at _____ am/pm in the forenoon/afternoon of that day or as soon as thereafter, Part _____ thereof, to be held at forenoon/afternoon of that day, or as soon as thereafter as counsel can be heard, (1) why such a Temporary Restraining Order (TRO) should not be issued with respect to enjoining the Respondent, his agents, associates, employees, deputies, proxies, from committing further harms in disenfranchising the Petitioner and similarly situated disfranchised victims yet to be identified through recounting, forensic auditing or through reelection; (2). Why a Temporary Restraining Order

(TRO) should not be issued with respect to enjoining the respondent to continue using the poisonous fruit out of such election irregularity to be included in the election count of the State of New York. (3) why such any other remedy should not be issued granting such other relief to Petitioner and similarly situated disfranchised victims as this Court deems just and proper.

It is further Ordered that Petitioner must use the most prompt way of communication such as Federal Express or Email to notify the Court's Decision to the Respondent.

It is further

Ordered that service of a copy of this Order to Show Cause, together with all the related supporting papers appended hereto, be made upon Plaintiff, by Federal Express Overnight delivery or by same day personal delivery by 6pm, on ____ day of _____, 20____.

It is this ____ day of _____, 20__.

It is so ORDERED.

The Hon.

THE PRESIDING JUDGE

Affidavit Statement

Ning Ye, being duly sworn, deposes and says, under the penalty of perjury of law I am a citizen of the United States, currently residing at 135-11 38th Avenue, Apt. 1A, Flushing, Queens, New York, 11354.

This Affidavit Statement is hereby issued in support of the Petitioner/Affiant's Petition for TRO with the U.S. District Court for the Eastern District of New York.

On December 28, 2020 I received a letter from the Board of Elections in the City of New York, which officially informed me that my ballots personally cast at Flushing, New York, nearby my residence, was **not counted** for voting at the *wrong* poll site, on November 3, 2020. (See Exhibit 1).

The envelop was post-marked December 23, 2020. It actually reached my residence on December 28m 2020 (Exhibit 2).

That Notice did not clarify what did it mean "wrong poll site".

On November 3, 2020, I got up at 5am in order to become first few voters in line to avoid waiting in long line. My voting place is located at 147-26 25th Dr. Flushing NY 11354, the same zip code with my residence.

Together with me going to vote on this earlier morning is Ms. Shuqin Xu, my eyewitness in this instant case, who, as a volunteer monitoring personnel on GOP side, was assigned to that poll site at 147-26 25th Dr. Flushing NY 11354, where she also cast her own ballot because she did not have time to vote anywhere else, her duty would be ending at the closure of the poll site.

After the poll site opened, I become first group of the voters getting into the polling site, likely a school building. A polling worker, a colored man of about mid-fifties, checked my voter registration mail and also checked the computer, telling me that my prior polling site was also in Flushing, but at another polling site. I then asked the gentleman whether should I went to that designated poll site which is located in a short distance. He said I did not have to, just fill in an affidavit.

After I filled out my ballot, voting for President Donald Trump and other GOP candidates, and submitted it together with that later allegedly "invalid Affidavit" to the polling officer, he carefully checked every item and my signature and declared to me that everything is perfectly done and accepted it.

I asked him whether my ballot would be counted, he gave me an affirmative answer.

Only after I received affirmative answer that my ballot would be counted from that polling officer, I left the poll site at Flushing New York, sharing the same zip code of 11354 of my residence.

Now, almost two months having passed the 11/03/2020 voting day, the Board of Elections of New York informed me that my ballot, which was cast strictly following the law and the polling worker's advice was not counted, apparently for ulterior motive. I believe the Board disenfranchised me simply because I voted for President Donald Trump. There is no other reason, Everything I did, according to these records, are perfectly legitimate and regulatory.

It is crystal clear that I submitted my ballot to the polling officer who had received me at the first place together with the Affidavit he gave it to me and I filled out, signed and swore before the polling officer on November 3, 2020,. And everythignwas perfectly done with the polling officer's watchful examination.

