CV-20-454

IN THE ARKANSAS SUPREME COURT
An Original Action

BONNIE MILLER, individually and on behalf of ARKANSAS VOTERS FIRST and OPEN PRIMARIES ARKANSAS, BALLOT QUESTION COMMITTEES	**PETITIONERS**
v.	**CASE NO. CV-20-454**
JOHN THURSTON, in his capacity as Arkansas Secretary of State	**RESPONDENT**
ARKANSANS FOR TRANSPARENCY, A BALLOT QUESTION COMMITTEE, and JONELLE FULMER, individually and on behalf of ARKANSANS FOR TRANSPARENCY	**INTERVENORS**

INTERVENORS' BRIEF ON COUNTS 1 & 2

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Table of Contents

Response to Jurisdictional Statement

1. This is an original action that raises questions of fact and law regarding the sufficiency of initiated measures under Article 5, Section 1 of the Arkansas Constitution. However, the Court lacks jurisdiction to decide the constitutionality of statutes within this action. *See* Ark. Const., amendment 80, § 6; *see also Forrester v. Daniels*, 2010 Ark. 397, 373 S.W.3d 871.

2. Intervenors dispute Petitioners' statement as to the posture and four "subsidiary issues" in this matter but such statements are not proper for the jurisdictional statement. Intervenors address these points in their Argument.

/s/ Kevin A. Crass
KEVIN A. CRASS

Points on Review

I. On Count I, the Sponsor Failed to Comply with the Mandatory Requirements of Arkansas Code Annotated § 7-9-601

- *Benca v. Martin*, 2016 Ark. 359, 500 S.W.3d 742
- *McDaniel v. Spencer*, 2015 Ark. 94, 457 S.W.3d 641

II. On Count II, the Sponsor Failed to Meet the Initial Count on the Open Primaries Petition

- Arkansas Code Annotated § 7-9-126
- *Benca v. Martin*, 2016 Ark. 359, 500 S.W.3d 742

III. Signatures Obtained by the Sponsor's Paid Canvassers with Disqualifying Criminal Convictions and False Addresses Should Be Subtracted from the Initial Count on the Open Primaries Petition

- Act 376 of 2019
- Arkansas Code Annotated § 7-9-601

IV. The Sponsor Did Not Substantially Comply with Its Obligations under Arkansas Code Annotated § 7-9-601

- *Benca v. Martin*, 2016 Ark. 359, 500 S.W.3d 742
- *Zook v. Martin*, 2018 Ark. 306, 558 S.W.3d 385

Table of Authorities

Cases

Statutes and Rules

Miscellaneous

Statement of the Case

To initiate a petition proposed for the November 2020 general election ballot, a statewide voter-initiated petition for a constitutional amendment must have at least 89,151 unverified voter signatures statewide as well as the prescribed number of signatures per county. (Jt. Ex. 1) A proposed amendment is not certified for the General Election ballot if it fails to secure the same number of valid voter signatures at both the state and county level.

Arkansas Voters First ("AVF") is the sponsor of two initiated petitions for constitutional amendments: one amendment would create a "Citizens' Restricting Commission" for state legislative and congressional redistricting ("Redistricting Petition"); and the other would require open primary elections and instant runoff general elections ("Open Primaries Petition") (collectively "Petitions"). After filing the Petitions with the Secretary of State on July 6, 2020, the Secretary notified AVF that the language used in registering its paid canvasser did not meet the mandatory requirements of Arkansas Code Annotated § 7-9-601(b). (Pets. Exs. 5-6) That subsection requires the sponsor to obtain state and federal background checks on each paid canvasser and then certify to the Secretary that the paid canvassers **passed** them, meaning no disqualifying felonies or fraud-related misdemeanors. The Secretary determined that AVF's certification language, stating that "the statewide Arkansas State Police background check, as well as **a 50-state criminal**

background check, have been timely **acquired** . . . ," did not certify actual passage as required by subpart 601(b)(3). As such, the Secretary informed AVF that none of the signatures collected by its paid canvassers could be counted "for any purpose" for either Petition pursuant to Arkansas Code Annotated § 7-9-601(f). Both Petitions thus failed for want of initiation.

Within a week, and after completing its intake process, the Secretary of State sent another letter to AVF declaring the Open Primaries Petition insufficient because it failed to meet the 89,151 initial count signature requirement. (Pets. Ex. 7) After performing his duties under Arkansas Code Annotated § 7-9-126, the Secretary culled 10,208 signatures, which left the Petition short of the initial count requirement by 528 signatures. (Pets. Ex. 7) The Secretary concluded that the Redistricting Petition had enough signatures to make the statewide initial count (90,493) but for the certification language. (Pets. Ex. 11)

On July 17, 2020, Petitioners filed a Consolidated Original Petition on the certification language issue and sought injunctive relief ordering the Secretary to begin counting and to give both Petitions a 30-day cure period. On July 23, 2020 Arkansas voter Jonelle Fulmer and Arkansans for Transparency, a duly formed and registered ballot question committee, moved to intervene. *See* Mot. Intv. They did so for the purpose of rebutting Petitioners' arguments but also to challenge the Petitions on grounds apart from those cited by the Secretary. *See* Mot. Intv.; *see also*

Intv. Reply (tendered July 24, 2020). The Court granted the Motion to Intervene on July 24, 2020 in a per curiam order.

The same per curiam order also granted Petitioners' request for a temporary injunction and ordered the Secretary to move forward with signature verification. The Court gave Petitioners a provisional 30-day cure, providing that signatures collected during that time would only be counted if the Petitions were ultimately deemed entitled to the cure. The Court appointed the Honorable John Fogleman to serve as Special Master.

The Special Master held hearings from July 28-31, 2020. On the day before the hearings began, Petitioners amended their Complaint a second time to add Count II. *See* Pets. Sec. Am. Compl. Count II challenged the Secretary's determination that the Open Primaries Petition did not meet the initial count. *Id.* The Court referred the new Count II to the Special Master as well.

Over four days, the Special Master heard testimony from several witnesses. Petitioners called Mr. Josh Bridges and Mr. Peyton Murphy, representatives of the Secretary of State's office who participated in the intake of the Petitions, supervised their review, and made cull determinations. (RT 334-335, 337-339) Combined, Mr. Bridges and Mr. Murphy have 12 years of experience with the initiative process in the Secretary's office. (RT 31, 388) They testified in detail about that process as well

as their review and decisions with respect to particular petition parts on the Open Primaries Petition.

Petitioners also called Heidi Gay, co-founder of National Ballot Access (NBA). The sponsor, AVF, hired NBA to provide paid canvassers to solicit signatures on both Petitions. Ms. Gay testified that NBA conducted state police background checks on its paid canvassers. Additionally, she and AVF knew that federal criminal records searches could be obtained from the FBI, and they discussed requiring the canvassers to get one. (RT 442-445) They opted instead to use private, Internet-based search services, such as BeenVerified and SentryLink. (RT 445-447) As Ms. Gay described in her testimony, these services are public records searches primarily based on name; they are not federal background checks. (RT 445-447)

Petitioners then called a staff attorney and legislative liaison of the Arkansas State Police (ASP), Mary Clare McLaurin. (RT 498) Ms. McLaurin testified that the ASP can only perform statewide background checks for paid canvassers. (RT 500) Each paid canvasser must complete ASP Form 122 to request a check and then authorize the background check results to be released to the sponsor. (RT 415-416, 549-550) (Intv. Exs. 12-17). ASP Form 122 directs each canvasser on where and how to request a federal background check via an "Applicant Record Notice," which cites the applicable Code of Federal Regulations and links the canvasser directly to the FBI website on federal background checks. (RT 510-511) (Intv. Add. 28-29, 34-

43) (Intv. Exs. 17, 22) To get a federal background check, the canvasser has to submit a written request, along with fingerprints, to the FBI. (Intv. Add. 30-43) (Intv. Exs. 21-22) Neither AVF nor NBA obtained federal background checks on their paid canvassers.

Intervenors introduced evidence that several of AVF's canvassers had disqualifying criminal convictions or at least criminal histories that warranted further investigation by AVF. (Intv. Add. 1-27, 56-73) (Intv. Exs. 3-7, 10, 26-27) (Report at 33-34, ¶¶ 51-55) Certified records of convictions for fraud-related offenses were offered into evidence on canvasser Demetriuse Martin. (Intv. Add. 56-73) (Intv. Exs. 26-27) He collected 96 signatures for the Open Primaries Petition. (Report at 33-34, ¶ 53)

Additionally, Intervenors introduced evidence that paid canvasser Josef Bautista used a United States Post Office as his residence and permanent-domicile address in his submissions to the Secretary of State. Mr. Bautista collected 1,787 signatures for the Open Primaries Petition. (Intv. Add. 44-55) (Intv. Exs. 23-25) (Report at 34, ¶¶ 55-58, 60)

On August 10, 2020, the Special Master filed his Report. Therein, he found that while a sponsor cannot technically meet the requirement of subsection 601(b)(1) with regard to obtaining a federal background check *from the ASP*, AVF's certification language did not comply with Arkansas law. (Report at 8-9, ¶¶ 32, 38)

Therefore, neither Petition has enough signatures to require verification. (Report at 9, ¶ 38) On Count II, the Special Master found that the Secretary of State improperly culled 586 signatures from the Open Primaries Petition for various reasons (Report at 31-32, ¶ 48). He deemed the evidence offered by Intervenors to be outside the scope of his authority, but he nonetheless included findings summarizing the paid canvassers' criminal records and Mr. Bautista's address submissions in the event the Court now finds such evidence admissible. (Report at 33)

ARGUMENT

Summary of the Argument

In enacting Arkansas Code Annotated § 7-9-601(b), the legislature did not require mere words to protect against fraud in the signature-gathering process by paid canvassers. The legislature declared that all such canvassers shall pass a state and federal background check before they gather any signatures. The statutory mandate is a result; no one can be paid to canvass for signature until the sponsor certifies such a result, *i.e.* state and federal background checks have been passed.