When I checked the photocopy of my November 3, 2020 Affidavit which the Election Board mailed to me, post-marked December 23, 2020, and having found the photocopy of the 11/03/2020 Affidavit (Exhibit 3) matched the Affidavit I filled out, signed and swore before the polling officer on November 3, 2020 strictly following his instruction.

Exhibit 3 shows the Board mailed photocopy of the 11/03/2020 Affidavit, which was now declared by the Board as "invalid", is not a DIY paperwork. It was apparently prepared, designed and officially, uniformly issued by the Board of Elections. The New York Election Board found no place to mark their fancy reason of "invalidity" after exhausting all the preprinted blanks for designated reasons, therefore, it creatively remarked "Preliminary Affidavit Invalid".

Questions arise: How many Affidavits the New York Board of Elections was talking about? The Board was in apparent lack of candor when it accused this Affiant's non-existent "Preliminary Affidavit" that was adjudged by the Board to be "Invalid", triggering this Board's uniformly Issued Affidavit Oath invalid, and leading to his ballot voting for President Donald Trump "invalid". The Board did not provid any explanation or clarification of, or proof of, existence of such "preliminary Affidavit", which makes it excessively confusing. This Affiant did not design, make, issue, swear, present any "Affidavit" other than the one given to him for filling, executing under oath before the Polling Officer at the poll site.

There is no way to prove that the Affidavit he duly submitted to the polling officer on November 3, 2020 appears "invalid". It appears knowingly nonsensical for New York Board of Elections, to play the game of "invalidity" of its own made affidavit on its very surface, knowing such a sheer lie does not withstand any thoughtful challenges.

The only logical reason for the New York Board of Elections to declare my lawfully cast ballot invalid and uncounted is because I was found politically incorrect to have voted for President Donald Trump. To this sort of Board of Elections, there is likely no other reasons.

From this likely a tip of an iceberg, I don't know how many Trump ballots have been either discarded or invalidated one way or another. But at least my ballot and the ballot of Ms. Shuqin Xu, that of my eye witness, was also invalidated for the same reason.

She is also a Trump supporter and she also received a letter on December 28th 2020, from New York Broad of Election, which informed her that her ballot was not counted for "Invalid Affidavit" as well. (See her Affidavit as Exhibit 4)

There are likely credible reports on tons of election frauds and irregularities, this one appears to be a self-evident proof of politicized fraud and I am one of countless number of victims who has been unconstitutionally, fraudulently and maliciously disenfranchised by the New York Board of Elections by excluding my properly cast ballot. Bad as to one, bad as to all, we don't know how many similarly situated voters were disenfranchised one way or another in the State of New York as this tip of iceberg vividly demonstrates.

Wherefore, I humbly pray to this Honorable Court for urgent and appropriate relief to have the election wrongs corrected through immediate judicial remedy in the light of the integrity of our constitutional democracy.

With the solid evidence which was available just on December 28, 2020, Respondent appears to have knowingly or recklessly engaged in aggravated election frauds which have already resulted in massive scale constitutional violations while there is no sufficient time to have such enormous harms against the entire nation regarding to its collective safety against likely foreign invasion corrected before January 6th, 2020 if this Honorable Court did not take prompt judicial remedy facing such clear-cut evidence. The facts also establishes the likelihood that this Petitioner, the similarly situated victims as of American citizens, henceforth the vital interests of the United States for her bare survival will suffer irreparable harm absent the requested temporary restraining order.

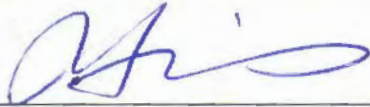
Petitioner humbly seeks a preliminary injunction to enjoin Respondent from continuing to exploit such rigid election and its poisonous fruit to harm the vital strategic interests of the United States, until the faulty election under the wrongful supervision of the Respondent is ordered corrected by recounting while these illegally disenfranchised citizens' ballots were properly recognized and recounted, and all faults corrected, under this Court appointed independent monitoring group. If this Court finds it proper and necessary, a statewide re-election should be ordered to be held under the monitoring by this Court appointed independent monitors.

As explained in the Petition accompanying this Affidavit, Petitioner is entitled to a Temporary Restraining Order against the Respondent under these statutes in order to preserve and reinstate his disenfranchised constitutional rights and such rights of all similarly situated victims statewide. In absence of such immediate TRO protection, Petitioner, the similarly situated victims, and the nation of the United States, will suffer irreparable harm in the absence of such a TRO.

Due to want of solid evidence, no prior application for TRO and Show cause has been filed with any courts regarding this case.

Wherefore, accordingly, this undersigned respectfully prays tot his Honorable Court that a TRO to temporarily enjoin the constitutionally defective election in the City of New York under the wrongful manipulation of the Respondent from continuing and further harms against this petitioner, the similarly situated victims, as well as that of the nation of the United States.

Further affiant sayth naught.



s/Ning Ye

Subscribed and sworn to before me on this 29th day of December, 2020.

Grace Wang

Notary Public:

GRACE WANG
Notary Public - State of New York
No. 01WA6316514
Qualified in Queens County
My Commission Expires Dec 15, 2022

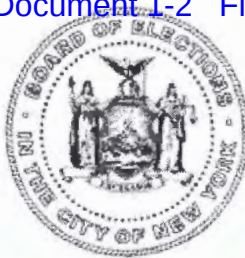


Exhibit 1

PATRICIA ANNE TAYLOR
President

FREDERIC M. UMANE
Secretary

JOSE MIGUEL ARAUJO
MIGUELINA CAMILO
GINO A MARMORATO
MICHAEL MICHEL
SIMON SHAMOUN
TIFFANY TOWNSEND
ROSANNA VARGAS
JOHN WM. ZACCONE
Commissioners



MICHAEL J. RYAN
Executive Director

DAWN SANDOW
Deputy Executive Director

PAMELA GREEN PERKINS
Administrative Manager
GEORGEA KONTZAMANIS
Operations Manager
AMANDA BERINATO
CHIEF CLERK
BART HAGGERTY
DEPUTY CHIEF CLERK

BOARD OF ELECTIONS

IN
THE CITY OF NEW YORK
118-35 QUEENS BOULEVARD
11th Floor
FOREST HILLS, NY 11375
(718) 730-6730

www.vote.nyc.ny.us

Invalid Affidavit Letter

12/22/2020

NING YE
135-11 38 AVENUE 1A
FLUSHING NY 11354

Dear Voter:

The Board of Elections in the City of New York has reviewed your affidavit ballot submitted for the recent election. Your affidavit ballot was not counted for the reason indicated below:

- () On Election Day you were not a registered voter within the five (5) boroughs of New York City. The completed registration section on the affidavit ballot envelope serves as your new voter registration form. You will receive an acknowledgement notice when your registration is processed.
- () You signed the Voter Registration Poll List Book, which indicates you voted on the poll site voting machine system.
- () You did not sign the affidavit envelope or did not provide your current address as required by law.
- (X) You voted at the wrong poll site. A notice will be sent to advise you of your correct Election District, Assembly District, and poll site.
- () You registered after the legal deadline for the election. Your voter registration has been processed and you are eligible to vote in future elections.
- () The Special Election did not include your Election District.
- () Other _____

Exhibit 2

Line C0-2-17 Q

neopost
US POSTAGE \$001.20



BOARD OF ELECTIONS
IN THE CITY OF NEW YORK
118-35 QUEENS BOULEVARD, 11TH FLOOR
FOREST HILLS, NY 11375



VOTER REGISTRATION DEPT.

Invalid Att

NING YE
135-11 38 AVENUE 1A
FLUSHING NY 11354

Exhibit 3

Line 401 ENGBEN 11/20
Affidavit Oath

17/40

Nov. 03/17/2020

For Board Use Only - To be completed by an Election Inspector.

Town/City Queens ADI/Ward 40 Election District 17

VNS 2140 (with) No
 (D) Count Yes No
 (R) Count Yes No
 Transfer to ED AD

Miscellaneous
 Not Registered
 Registered too late
 Address Change
 Wrong ED (file)
 VSN 413365394
 Enrollment match

PRELIMINARY AFFIDAVIT INVALID

A Please provide the following required information (You MUST complete all sections)

Your name: Last name YE, First name NING, Middle Initial , Suffix

The address where you live: Address (not P.O. box) 135-11 38th Ave, Apt. Number 1A, Zip code , City/Town/Village Flushing, New York State County Queens

Date of birth 10.6.1952, Party enrollment Republican

B Please check each box that applies to you and fill in the appropriate blanks (You MUST check at least one)

I have been informed by the inspectors that my registration record is not available to them, however I have duly registered to vote in this election district from the address given above, and I remain a duly qualified voter in this district.