Count 1 of this action is totally premised upon Petitioners' claims they should be excused from meeting that statutory requirement. Yet, in a remarkable and brazen statement to this Court, the Petitioners assert, "The paid canvassers for the petition sponsors all passed state and federal background checks; and no party demonstrated otherwise." (Pets. Br. at 21) Perhaps counsel for Petitioners have this action confused with another, but the record in this case makes both parts of that statement false. One must wonder, if they can make that statement to this Court in compliance with their ethical obligations, why was the sponsor, who was being advised by same counsel, unable to make that same statement to the Secretary of State and avoid Count 1 of this lawsuit. The reason is clear and obvious: the statement is false. The record in this matter establishes that federal background checks *were not* obtained. (RT 445-447, 451-452) The record also establishes that all paid canvassers *did not*

pass a state and federal background check. Intervenors introduced evidence that some canvassers had criminal histories that make the statement untrue. (RT 454-479, 535-551) Intervenors did so without the benefit of much time to search all canvassers either. The Consolidated Original Petition was filed on July 17, 2020 and the hearing started on July 28, 2020. The compressed time frame is an important point underlying the statutory requirements. The General Assembly did not place the burden on the Secretary of State or Intervenors to assure compliance with this public policy; the burden was placed upon the sponsor, Arkansas Voters First (AVF). That burden was not met here on either Petition. And, while the focus of the Petitioners' challenge is on the federal background check, it is dispositive that Petitioners failed to certify to the Secretary of State that the paid canvassers passed a state background check.

Count II of this action is limited to the Open Primaries Petition, which in addition to failing the certification requirements, failed on multiple other grounds. Petitioners failed to meet their burden of proof on the constitutionally mandated state and county signature requirements. They also failed to meet their burden on challenging the culled signatures – save for the return of 404 back to the initial count total, a finding that was clearly erroneous. Petitioners further failed to rebut Intervenors' evidence that signatures from at least two paid canvassers – one with disqualifying criminal convictions and one with a false residence address – were

incorrectly counted and should be deducted from their total. This evidence is uncontroverted, leaving Petitioners to argue that only they can attack the Secretary's initial count while Intervenors can only stand by and watch. But this Court permitted intervention. And it should not now let Petitioners have their cake and eat it too.

Petitioners loudly beat the drums of Amendment 7's direct-democracy powers, but in doing so, they drown out the rest of the story. Namely, that the constitution expressly condones legislation "prohibiting and penalizing perjury, forgery, and all other felonies or fraudulent practices, in the securing of signatures or filing of petitions." Ark. Const., art. 5, § 1. The statutory provisions at issue in this matter go to the heart of this legislative authority and duty. As the Court has said before, canvassers are akin to election officials. Their integrity is linked to the integrity of the process itself. For the legislature to require sponsors to confirm and then certify that their paid canvassers – their employees – are not convicted felons or fraudsters is not an affront to the constitution. Nor is requiring canvasser verification dates to align with signing dates on the petition parts circulated by those canvassers. These statutory requirements, and those like it, are necessary to prevent a return to the not-so-distant past when petition validity rates barely cracked 30 percent and were rife with false statements and forgeries. None of Petitioners' arguments or evidence in this case warrants rewriting sections 601 and 126 and risking such regression. Their Complaint should be denied.

I. Standard of Review

Arkansas Rule of Civil Procedure 53(e)(2) provides that "[t]he court shall accept the master's findings of fact unless clearly erroneous." *See also Roberts v. Priest*, 334 Ark. 503, 975 S.W.2d 850 (1998). In *Benca v. Martin*, the Court held that "a finding is clearly erroneous, even if there is evidence to support it, when, based on the entire evidence, the court is left with the definite and firm conviction that the Master has made a mistake." 2016 Ark. 359, 500 S.W.3d 742. Questions of law, however, are solely within the purview of this Court.

II. The Petitioners' Certification Language Does Not Comply with Arkansas Law.

Petitioners' certification language certifies nothing, and the Special Master's finding of non-compliance correctly reflects that fact. Looking to the paid canvasser list in evidence, the Special Master made findings of fact regarding the certification language used by AVF. (Report at 7, ¶ 30; Pets. Exs. 11-12) He found that AVF used the following certification language on both Petitions:

> On behalf of the sponsor, this statement and submission of names serves as a certification that the statewide Arkansas State Police background check, as well as **a 50-state criminal background check**, have been timely **acquired** in the 30 days before the first day the paid canvasser begins to collect the signatures as required by Act 1104 of 2017.

(Report at 7-8, ¶ 30) (Pets. Exs. 11-12) (RT 60-65)

The Special Master heard testimony, took evidence, and ultimately found that none of the signatures collected by AVF's paid canvassers could be counted because AVF did not certify that its paid canvassers "passed" required state and federal background checks as required by subsection 601(b)(3). (Report at 9, ¶ 38) He also found that although the ASP does not provide federal criminal records searches for sponsors of statewide initiatives or referenda, it can assist individuals with having their fingerprints taken. (*Id.* at 8, ¶¶ 33-34) (RT 504, 510) Those fingerprints, along with a written request and proof of identity, can be used to obtain a federal criminal records search from the FBI. The Special Master took judicial notice of the Code of Federal Regulations provisions, which are referenced on ASP Form 122 and detail what the FBI "rap sheet" reflects and how to get it. These ASP forms are all completed by the paid canvassers. (Report at ¶ 36) (citing 28 §§ C.F.R. 16.30-16.33) (Intv. Ex. 17) On this record, the Special Master's finding that the insufficient certification language triggered the no-count provision of Arkansas Code Annotated § 7-9-601 are correct and should be affirmed in large part.

In their Brief, Petitioners urge the Court to ignore these findings and hold instead that either 1) their certification language met the requirements of Arkansas law or 2) they substantially complied with Arkansas law related to background-check certifications, especially because they claim that obtaining a federal criminal

records search within the meaning of the statute is impossible. (Pets. Br. 21-29) Both arguments should be rejected.

A. Petitioners Failed to Certify Their Canvassers Passed the Arkansas State Police Background Checks.

As a threshold matter, Petitioners' language does not even certify that paid canvassers passed an Arkansas background check. As much as Petitioners urge the Court to ignore their deficient language because they could not obtain a *federal* background check, they offer no reason why they could not certify passage of an Arkansas one. Compliance with this requirement is unquestionably possible. Petitioners' failure to certify passage of Arkansas background checks evidences their blatant disregard for Arkansas Code Annotated § 7-9-601(b)(3) and belies any claim of substantial compliance.

B. Petitioners' Certification Language Does Not Certify the Paid Canvassers Passed *Any* Background Check.

Petitioners' argument that their certification was sufficient because they cited the whole of Arkansas Code Annotated § 7-9-601, as well as Act 1104 of 2017, is meritless. (Pets. Br. at 21-24) This argument contravenes well-settled principles of statutory construction and this Court's precedent.

It is hornbook law that "the first rule of statutory construction is to apply a plain reading to the statute, construing it just as it reads, by giving the words their ordinary and usually accepted meaning in common language." *Benca*, 2016 Ark. at

7, 500 S.W.3d at 748 (quoting *Cave City Nursing Home, Inc. v. Ark. Dep't of Human Servs.*, 351 Ark. 13, 89 S.W.3d 884 (2002); *City of Ft. Smith v. Carter*, 372 Ark. 93, 270 S.W.3d 822 (2008)). The Court "construe[s] the statute so that no word is left void, superfluous, or insignificant; and meaning and effect are given to every word in the statute if possible." *Woodrome v. Daniels*, 2010 Ark. 244, 8, 370 S.W.3d 190, 194 (citing *Bank of Eureka Springs v. Evans*, 353 Ark. 438, 109 S.W.3d 672 (2003); *Ozark Gas Pipeline v. Ark. Pub. Serv. Comm'n*, 342 Ark. 591, 29 S.W.3d 730 (2000)). Giving effect to legislative intent is of paramount importance in statutory construction. *Id.* at 8, 370 S.W.3d at 194; *see also Lawhon Farm Servs. v. Brown*, 335 Ark. 272, 279, 984 S.W.2d 1, 4 (1998) ("The basic rule of statutory construction to which all other interpretative guides defer is to give effect to the intent of the General Assembly.").

Applying these rules, this Court has already construed and applied the plain language of Arkansas Code Annotated § 7-9-601 to mean just what it says. *Benca*, 2016 Ark. at 7, 500 S.W.3d at 748. In *Benca*, the Court disqualified signatures for non-compliance with subsection 601(b)'s background-check requirements. *Id.* at 4-8, 500 S.W.3d at 746-48. Specifically, it disqualified more than 7,500 signatures obtained by canvassers who never had a background check and whose background checks were completed *after* the sponsor had certified the background check was completed. *Id.* at 9, 500 S.W.3d at 748. Citing the express language in the paid-

canvasser statute, the Court reasoned that the signatures in question did not comply with the clearly stated statutory requirements:

> Accordingly, *based on the plain language of the statute*, the sponsor shall conduct the background checks not more than 30 days before placing the paid canvasser on the list, and the sponsor shall submit the list to the Secretary of State before the paid canvasser collects any signatures. Furthermore, if the sponsor does not comply with the requirement of timely performing the background check, *the statute clearly provides that those signatures collected shall not be counted.* Here, based on the record before us, the signatures do not comply with the statute.

Id. at 8-9, 500 S.W.3d at 748 (emphasis added).

In applying a plain-language standard to subsection 601(b), as well as other statutory provisions, the Court explained that its role is not to make the law but to "construe, apply, and interpret it." *Id*. at 16, 500 S.W.3d at 752 (quoting *Sw. Bell Tel. Co. v. Roberts*, 246 Ark. 864, 868, 440 S.W.2d 208, 210 (1969)). Thus, where the law says "shall," it means "shall." Even the concurrence in *Benca* agreed that the Court must follow the language and law as enacted by the legislature. *See id.* at 16-17, 500 S.W.3d at 752 (Goodson, J., concurring) (disagreeing on the merits but agreeing with the majority in removing the measure at issue because "[t]his court must abide by the legislation enacted by the General Assembly and cast out the proposed measure based entirely on the strictures of the Act"). The Court reiterated this plain-language standard again two years later. *Zook v. Martin*, 2018 Ark. 306,

at 4-5, 558 S.W.3d 385, 390 (citing *Benca* for the proposition that the term "shall" is mandatory).

Here, Petitioners' certification language does not satisfy the clear, express, and mandatory requirements of Arkansas Code Annotated § 7-9-601(b)(3). That provision states that a sponsor "shall certify" that each of its paid canvassers has "passed a criminal background check in accordance with this section." The language AVF used in its registration emails does not even certify that its canvassers *passed an Arkansas State Police background check*, let alone that they passed a federal background check. In accord with fundamental statutory construction rules and this Court's precedent, this language does not fulfill the legislature's certification mandate in section 601(b)(3); "shall" means "shall." *Benca*, 2016 Ark. at 16, 500 S.W.3d at 752; *Zook*, 2018 Ark. at 4-5, 558 S.W.3d at 390.

Simply referring to section 601 in its entirety is insufficient. Apart from Petitioners' own arguments in this case, there is no way for the Secretary of State (or the Court) to practically determine what parts of section 601 AVF purports to comply with when it makes such a blanket reference. In turn, there is no way for the Secretary to determine if the sponsor complied. Again, it is not the Secretary's burden to make the certification – the legislature put that burden squarely on the sponsor.

Further, accepting Petitioners' argument would require the conclusion that "acquire" and "pass" are synonyms. They are not. *Black's Law Dictionary* defines "pass" as "[t]o approve or certify (something) as meeting specified requirements;" in contrast, it defines "acquire" to mean "gain possession or control of; to get or obtain." *Black's Law Dictionary* (11th ed. 2019). While the words "acquire" and "obtain" may be similar, they have entirely different meanings in comparison to "pass" in this context. The legislature is presumed to use words in accordance with their legal meaning. *See Maddox v. State*, 220 Ark. 762, 762, 249 S.W.2d 972, 972 (1952) ("Inasmuch as the quoted term ['office'] is one of well known legal signification, we must assume that the General Assembly used the word in that sense.") Indeed, if the legislature had only intended that the sponsor "acquire" state and federal criminal records searches on paid canvassers, there would be no need for subsection 601(b)(3) at all. The Court should not now read out the certification requirement, the meaning of which is clear.

C. While It Is Possible to Comply with the Statute, Petitioners Chose Not to Get Federal Criminal Background Checks

Because Petitioners' certification language is obviously non-compliant with Arkansas Code Annotated § 7-9-601(b)(3), they urge the Court to overturn its precedent and apply a "substantial compliance" standard under which no "magic words" like "passed" are required. However, as discussed *supra*, substantial compliance is not the applicable standard, and "passed" has a specific, substantive

meaning. Indeed, in recent years, the Court has twice rejected arguments for substantial compliance with respect to voter-initiated statewide constitutional amendments. *See Zook*, 2018 Ark. at 5, 558 S.W.3d at 390; *Benca*, 2016 Ark. at 12-13, 500 S.W.3d at 750. In both *Benca* and *Zook*, the Court made clear that "'shall" is mandatory . . . and substantial compliance cannot be used as a substitute for compliance with the statute." *Benca*, 2016 Ark. at 12-13, 500 S.W.3d at 750 (emphasis added); *Zook*, 2018 Ark. at 5, 558 S.W.3d at 390. Just like the intervenors in *Zook*, Petitioners here have presented insufficient evidence to compel the Court to overturn its prior holdings. 2018 Ark. at 13-14, 558 S.W.3d at 394 (citing *Thiel v. Priest*, 342 Ark. 292, 300, 28 S.W.3d 296, 300 (2000) for the proposition that the Court will uphold our previous decision unless a great injury or injustice will result).

Further, while Petitioners claim that it is impossible to obtain a federal criminal records search and certify that each canvasser passed it as required by subsection 601(b), this position is belied by the evidence in the record and does not otherwise warrant a switch to substantial compliance.

1. AVF's failure to obtain federal background checks and certify passage disqualifies both Petitions

AVF and NBA have known for some time that federal background checks are available – in much the same way as the statewide searches are. At the hearings in this matter, Petitioners called a staff attorney and legislative liaison of the ASP, Mary Clare McLaurin, to testify. (RT 498) According to McLaurin, the only background

checks that ASP can perform for a sponsor are statewide background checks, as Arkansas Code Annotated § 7-9-601 purportedly does not fulfill the requirements set forth by the Department of Justice for federal searches by the ASP. (RT 500) Although the Special Master accepted this testimony and found that a sponsor cannot meet the requirement in subsection 601(b), this conclusion is incorrect, whether it is viewed as a matter of law or a finding of fact. (Report at 8, ¶ 32)

As a finding of fact, it is clearly erroneous. The testimony at the hearings established that paid canvassers complete ASP Form 122 requesting a statewide background check. (RT 407, 414-416, 506-509) (Intv. Add. 28-29) (Intv. Ex. 17) ASP Form 122 contains a space for the canvasser to authorize the background check results to be released to another party, here AVF. (Intv. Exs. 12-17) ASP Form 122 directs each canvasser on where and how to request a federal background check. (Intv. Add. 28-29) (Intv. Ex. 17) (RT 510-511) It contains the following notice, and with a single click of the mouse, provides access to the FBI background page:

Applicant Record Notice

> **Obtaining Copy**: Procedures for obtaining a copy of the FBI criminal history record as set forth in Title 28, Code of Federal Regulations (CFR) §16.30 through §16.33 or the FBI website at http://www.FBI.gov/about-us/siegejis/background-checks
>
> **Change Correction or Updating**: Procedures for obtaining a change, correction or updating an FBI criminal history record as set forth in Title 28, Code of Federal Regulations CFR §16-34.
>
> (Intv. Add. 28-29) (Intv. Ex. 17) (RT 510-511)

The process for getting an FBI background check is very similar to the one for the statewide check, except the FBI requires fingerprints. (RT 529-531) (Intv. Add. 28-29, 34-43) (Intv. Exs. 17, 22) Aside from that, all the canvasser has to do for the federal records search is make a written request – just as the canvasser has to do in order to request the Arkansas background search. (Intv. Add. 28-33) (Intv. Exs. 17, 21-22) Significantly, the sponsor cannot go to the ASP and independently get background checks; rather, the canvasser has to make a written request through ASP Form 122 and consent to its release. (RT 415-416, 549-550) Thus, the sponsor "technically" cannot obtain a statewide check directly from the Arkansas State Police, just as the sponsor cannot "technically" obtain a federal one from them; both must be done through the canvasser. Nonetheless, AVF still required its canvassers to facilitate the records searches in Arkansas. Petitioners have presented no reason as to why they could not have done the same to facilitate the federal background checks as well.