I have moved within New York State since my last registration and have lived at the address listed above for at least 30 days before the date of the election. My previous address was 142-10 Union St #10E Flushing NY 11355

I was required to present identification when I voted today, but I did not do so. COA 41/40

I have not voted in this election, but the records of the Board indicate that I have already voted. 413365394

For Primary Elections Only: I am enrolled in the political party stated in the section above, but the poll book does not reflect my correct enrollment.

C Additional information to register to vote in the event that you do not have a valid voter registration on file

Are you a citizen of the U.S.? Yes No

If you answer No, you cannot register to vote.

D Qualifications

A) Will you be 18 years of age or older on or before election day? Yes No

B) Are you at least 16 years of age and understand that you must be 18 years of age on or before election day to vote, and that until you will be eighteen years of age at the time of such election your registration will be marked "pending" and you will be unable to cast a ballot in any election? Yes No

If you answer No to both of the prior questions, you cannot register to vote.

More information: Telephone (optional) 718 432 816 626, Gender (optional) M, Email (optional)

The address where you receive mail: Address or P.O. Box 135-11 38th Ave #1A, P.O. Box , Zip code 11354, City/Town/Village Flushing NY

Voting history: Have you voted before? Yes No, What year?

Voting information that has changed: Your name was , Your address was , Your previous state or New York State County was

Identification: New York State DMV number , Last four digits of your Social Security number 2840, I do not have a New York State driver's license or a Social Security number.

Political party: I wish to enroll in a political party: Democratic party, Working Families party, Independence party, Republican party, Green party, SAM party, Conservative party, Libertarian party, Other

I do not want to enroll in any political party and wish to be an independent voter. No party

D All voters must date and sign the oath below

E It is a crime to procure a false registration or to furnish false information to the Board of Elections

Affidavit: I swear or affirm that

- I am a citizen of the United States.
- I will have lived in the county, city or village for at least 30 days before the election.
- I meet all requirements to register to vote in New York State.
- This is my signature or mark in the box to the right.
- The above information is true, I understand that if it is not true, I can be convicted and fined up to \$5,000 and/or jailed for up to four years.

Sign [Signature], Date 11/03/2020



Exhibit 4

Affidavit Statement

Shuqin Xu, being duly sworn, deposes and says, under the penalty of perjury of law

I am a citizen of the United States, currently residing at 144-70 41st Avenue, Apt. 1R, Flushing, Queens, New York, 11355.

I respectfully submit this Affidavit Statement in support of Ning Ye's testimony upon Mr. Ye's request. I carefully read Mr. Ning Ye's Affidavit Statement in English which was translated to me in Chinese language, and I have found that Mr. Ning Ye's Statement is truthful and accurate to the best of my knowledge and belief, based upon my close observation of Mr. Ning Ye and occurrence about his going through the procedures at the polling spot as an eyewitness at on November 3, 2020.

Additionally, what occurred to Mr. Ning Ye also occurred to me. On December 28, 2020 I received a letter from the Board of Elections in the City of New York, which officially informed me that my ballots personally cast at Flushing, New York, nearby my residence, was **not counted** for voting at the *wrong* poll site, on November 3, 2020. (See Exhibit 5).

The envelop was post-marked December 23, 2020. It actually reached my residence on December 28m 2020 (Exhibit 6).

That Notice did not clarify what did it mean "wrong poll site".

On November 3, 2020, I got up at 5am in order to become first few voters in line to avoid waiting in long line. My voting place is located at 147-26 25th Dr. Flushing NY 11354, the same zip code with my residence.

Together with me going to vote on this earlier morning is Mr. Ning Ye, next to me within the close range of my observation.

After the poll site opened, I become first group of the voters getting into the polling site, likely a school building. A polling officer checked my voter registration mail and also checked his computer terminal, telling me that my prior polling site was also in Flushing, but at another polling site. I told him that I would take my duty as a polling monitor after casting my ballot. He said to me that I fill in an affidavit. He gave all paperwork for me to fill out and sign together with my ballots. After I did all this, I submitted everything to him.

I filled out my ballot. I voted President Donald Trump, and submitted it together with completed Affidavit to that polling officer, he carefully checked every item and my signature and declared to me that everything is perfectly done and accepted it.

Everything I did, according to the records, is perfectly legitimate and regulatory.

When I checked the photocopy of my November 3, 2020 Affidavit which the Election Board mailed to me post-marked December 23, 2020, and having found the photocopy matched the Affidavit I filled out, signed and swore before the polling officer on November 3, 2020 strictly following his instruction.

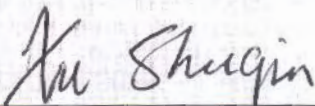
The formed Affidavit was apparently prepared, designed and officially, probably uniformly issued by the Board of Elections. The New York Election Board found no place to mark that fancy reason in support of "invalidity" after exhausting all the preprinted blanks for designated reasons, therefore, it creatively remarked "Preliminary Affidavit Invalid". (Exhibit 7)

I did not design, make, issue, swear, present any other "Preliminary Affidavit" for the Board to declare "invalid" than the one given to me for filling, executing under oath before the Polling Officer at the poll site on November 3, 2020.

Like Mr. Ning Ye, my constitutional rights to vote was also invalidly disenfranchised by New York Board of Elections most likely to punish my commission of political incorrectness by voting for President Donald Trump in the eyes of the New York Board of Elections. Their propping up such clueless "invalidity of preliminary affidavit", that does not exist in this world, is simply a sheer lie.

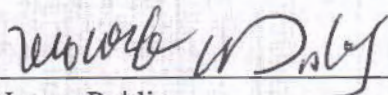
There is no way to prove that the Affidavit I duly submitted to the polling officer on November 3, 2020 appears "invalid", leading to disenfranchising my voting rights. The only Affidavit I was given to fill out and sign was uniformly made, used, issued, received under the polling officer's examination on November 3, 2020.

I am willing and able to testify live under cross-examination.



s/Shuqin XU

Subscribed and sworn to before me on this 29th day of December, 2020.



Notary Public:

GRACE WANG
Notary Public - State of New York
No. 01WA6316514
Qualified in Queens County
My Commission Expires Dec 15, 2022

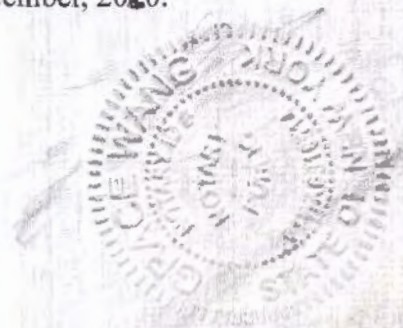


Exhibit 5

President

FREDERIC M. UMANE

Secretary

JOSE MIGUEL ARAUJO

MIGUELINA CAMILO

GINO A MARMORATO

MICHAEL MICHEL

SIMON SHAMOUN

TIFFANY TOWNSEND

ROSANNA VARGAS

JOHN WM. ZACCONE

Commissioners



BOARD OF ELECTIONS

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AMANDA BERINATO

CHIEF CLERK

BART HAGGERTY

DEPUTY CHIEF CLERK

Invalid Affidavit Letter

12/22/2020

SHUQIN XU

144-70 41 AVENUE 1R

FLUSHING NY 11355

Dear Voter:

The Board of Elections in the City of New York has reviewed your affidavit ballot submitted for the recent election. Your affidavit ballot was not counted for the reason indicated below:

- () On Election Day you were not a registered voter within the five (5) boroughs of New York City. The completed registration section on the affidavit ballot envelope serves as your new voter registration form. You will receive an acknowledgement notice when your registration is processed.
- () You signed the Voter Registration Poll List Book, which indicates you voted on the poll site voting machine system.
- () You did not sign the affidavit envelope or did not provide your current address as required by law.
- (X) You voted at the wrong poll site. A notice will be sent to advise you of your correct Election District, Assembly District, and poll site.**
- () You registered after the legal deadline for the election. Your voter registration has been processed and you are eligible to vote in future elections.
- () The Special Election did not include your Election District.
- () Other _____

Exhibit 6

Line CO-2-17 Q

US POSTAGE \$001 20
NOV 20 11 2020



BOARD OF ELECTIONS
IN THE CITY OF NEW YORK
118-35 QUEENS BOULEVARD, 11TH FLOOR
FOREST HILLS, NY 11375

VOTER REGISTRATION DEPT.

www.vote

Invalid Affid

SHUQIN XU
144-70 41 AVENUE 1R
FLUSHING NY 11355

Exhibit 7

Line 401 ENGBEN r1/20
Affidavit Oath

17/40

A Please provide the following required information (You **MUST** complete all sections)

Your name: Last name XU Suffix _____
 First name Shugin Middle Initial ||

The address where you live: Address (not P.O. box) 144-70 41st Ave.
 Apt. Number 1R Zip code 111355
 City/Town/Village Flushing
 New York State County Queens

Date of birth 10/7/11/1956 Party enrollment Republican

B Please check each box that applies to you and fill in the appropriate blanks (You **MUST** check at least one)

I have been informed by the inspectors that my registration record is not available to them, however I have duly registered to vote in this election district from the address given above, and I remain a duly qualified voter in this district.

I have moved within New York State since my last registration and have lived at the address listed above for at least 30 days before the date of the election. My previous address was: _____

I was required to present identification when I voted today, but I did not do so.

I have not voted in this election, but the records of the Board indicate that I have already voted.

For Primary Elections Only: I am enrolled in the political party stated in the section above, but the poll book does not reflect my correct enrollment.

C Additional information to register to vote in the event that you do not have a valid voter registration on file

Are you a citizen of the U.S.? Yes No

If you answer No, you cannot register to vote.

1 Qualifications

A) Will you be 18 years of age or older on or before election day? Yes No

B) Are you at least 16 years of age and understand that you must be 18 years of age on or before election day to vote, and that until you will be eighteen years of age at the time of such election your registration will be marked "pending" and you will be unable to cast a ballot in any election? Yes No

If you answer No to both of the prior questions, you cannot register to vote.

More information: Telephone (optional) 91711963153711 Gender (optional) F

Email (optional) _____

The address where you receive mail: Address or P.O. Box 144-70 41st Ave.
 P.O. Box Apt 1R Zip code 111355
 City/Town/Village Flushing

Voting history: Have you voted before? Yes No What year? 2016

Voting information that has changed: Your name was Shugin XU
 Your address was 144-70 41st Ave. #1R Flushing NY 11355
 Your previous state or New York State County was Queens

Identification: New York State DMV number 1869836574
 Last four digits of your Social Security number x x x - x x - _____
 I do not have a New York State driver's license or a Social Security number.

Political party: I wish to enroll in a political party

Democratic party Working Families party Independence party
 Republican party Green party SAM party
 Conservative party Libertarian party Other _____

I do not want to enroll in any political party and wish to be an independent voter

No party

D All voters must date and sign the oath below

! It is a crime to procure a false registration or to furnish false information to the Board of Elections

Affidavit: I swear or affirm that

- I am a citizen of the United States.
- I will have lived in the county, city or village for at least 30 days before the election.
- I meet all requirements to register to vote in New York State.
- This is my signature or mark in the box to the right.
- The above information is true, I understand that if it is not true, I can be convicted and fined up to \$5,000 and/or jailed for up to four years.

Sign Shu Xu
 Date 11/03/2020

For Board Use Only - To be completed by an Election Inspector

Rev. 02/21/2020

Town/City Queens AD/Ward 40 Election District 17

For BOE Borough Office Use Only

Miscellaneous Cancelled No
 Not Registered Address Change Wrong ED (site) No
 Registered too late VSN 110782112 Transfer to _____ AD

PRELIMINARY AFFIDAVIT INVALID