In fact, at the hearing, co-founder of NBA Heidi Gay testified that she knew that ASP could do fingerprinting. (RT 426) Both she and AVF knew that a federal criminal records search could be obtained from the FBI. (RT 442) Indeed, Ms. Gay testified that she and the sponsor's representative discussed all options to comply with the the federal criminal background check requirement. They specifically discussed having the canvassers go directly to the FBI and obtain a federal records

check and provide it to the sponsor. (RT 444-445) *They chose not to do it.* (RT 444-445) Instead, they opted for private, Internet-based search services, such as BeenVerified and SentryLink. (RT 445-447) (Intv. Add. 1-27) (Intv. Ex. 14) As Ms. Gay acknowledged in her testimony, these services are public records searches primarily based on name; they are not federal background checks as Petitioners assert.[1] (RT 445-447) Ms. Gay does not even know if these private-company searches include any federal criminal databases or records. (RT 447) The results are not certified to be true and are not based on fingerprint matches like the "rap sheets" generated by the FBI. (RT 446) (Report at 8, ¶ 36; 28 C.F.R. § 16.31)

As a consequence, the record demonstrates that in some instances, the canvasser files maintained by NBA contain BeenVerified reports, showing disqualifying criminal histories. (RT 467-471) Those canvasser files, however, do not document any further investigation by NBA or AVF into those histories. (RT 544, 550-551) (Intv. Add. 1-27) (Intv. Ex. 14) Upon further investigation *by Intervenors*, several canvassers' records clearly showed criminal records that

[1] Ms. Gay also acknowledged that certifying something to the Secretary of State in connection with a paid canvasser that she knows to be untrue is a crime under Arkansas law. *See* Ark. Code Ann. § 7-9-601(b)(4); (RT 439)

warranted attention if not outright disqualification. (Report at 33-34, ¶¶ 51-55) (Intv. Add. 56-73) (Intv. Exs. 3-7, 10, 26-27)

In sum, contrary to the Special Master's finding, a sponsor like AVF can obtain a federal criminal records search within the meaning of subsection 601(b) much like it can for the statewide background checks: make the canvasser request it. The federal criminal records search serves an important role, as most paid canvassers come from out of state and do not have Arkansas criminal histories. (RT 442) Yet here, the undisputed evidence shows that AVF did not even try to obtain a federal background check, which it knew their canvassers could request from the FBI. The Special Master's finding is therefore clearly erroneous.

To the extent that compliance with subsection 601(b) and the Special Master's related finding are questions of law, they should not be given any weight. The Arkansas constitution specifically empowers the legislature to enact laws "prohibiting and penalizing perjury, forgery, and all other felonies or other fraudulent practices, in the securing of signatures or filing of petitions." Ark. Const., art. 5, § 1. Arkansas Code Annotated § 7-6-601(b)'s background check and certification requirements are well within that authority granted to the General Assembly.

Moreover, even assuming without conceding Petitioners' argument that technical compliance with subsection 601(b)'s requirements is impossible, the legal

solution is not for the Court to rewrite the statute to exclude the requirements related to federal background checks. Rather, as the Court has repeatedly emphasized, to the extent that a literal application may lead to an absurd or impossible result, the statute should be given "an alternative interpretation **that best reflects and accomplishes the statute's purpose**." *Wyly v. State*, 2018 Ark. App. 505, 559 S.W.3d 326; *Curry v. Pope Cty. Equalization Bd.*, 2011 Ark. 408, 385 S.W.3d 130; *Nucor Corp. v. Kilman*, 358 Ark. 107, 186 S.W.3d 720 (2004).

Here, the statute's provisions related to background checks are key components of the paid canvasser statute. They are part and parcel of the legislature's duty to prevent and punish fraudulent practices in the signature-gathering process. Thus, if technical compliance is impossible as Petitioners claim it is, the Court should interpret the statute to still require federal background checks and the attendant certifications but drop "from the Division of the Arkansas State Police." This is the only interpretation that comports with the rules of construction and the only one that would give effect to the legislative purpose behind the background check requirements. Reading out the federal search requirements completely is neither warranted nor justified.

2. Substantial Compliance cannot be used to subvert legislative intent and excuse Petitioners' non-compliance

Even if the Court were to entertain applying a substantial compliance standard (which it should not), Petitioners would fail to meet it. No compliance does not equal

substantial compliance. *See Davis v. Jerry*, 245 Ark. 500, 509, 432 S.W.2d 831, 835–36 (1968) ("We are unable to agree that there is substantial compliance when there is no compliance at all.").

The Court's precedent demonstrates that substantial compliance is not tantamount to turning a blind-eye to statutory requirements, which is essentially Petitioners' argument here. Instead, the Court has only employed substantial compliance when the actions taken by the sponsor further the fundamental purpose of the statute but suffer from a technical defect. Substantial compliance has not been applied when the sponsor's actions undermine the statute – as AVF's do here. *Compare Johnson v. Munger*, 260 Ark. 613, 542 S.W.2d 753 (1976) (holding that the sponsor of a proposed municipal ordinance substantially complied with the requirement that the city clerk publish the proposal no less than 30 days before the election because the sponsor itself published within that time frame and the city clerk published the same measure 25 days before the election); *Leigh v. Hall*, 232 Ark. 558, 339 S.W.2d 104 (1960) (publication requirement); *with Kyzar v. City of W. Memphis*, 360 Ark. 454, 201 S.W.3d 923 (2005) (affirming the disqualification of signatures where a statute requiring the measure to be attached to the petition was mandatory and failing to do so undermined the legislature's intent that citizens have "the opportunity to know the contents of the local ordinance before signing the petition"); *Washburn v. Hall*, 225 Ark. 868, 286 S.W.2d 494 (1956) (denying a

sponsor's petition because he failed to seek formal approval of a ballot title from the Attorney General, even though the popular title was submitted as a subheading on the measure when the Attorney General approved the form of the petition, reasoning that the legislature specifically intended that the Attorney General pass on the sufficiency of the ballot title and the popular name before the petition is circulated).

Here, Petitioners desperately try to shoehorn their case into the "mere technically deficient" category by characterizing the statutory language, and the Secretary's application of it, as "hyper-technical" and impermissible "magic words." (Pets. Br. at 22, 24, 26) But the statutory provisions at issue serve the state's interest in prohibiting and penalizing fraud in the signature-gathering and petition process—as this Court so held in *McDaniel v. Spencer*, 2015 Ark. 94, 457 S.W.3d 641. Obtaining a federal background check for paid canvassers and ensuring their passage is hardly just a formality within the context of this Court's precedent.

Indeed, if any party can be accused of taking a "hyper-technical approach" or having "an excessive focus" on certain "magic words," it is Petitioners. Their only excuse for not complying with subsection 601(b) – and an excuse they repeat to this Court – is that they could not "technically" obtain a federal criminal records search "*from* the Division of Arkansas State Police." (Pets. Br. at 27-28, 36-37) Given the undisputed evidence that both NBA and AVF knew their canvassers could request a

federal background check but consciously chose not to do it (RT 442-445), this case does not merit consideration under a substantial compliance standard.

D. The Court Lacks Jurisdiction to Hear Petitioners' Constitutional Claims, Which Otherwise Lack Merit

Petitioners argue that requiring strict compliance with subsection 601(b) is unconstitutional. Respectfully, however, the Court lacks jurisdiction to review the constitutionality of a statute at this stage. That claim belongs in the circuit court. *See* Ark. Const., amendment 80, § 6 (establishing the circuit courts as "the trial courts of original jurisdiction of all justiciable matters not otherwise assigned pursuant to this Constitution."); *see also Forrester v. Daniels*, 2010 Ark. 397, at 9, 373 S.W.3d 871, 876 (declining to hear a challenge to a legislatively referred constitutional amendment, finding that it did not come within the ambit of its Amendment 7 jurisdiction and should instead be brought in circuit court).

To the extent the Court holds otherwise, these claims nonetheless lack merit. As discussed above, compliance with the requirements of Arkansas Code Annotated § 7-9-601(b) is not impossible; AVF did not try to comply in earnest. Further, the Court has already held (more than once) that this statute, as well as section 126, are constitutional. *McDaniel*, 2015 Ark. at 2, 457 S.W.3d at 646; *see also Zook*, 2018 Ark. at 11-12, 558 S.W.3d at 393-394. With the exception of their hollow claim of

impossibility, Petitioners have not distinguished this case from *McDaniel*, and the Court need not depart from it here. [2]

IV. Count II of Petitioners' Complaint Should Be Denied

A. Petitioners Failed to Meet Their Burden of Proof, and the Open Primaries Petition Failed the Initial Count

As much as Petitioners want the Court to limit its consideration to just "facial validity," Petitioners fail to meet even that limited (and incorrect) burden. For starters, Petitioners failed to offer evidence, let alone prove, that they submitted a sufficient number of signatures from 15 counties, which is a threshold constitutional requirement. Ark. Const., art. 5, § 1. The burden of proving compliance is squarely on the sponsor and goes to prima facie validity. *Arkansas Hotels & Entm't, Inc. v. Martin*, 2012 Ark. 335, 423 S.W.3d 49 (hereinafter "*Arkansas Hotels*").

Arkansas Hotels is on point. There, the sponsor brought a mandamus action against the Secretary of State, who had deemed the petition a "complete failure" and

[2] The Court also need not reach the constitutional argument on mootness grounds. *See Keep Our Dollars in Indep. Cty. v. Mitchell*, 2017 Ark. 154, 1, 518 S.W.3d 64, 65 ("We have long held that we will not pass on constitutional questions if the litigation can be determined without doing so.") In fact, pending the motions to vacate filed by the Secretary of State, the Complaint is mooted by the failure to qualify for a cure after the provisional verification of voter signatures.

refused to validate signatures because the petition did not meet the signature requirements for at least 15 counties. Of particular relevance here, the Court put the burden on the sponsor (AHE) to make an evidentiary showing of compliance with the signature requirement in order to have a valid petition and be eligible for a cure: "[I]n order to trigger the additional thirty days to cure its petition, AHE was required to present a facially valid petition. . . . [B]esides AHE's arguments in its briefs to the court, AHE has failed to provide any documentation regarding the prima facie sufficiency of its petition. . . . AHE has failed to provide the court with any evidence of the validity of its petition." 2012 Ark. at 10-11, 423 S.W.3d at 55. Due to the lack of evidence on the county-level signature requirement, the Court concluded that AHE had not met its burden for a writ of mandamus, which requires demonstration of "a clear and certain right to the relief requested." *Id.* at 11 n. 2, 423 S.W.3d at 55 (citing *Manila School Dist. No. 15 v. Wagner*, 357 Ark. 20, 159 S.W.3d 285 (2004)).

Like *Arkansas Hotels*, Petitioners are also challenging the Secretary's determination of failures for want of initiation. They even acknowledge that they have the burden of proof. *See* Pets. Sec. Am. Compl. at ⁋ 44 (quoting *Stephens v. Martin* and acknowledging that the 15-county requirement must be met); *id.* at ⁋⁋ 45-46 (pleading that AVF "filed petitions that met all the facial validity requirements in Arkansas law" and are thus entitled to an extra 30 days to cure). At the hearings

before the Special Master, however, Petitioners offered evidence and testimony in an attempt to show *only* that they met the *statewide requirement* of 89,151 signatures. They offered no evidence and no proof whatsoever on the *15-county requirement*, a fatal defect in this action.

They also failed to meet their burden on the initial count itself. Respectfully, it appears the Special Master shifted that burden of proof on the culled signatures to Respondent/Intervenors.[3] (Report at 10-27) He found that the Secretary of State improperly culled 64 petition parts with 404 signatures under Arkansas Code Annotated § 7-9-126(b)(6). (Report at 10-27) That provision provides: "[a] petition part and all signatures appearing on the petition part shall not be counted for any purpose by the official charged with verifying signatures, including the initial count of signatures, if . . . [t]he canvasser verification is dated earlier than the date on which a petitioner signed." It is undisputed that the canvasser verification predated at least one petitioner's date of signing on each petition part cited in the Special Master's Report. Notwithstanding, he found 64 parts were improperly culled. In so doing, he reasoned that because the signing dates listed were "impossible," the actual date of

[3] Intervenors asked the Special Master to Reconsider his findings and made a record of that request. Inv. Objs. Mot. Reconsider (Aug. 11, 2020). While Intervenors respect the Special Master's response, they respectfully maintain their disagreement.

signing by the petitioner was "undetermined," requiring affirmative proof that the petition part was properly culled under subsection 126(b)(6). (Report at 10-27, 31) In large part, the Special Master did what the canvasser and sponsor were supposed to do – cross out lines with date errors to prevent the petition parts from being culled. (RT 482-483)

Respectfully, the Special Master's findings on these 64 petition parts is clearly erroneous. They contradict the plain language of subsection 126(b)(6) and undermine the purpose of the provision. Under subsection 126(b)(6), the verification and signing dates are what they are. *See, e.g.*, *Benca*, 2016 Ark. at 13, 500 S.W.3d at 750-751 ("Ark. Code Ann. § 7-9-126 states that signatures shall not be counted if 'the canvasser verification is dated earlier than the date on which a petitioner signed the petition.' Here, the statute was not complied with; therefore, we disqualify the 155 signatures addressed in point four.")

Further, this Court has expressly held that subsection 126(b)(6) is constitutional and has applied it in subsequent cases without any determination of "impossibility." *McDaniel*, 2015 Ark. at 18, 457 S.W.3d at 654 (holding that the provision fell within the General Assembly's rights under article 5, § 1 "to enact laws to prohibit and penalize fraud in the securing of signatures or the filing of petitions"); *Benca*, 2016 Ark. at 10-13, 500 S.W. 3d at 749-751; *Zook*, 2018 Ark. at 4-5, 558 S.W.3d at 390. If the Court were to accept the Special Master's findings

here, any signing date falling after the sponsor files the petition, or any other "impossible" signing date, would be in effect deemed non-fraudulent and counted. This is contrary to the express language, purpose, and prior rulings of the Court on this same requirement.

Accordingly, the Special Master's findings are clearly erroneous, and the Open Primaries Petition remains short of the required number of signatures such that it fails for want of initiation. Count II should be denied.

B. Signatures Obtained by Canvassers with Disqualifying Convictions and False Addresses Should Be Subtracted

The Open Primaries Petition is even shorter on the required signatures when Intervenors' evidence is properly considered by the Court. Highlighting why sponsors are required to certify their canvassers passed background checks, Intervenors offered into evidence the certified criminal records of paid canvasser Demetriuse A. Martin. (Intv. Exs. 26-27) Those records establish that Martin was convicted – twice – of "Theft by Deception/False Impression" in York County Pennsylvania, a disqualifying misdemeanor for fraud. *See* Ark. Code Ann. § 7-9-601(d)(3) (a paid canvasser must have a criminal record free of guilty pleas, convictions, and pleas of nolo contendere to any "criminal felony offense or a violation of the election laws, fraud, forgery, or identification theft" in the United States and its territories and protectorates); *see also* 18 Pa.C.S.A. § 3922 ("A person is guilty of theft if he intentionally obtains or withholds property of another by

deception.") Martin collected 96 signatures for the Open Primaries Petition. (Report at 34, ⁋ 53) (Intv. Ex. 32)

Intervenors also offered evidence disqualifying paid canvasser Josef Bautista. (RT 551-556) (Intv. Add. 44-55) (Intv. Exs. 23-25) Bautista's residence address on the paid canvasser lists, as well as his permanent domicile address on his own sworn canvasser statement, (and the address of his corporation Global Strategies, Inc.) is the address of a United States Post Office in Clackamus, Oregon, a fact that the Special Master so found. (Report at 34, ⁋⁋ 55-56, 58) (RT 551-556, 570-571) (Intv. Add. 44-55) (Intv. Exs. 23-25) This Court has held that P.O. Box addresses and business addresses do not qualify as "residence addresses." *Zook*, 2018 Ark. at 4, 558 S.W.3d at 390 (discussing Ark. Code Ann. § 7-9-108(b)). That reasoning and holding in *Zook* logically apply with equal force to the current residence address and permanent-domicile-address requirements in signatures, therefore, "shall not be counted for any purpose," including the initial count for the Open Primaries Petition. Ark. Code Ann. §§ 7-9-126(b)(4)(A), 7-9-601(f); *see also* (Report at 34, ⁋ 60) (Intv. Ex. 29)

The Special Master allowed the foregoing evidence into the record but did not give it any weight or exclude signatures from the Open Primaries Petition because of it. (Report at 33) The Court should now hold that the Secretary of State improperly included signatures collected by these two canvassers in the initial count. After

subtracting their signatures, even if the Court upholds the Special Master's findings on the improper culls as discussed *supra*, the Open Primaries Petition still fails to meet the initial count. This is because the Special Master only added back 586 signatures, resulting in a 60 signature-margin over the required initial count minimum of 89,151. (Report at 31-32, ¶ 48(e)) Thus, even subtracting for Martin's 96 signatures alone, the Petition fails the initial count. And, Bautista's 1,787 signatures only create a wider margin of insufficiency.

1. Evidence disqualifying certain canvassers is relevant and admissible at the initial count stage in a sponsor's challenge

Petitioners want to add signatures back to the Secretary of State's initial count while at the same time preventing Intervenors from subtracting the illegally collected signatures of Mr. Martin and Mr. Bautista. They can't have it both ways.

The evidence is clearly relevant under Arkansas Rules of Evidence 401 and 402. It is relevant to determining whether each petition has enough signatures to meet the initial count requirement. Indeed, under Arkansas Code Annotated § 7-9-126(b)(4)(A), the Secretary of State is *required* to exclude signatures from the initial count if those signatures were obtained by canvassers whose names and information under section 601 were not submitted before petitioners began signing the petition. Likewise, signatures obtained in violation of the requirements of Arkansas Code Annotated § 7-9-601 are not to be counted "for any purpose." Ark. Code Ann. § 7-

9-601(f). Petitioners have put both statutes at issue, and the evidence on Martin and Bautista makes it less probable that Petitioners meet the initial count requirements.

Not only is the evidence relevant, it is also admissible at this stage because Petitioners opened the door to it. The Court has "long recognized the propriety of 'fighting fire with fire' when one of the parties opens the door . . ." to admission of evidence. *King v. State*, 338 Ark. 591, 599, 999 S.W.2d 183, 187-188 (1999). The evidence on Mr. Martin and Mr. Bautista is just that—"fighting fire with fire" given Petitioners' own attack on the initial count.

Petitioners' argument that *Stephens v. Martin*, 2014 Ark. 442, 491 S.W.3d 451, prohibits the Court from considering the evidence on Martin and Bautista is not persuasive. For starters, the Court decided *Stephens* at a much different procedural posture than the case here. In *Stephens*, the challenge to the Secretary of State's initial count determination came *after* the Secretary of State had found that the measure met the initial count, that the signatures should be verified, and that after verification, the measure qualified for a 30-day cure period and eventually the ballot. 2014 Ark. at 3-5, 491 S.W.3d at 453-454. Similarly, in *Zook v. Martin*, 2018 Ark. 293, 557 S.W.3d 880 (Minimum Wage), the challenge to the initial count and cure determination came *after* certification to the ballot. Assuming without conceding the holdings in *Stephens* and *Zook*, if a party cannot introduce extrinsic evidence to challenge the initial count here – where the sponsor has affirmatively filed a lawsuit

to attack the Secretary of State's initial count calculation – the initial count can never be challenged.

This result is untenable, especially in light of recent legislative action and the plain language of the governing statutes. In particular, Act 376 of 2019 moved the "do-not count" provision from under subsection 601(b) pertaining to background checks to its own independent subsection, (601)(f). New subsection 601(f) states, "Signatures incorrectly obtained or submitted under this section shall not be counted by the Secretary of State *for any purpose*." Ark. Code Ann. § 7-9-601(b)(f) (emphasis added). Again, Petitioners would have the Court read express language out of a statute – the provision "for any purpose" out of subsection 601(f) – rather than give effect to it by considering the evidence on Martin and Bautista and disqualifying their signatures accordingly. In keeping with well-settled principles of statutory construction, the Court should decline to do so. *See Lawhon Farm Servs.*, 335 Ark. at 279, 984 S.W.2d at 4 ("The basic rule of statutory construction to which all other interpretative guides defer is to give effect to the intent of the General Assembly.").

Excluding these canvassers' signatures from the initial count under subsection 601(f) does not contravene *Stephens* or *Zook*. Both cases preceded 601(f) and thus the issue of extrinsic evidence under that subsection was not before the Court. Moreover, this case is a sponsor's challenge to the initial count. It is not a challenge

to the propriety of a cure as the Court considered in *Zook*, and it is not a post-certification challenge to the initial count like the Court had before it in *Stephens*. Where the sponsor puts on evidence to attack the Secretary of State's initial count, the challenging parties, here an Arkansas Voter and a duly formed ballot question committee, have the right to introduce like evidence to also attack the initial count and rebut the sponsor's arguments. Accordingly, the 1,883 signatures illegally obtained by Bautista and Martin should be culled from the Open Primaries Petition, and Count II of Petitioners' Complaint should be denied.

Conclusion

Pursuant to the foregoing analysis and authority, Intervenors respectfully request that the Court: affirm the Special Master's finding that the certification language does not comply with Arkansas law; hold that the Special Master's finding on the 404 culled signatures is clearly erroneous and subtract those, plus the 1,883 illegally collected signatures, from the Open Primaries Petition; declare the Open Primaries Petition insufficient for failing to meet the initial count; and deny Petitioners' Complaint and requested relief.

Respectfully Submitted,

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BY: /s/ Kevin A. Crass
KEVIN A. CRASS

Certificate of Service

I, Kevin A. Crass, hereby certify that on this 18th day of August, 2020, I electronically filed the foregoing using the AOC eFlex-filing system, which will send notification to the following counsel of record:

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By: /s/ Kevin A. Crass
KEVIN A. CRASS

CERTIFICATE OF COMPLIANCE

I certify that this brief complies with Administrative Order No. 19 and that it conforms to the word-count limitations contained in Rule 4-2(d) of this Court's pilot rules on electronic filings. The jurisdictional statement, the statement of the case and the facts, and the argument sections altogether contain 8,284 words.

/s/ Kevin A. Crass
KEVIN A. CRASS

Intervenors' Addendum

ARKANSAS STATE POLICE

ASP 122
(Rev. 02/19/2019)

Identification Bureau
Individual Record Check Request Form

MARTIN (Last Name) | DEMETRUSE (First Name) | ALONZO (Middle Name) | JR (Jr./Sr./III)

N/A
List **ALL** other names ever used (married, maiden, shortened, etc.)

Daytime Phone #: 910 257 [redacted]

Date of Birth: [redacted] (Month/Day/Year) State of Birth: PA Race: B Sex: M

Social Security #: [redacted] Driver's License #: [redacted] NC (State)

Mailing Address: 6463 KELMSCOT CT
Street/P.O. Box

FAYETTEVILLE (City) | NC (State) | 28303 (Zip Code)

APPLICANT RECORD NOTICE

Obtaining Copy: Procedures for obtaining a copy of the FBI criminal history record are set forth in Title 28, Code of Federal Regulations (CFR) Section 16.30 through 16.33 or the FBI website at http://www.fbi.gov/about-us/cjis/background-checks.

Change, Correction, or Updating: Procedures for obtaining a change, correction, or updating of an FBI criminal history record are set forth in Title 28, Code of Federal Regulations (CFR), Section 16.34.

I give my consent for the Arkansas State Police to conduct a criminal record search on myself and release any results to the following person or entity:

Signature: [signature] (First/MI/Last Name) Date: 07 01 2020 (Month/Day/Year)

Release to: Arkansas Voters First
(First/MI/Last Name) **OR** Full Name of Agency

Mailing Address: 417 N. Main St
Street/P.O. Box

Little Rock (City) | Arkansas (State) | 72211 (Zip Code)

WHEN THIS PROPERLY COMPLETED REQUEST FORM IS SUBMITTED (OTHER THAN IN PERSON BY THE SUBJECT OF THE CHECK) THIS REQUEST FORM MUST BE NOTARIZED

STATE OF Arkansas

COUNTY OF Pulaski

Subscribed and sworn before me, a Notary Public, in and for the county and state aforesaid, this is the 1 day of July, 2020.

[signature]
Notary Public

BELOW FOR OFFICE USE ONLY

☐ 82005 State Record Check

Back

Intv Add 1

ARKANSAS STATE POLICE

Arkansas Criminal History Report

This report is based on a name search. There is no guarantee that it relates to the person you are interested in without fingerprint verification. This report includes a check of Arkansas files only. Inquiries into FBI files are not permitted for non-criminal justice or employment purposes without specific statutory authority.

Subject of Record

Last: **Martin** First: **Demetriuse** Middle: **A**

Date of Birth: [redacted] Sex: **M** Race: **B**

Social Security Number: [redacted] *(not verified, supplied at time of request)*

Home/Mailing Address: **6463 Kelmscot Ct Fayettville, NC 78303**

- NO CRIMINAL HISTORY FOUND FOR THIS SUBJECT -

Requestor Information

Transaction Number: **003007091**

Date: **07/01/2020** Agency Reporting: **Arkansas State Police**

Purpose: **Non-mandated under Arkansas Code §12-12-1501 through 1513 allows the release of Arkansas non-criminal justice background information to persons who have the signed consent of the subject of the record. The release form on file with the employer, service provider or third party must indicate that the employer or Service Provider/Third Party Agent on behalf of the employer or subject shall have the authority to request the criminal background check. INA and the Arkansas State Police will hold the third party responsible for any inquiries or audits that may be conducted.**

Released To: **Alita Bush**

Representing: **Arkansas Voters First**

Mailing Address: **1501 North University 228 Little Rock, AR 72207**

This Arkansas criminal history record report should only be used for the purpose that it was requested. A request that is posed for a different purpose may result in more or less information being reported.

This report does not preclude the possible existence of additional records on this person which may not have been reported to the State Identification Bureau and Central Repository. Changes in a criminal history record can occur at any time due to new arrests and/or ongoing legal proceedings.

This Arkansas criminal background check report is for non-criminal justice purposes and may only reflect if a person has any Arkansas felony and misdemeanor conviction(s), any Arkansas felony arrest that occurred in the last three (3) years that has not been to court and whether the person is a registered sex offender or required to register as a sex offender. Juvenile arrest and/or court information will not be released on this report.

ARKANSAS STATE POLICE

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PAID CANVASSER STATEMENT

I DEMETRIUS A. MARTIN SR being duly sworn on oath or solemn affirmation, do state and attest to the following facts:

- I have read and understand the Arkansas law applicable to obtaining signatures on an initiative or referendum petition.
- I have been provided a copy of the most recent edition of the Secretary of State's initiatives and referenda handbook.
- I have not pleaded guilty or nolo contendere to or been found guilty of a criminal felony offense or a violation of the election laws, fraud, forgery, or identification theft in any state of the United States, the District of Columbia, Puerto Rico. Guam, or any other United States protectorate.

My full name is: DEMETRIUS A. MARTIN SR

I have used the following other assumed names: N/A

My current residence address is: 3201 BANKHEAD Lil Rock AR 72206

My permanent domicile address is: 6463 KEELMSCOW CT FAYETTEVILLE NC 28303

Signature of Paid Canvasser [signature]

STATE OF Arkansas)

COUNTY OF Pulaski)

Subscribed and sworn to before me this 1 day of July, 2020.

My commission expires: 4/3/27

[signature]
Notary Public

(SEAL)

Andrea Sowell
SALINE COUNTY
NOTARY PUBLIC – ARKANSAS
My Commission Expires April 3, 2027
Commission No. 12359295

715 River St Benton AR 72015
Residence

Intv Add 4

PAID CANVASSER SIGNATURE CARD

Pursuant to Ark. Code Ann. § 7-9-601(a)(3)(B)

Name of Petition: Redistricting Commission Amendment
Petition Sponsor: Arkansas Voters First

Paid Canvasser Full Name: DEMETRIOUS A. MARTIN JR

Current Residence: 3701 Blackhawk

City: Little Rock State: AR Zip: 72204

SIGNATURE OF PAID CANVASSER

Date You Began to Collect Signatures (on this petition): 7-1-2020

Reminder - Arkansas Law Has Specific Requirements For Paid Canvassers Including The Following:

- *Be at least eighteen (18) years of age or older;*
- *Be present for every signature on each of your petition pages;*
- *Provide a sworn statement, oath, or affirmation that you have not pleaded guilty or nolo contendere or been found guilty of a criminal felony offense or a violation of election laws, fraud, forgery, or identification theft in any state, the District of Columbia, Puerto Rico, Guam or any other US protectorate; Agree to have a criminal background check/search for each petition within 30 days before gathering signatures on that petition;*
- *Have sponsor explain, and provide a signed statement to sponsor that canvasser has reviewed and understands applicable Arkansas law regarding obtaining signatures on an initiative or referendum petitions;*
- *Have received a copy of the most recent edition of the Secretary of State's handbook on initiatives and referenda.*

PAID CANVASSER SIGNATURE CARD

Pursuant to Ark. Code Ann. § 7-9-601(a)(3)(B)

Name of Petition: Redistricting Commission Amendment
Petition Sponsor: Arkansas Voters First

Paid Canvasser Full Name: DEMETRIUS A. MARTIN SR

Permanent Domicile: 6463 KELLYS LOT CT

City: FAYETTEVILLE State: NC Zip: 28303

SIGNATURE OF PAID CANVASSER

Date You Began to Collect Signatures (on this petition): 7-1-2020

Reminder - Arkansas Law Has Specific Requirements For Paid Canvassers Including The Following:

- *Be at least eighteen (18) years of age or older;*
- *Be present for every signature on each of your petition pages;*
- *Provide a sworn statement, oath, or affirmation that you have not pleaded guilty or nolo contendere or been found guilty of a criminal felony offense or a violation of election laws, fraud, forgery, or identification theft in any state, the District of Columbia, Puerto Rico, Guam or any other US protectorate; Agree to have a criminal background check/search for each petition within 30 days before gathering signatures on that petition;*
- *Have sponsor explain, and provide a signed statement to sponsor that canvasser has reviewed and understands applicable Arkansas law regarding obtaining signatures on an initiative or referendum petitions;*
- *Have received a copy of the most recent edition of the Secretary of State's handbook on initiatives and referenda.*

SIGNATURE SAMPLE

Paid Canvasser Full Name: DEMETRIUS HAROLD SR

Permanent Domicile: 6463 KELMSCOTT CT

City: FAYETTEVILLE State NC Zip 28303

SIGNATURE OF PAID CANVASSER:

SIGNATURE OF PAID CANVASSER:

SIGNATURE OF PAID CANVASSER:

SIGNATURE OF PAID CANVASSER:

SIGNATURE OF PAID CANVASSER:

SIGNATURE OF PAID CANVASSER:

SIGNATURE OF PAID CANVASSER:

SIGNATURE OF PAID CANVASSER:

SIGNATURE OF PAID CANVASSER:

SIGNATURE OF PAID CANVASSER:

STATE OF Arkansas)

COUNTY OF Pulaski)

SUBSCRIBED AND SWORN to before me this 1 day of July 2020

Notary Public

My Commission Expires: 4/3/27

Andrea Sowell
SALINE COUNTY
NOTARY PUBLIC -- ARKANSAS
My Commission Expires April 3, 2027
Commission No. 12359295

Intv Add 7


Pennsylvania
IDENTIFICATION CARD
NOT FOR REAL ID PURPOSES
DUPS. 00
4d IDN [redacted]
4a ISS: 02/11/2020
4b EXP: 02/29/2024
1 MARTIN
DEMETRIUSE A, JR
3520 TOWER DR
DOVER, PA 17315
15 SEX: M
16 HGT: 5'-11"
18 EYES: HAZ
ID
DD 2004201305303
100000012660

Intv Add 8

Form **W-9**
(Rev. October 2018)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

▶ Go to *www.irs.gov/FormW9* for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

Print or type. See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
DEMETRIUS D MARTIN JR

2 Business name/disregarded entity name, if different from above

3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only **one** of the following seven boxes.

☐ Individual/sole proprietor or single-member LLC ☐ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate

☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ _____

Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is **not** disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.

☐ Other (see instructions) ▶

4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):

Exempt payee code (if any) _____

Exemption from FATCA reporting code (if any) _____

(Applies to accounts maintained outside the U.S.)

5 Address (number, street, and apt. or suite no.) See instructions.
6463 KELMSCOTT CT

Requester's name and address (optional)

6 City, state, and ZIP code
FAYETTEVILLE NC 28303

7 List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number
[redacted]

or

Employer identification number
_ _ – _ _ _ _ _ _ _

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person ▶ [signature] Date ▶ 7-1-2022

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to *www.irs.gov/FormW9*.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, *later.*

Intv Add 9

Independent Contractor Agreement

This agreement becomes effective on the 1 day of July 2020. This agreement is made between National Ballot Access (NBA), and DE METRIUS A MARTIN SR the Independent Contractor (the IC).

The IC shall:

Solicit signatures in support of placing a Constitutional Amendment on the statewide ballot. These signatures will be collected on specific petition forms, provided by the sponsors of the initiatives. Do not make copies of the form.

The IC shall conduct him/herself in a professional manner while soliciting these signatures. The IC shall not perform any action while soliciting signatures that would reflect poorly on the campaign. The IC WILL NOT MISREPRESENT THE ISSUE, WILL USE ONLY TALKING POINTS GIVEN BY THE COMMITTEE, AND WILL DIRECT ANY QUESTIONS THAT ARE NOT ADDRESSED IN TALKING POINTS TO THE COMMITTEE'S WEBSITE.

The IC shall witness all signatures, and shall otherwise comply with the laws and regulations relating to circulators. No one may give any petition pages to anyone in this state. We have contracted with YOU. Falsifying affidavits for others "ghosting" is a crime and will be prosecuted.

The IC will provide all necessary state and federal reporting documents.

NBA will pay the independent contractor per facially valid signature. A facially valid signature must meet the conditions specified in the petition guidelines:

All fields including signature, printed name, date of birth, address,city/town,county and the date of signing must be filled in correctly. **All information must be in the voter's handwriting.**

Date of signing is IMPORTANT and MUST BE COMPLETE and IN THE VOTERS HANDWRITING.

A PO Box is NOT facially valid. We need a physical address where they vote. A rural route with a box number is fine if that IS their voting address.

A signer who prints their name using initials will be considered **facially invalid.**

Ditto marks in any of the fields will be considered **facially invalid.**

Suspected or confirmed transcription will be considered facially **invalid and is considered fraud in the State of Arkansas.**

Information that is illegible will be considered **facially invalid.**

The signatures must be from registered voters in the state of Arkansas.

NBA tracks and will not pay for duplicate and or deficient signatures.

NBA reserves the right to not pay for petitions that do not meet the stated requirements or are substandard or forgeries. NBA reserves the right to not pay for any signatures that are turned in after the due date or final turn-in date or cutoff date established by the Petition Company

NBA requires a minimum of 1 (one) turn in per week. For traveling pro's you must turn in 275 signatures per week to qualify for expenses. If you do not meet this requirement you will be charged your part of hotel, and/or rental car for the week. This is a goal that you must obtain and as the project progresses the goal may be adjusted.

NBA will perform a facial compliance check of the signatures at turn-in and reserves the right to not pay for any signatures that are incomplete, illegible, or otherwise not facially valid. 100% of facially valid signatures will be verified. You will be paid for all facially valid signatures as long as your overall validity rate exceeds 70%. The rate per facially valid signature is $4.00 for traveling pro's unless you do not meet the expectation of 275 per week, then you will be paid $3.00. Canvassers that live locally will be paid $3.00.

NBA will notify the IC of petition drive end by giving 12-hour notice of final turn in.

Petitioner agrees that they will notify the campaign of any contact with opposition. Any suspicious activity observed or that they are made known of by another IC will be reported to the project manager immediately. DE INT

During the duration of this project IC agrees to not publish on Facebook or other social media information regarding this project. DE INT

The IC recognizes that he/she is an independent contractor and not an employee of NBA, and will not represent himself/herself as such. DE INT

The IC has been contracted as a professional. Conduct is expected accordingly. DE INT

The IC agrees that he/she will be liable for all taxes and withholdings of any nature whatsoever applicable to the payment of compensation under this contract. DE INT

The IC is not entitled to any employment benefits and not entitled to collect unemployment upon the termination of this agreement. DE INT

The IC will also indemnify and hold harmless National Ballot Access (NBA), from and against any and all liabilities, losses, claims, demands, actions, judgments, costs and expenses, including but not limited to, attorneys' fees, arising out of or resulting from the provision by the IC of the services contemplated by this agreement.

IC Signature: [signature] Date: 7-1-2020

Printed Name: DEBORAH A MARTIN SR

Permanent Address: 6463 KELM SCOT

City FAYETTEVILLE State NC ZIP 28303

Phone: 1.) 910-257-1706

Below are the rules standards that NBA wants to make sure you understand to be in compliance on this important project. Please check and initial if you understand the following standards on this project.

- ❑ ____ I will NOT start the day by putting in the dates for the signers. All the information MUST be in signers hand! Do not FIX dates.

- ❑ ____ I understand on this project I will need to fill my decs in using the address in AR I stayed in for the night of turn in. I will also be putting my permanent address on each dec.

- ❑ ____ There may be locations which our sponsor has reserved for us to schedule. If someone is working a site like that, no one can work who is not scheduled. All other locations are as usual, FIRST COME FIRST SERVE.

- ❑ ____ We request you use BLACK INK pens. Purchase Black.

- ❑ ____ If a signer makes a fatal error just strike through and have them use the next line. DO NOT have them sign over it.

- ❑ Rental cars may not be used for personal after hours use. NO EXCEPTIONS.

ARKANSAS VOTERS FIRST

In our effort to have the voices of Arkansas voters heard during the Global Covid Pandemic, we will provide all you with the following tools and encourage that you use them at all times:

Face Masks

Hand Sanitizer

Disposable Pens

Gloves

Signage encouraging social distancing at fixed signature collection locations

We ask, at this time to keep your best safe distance with the public while engaging with voters on the pavement or at a voter's door.

I have read and acknowledge the above.

Signature 

Deneterise A Martin

Generated on: 07/01/2020

Please remember, you are restricted from using this information for:

Employment Screening:

You may not use this information when evaluating a person for employment, reassignment, promotion, or retention

Hiring of Household Workers:

Including, but not limited to, nannies and domestic workers

Tenant Screening

Including, but not limited to, leasing a residential or commercial space

Educational Qualification:

Including, but not limited to, a person's qualifications for an educational program or scholarship

Credit or Insurance:

Accessing the risk of existing credit obligations of an individual and/or determining eligibility for issuing credit or insurance

Business Transactions Initiated by an Individual Customer:

Reviewing a personal customer account to determine whether the person continues to meet the terms of the account

Using this information in these ways violates both our Terms & Conditions and the law, and can lead to possible criminal penalties. We take this very seriously, and reserve the right to terminate user accounts and/or report violators to law enforcement as appropriate.

Intv Add 14

Table of Contents

Deneterise A J Martin Jr

York, PA / Age 33

Personal Overview

Name:	Deneterise A J Martin Jr
Age:	33
Born on:	11/1986
Address:	148 S Hartley St York, PA 17401
Aliases:	Amy Treadway
	Deneterise A J Martin Jr
	Demetriuse Martin
	Martin Demetriuse
	Demetriu Martin
	Demetrius J Martin Jr
	Demetriuse Martin Jr

Contact Info

12 | Contact Info Found

#	Phone Numbers	Phone Type
1	717-848-6183 (Best Match)	Home Phone
2	717-332-4058	Mobile
3	267-909-9787	
4	717-848-9287	
5	717-668-8848	
6	717-885-0269	

#	Email Addresses	Email Type
1	demetriuseam04@gmail.com (Best Match)	Personal
2	usmcfast2122@gmail.com	Personal
3	dgudter@aol.com	Personal
4	cryinyc@hotmail.com	Personal
5	kajohnna1@hotmail.com	Personal
6	normaedwards@comcast.net	Personal

Address History

8 | Addresses Found

#	Address	Address Type	Last Seen Date

1	148 S Hartley St York, PA 17401 (Best Match)	Old	06/2009
2	939 W Poplar St York, PA 17401		01/2005
3	31 S Belvidere Ave Apt 2 York, PA 17401		N/A
4	31 S Belvidere Ave Fl 2 York, PA 17401		N/A
5	3515 Walterboro Dr # 708 Hope Mills, NC 28348		N/A
6	642 W King St York, PA 17401		N/A
7	31 S Belvidere Ave # 2 York, PA 17401		N/A
8	7119 Ditman St Philadelphia, PA 19135		N/A

Relatives

17 Relatives Found

1st Degree

#	Name	Age	Address
1	JESSICA M MARTIN	47	518 Walnut St York, PA 17403 First seen: 05/2011, Last seen: 07/2016 642 W Princess St York, PA 17401 First seen: 09/2000, Last seen: 07/2001 148 S Hartley St York, PA 17401 First seen: N/A, Last seen: N/A
2	DEMETRIUS J MARTIN	N/A	6463 Kelmscot Ct Fayetteville, NC 28303 First seen: 08/2019, Last seen: 01/2020 148 S Hartley St York, PA 17401 First seen: 03/2009, Last seen: 10/2011 3515 Walterboro Dr Hope Mills, NC 28348 First seen: N/A, Last seen: N/A
3	JESSICA MARTIN	N/A	118 N Penn St York, PA 17401 First seen: N/A, Last seen: N/A
4	BONNIE LEE MULDROW	69	1237 W Princess St Apt 4 York, PA 17404 First seen: 05/2009, Last seen: 04/2020 1150 E King St Apt 2FL York, PA 17403 First seen: 06/1998, Last seen: 01/2003 927 S Queen St Apt 2 York, PA 17403 First seen: 08/1970, Last seen: 04/1997
5	JONI E MARTIN	N/A	508 W Princess St Fl 1 York, PA 17401 First seen: 08/2014, Last seen: 08/2014 8 W South St York, PA 17401 First seen: 02/2014, Last seen: 08/2014 2584 PO Box York, PA 17405 First seen: N/A, Last seen: N/A

6	JOANNA T MARTIN	51	768 W Market St Apt 2 York, PA 17401 First seen: 04/2020, Last seen: 04/2020 642 W King St York, PA 17401 First seen: 01/2003, Last seen: 12/2009 67 N Franklin St Apt 2 York, PA 17403 First seen: N/A, Last seen: N/A
7	ANTOINETTE MARTIN	N/A	1503 Derry St Apt 4 Harrisburg, PA 17104 First seen: 04/2020, Last seen: 04/2020 232 S 14th St Harrisburg, PA 17104 First seen: 11/2015, Last seen: 11/2015 642 W King St York, PA 17401 First seen: 04/2005, Last seen: 06/2011
8	MATTHEW L MARTIN	N/A	712 S George St York, PA 17401 First seen: 03/2018, Last seen: 03/2018 140 Cedar Village Dr York, PA 17406 First seen: 03/2018, Last seen: 03/2018 717 Manchester St York, PA 17404 First seen: 02/2014, Last seen: 02/2014

2nd Degree

#	Name	Age	Address
1	CATHERINE V FIGUEROA	66	469 Salem Ave York, PA 17401 First seen: 06/1999, Last seen: 06/1999 249 N Mulberry St Apt Lancaster, PA 17603 First seen: 01/1996, Last seen: 02/1999 118 S Penn St York, PA 17401 First seen: N/A, Last seen: N/A
2	WALTER HARRISON MULDROW	66	718 Bierman Ave York, PA 17401 First seen: 08/2018, Last seen: 08/2018 557 Madison Ave Fl 2F York, PA 17404 First seen: 07/2011, Last seen: 05/2012 458 W Market St York, PA 17401 First seen: 05/2012, Last seen: 05/2012
3	ELAINE D MARTIN	35	339 Kurtz Ave York, PA 17401 First seen: 01/2017, Last seen: 01/2017 721 E King St York, PA 17403 First seen: 03/2011, Last seen: 01/2015

4	LOUISE R RILEY	45	1487 Wayne Ave York, PA 17403 First seen: 09/2018, Last seen: 04/2020 726 Lancaster Ave York, PA 17403 First seen: 09/2013, Last seen: 03/2018 717 Manchester St York, PA 17404 First seen: 01/2011, Last seen: 12/2014
5	MELIK MARTIN	N/A	1487 Wayne Ave York, PA 17403 First seen: N/A, Last seen: N/A
6	MARK R MARTIN	41	3600 Quail Ridge Dr Harker Heights, TX 76548 First seen: 09/2019, Last seen: 09/2019 1003 W Princess St York, PA 17404 First seen: 10/2008, Last seen: 12/2015 1150 E King St York, PA 17403 First seen: 03/2001, Last seen: 08/2004
7	DESIREE LYNN MARTIN	41	900 Legacy Park Dr Apt 333 Lawrenceville, GA 30043 First seen: 04/2020, Last seen: 04/2020 1003 W Princess St York, PA 17404 First seen: 10/2008, Last seen: 04/2017 334 W Jackson St York, PA 17401 First seen: 03/1998, Last seen: 02/2006
8	DEJAH MARTIN	20	900 Legacy Park Dr Apt 333 Lawrenceville, GA 30043 First seen: N/A, Last seen: N/A 1003 W Princess St York, PA 17404 First seen: N/A, Last seen: N/A
9	THURMAN RUTH MARTIN SR	49	134 Teasel St NE Comstock Park, MI 49321 First seen: 08/2006, Last seen: 11/2019 453 Woodrush Ct NW Comstock Park, MI 49321 First seen: 06/1996, Last seen: 08/2003

Neighbors

2 Neighbors Found

#	Name	Age	Address
1	BRANDON AYALA	N/A	32 S Belvidere Ave York, PA 17401 First seen: 12/2019, Last seen: 03/2020
2	DUSTIN WIBLE	N/A	31 S Belvidere Ave York, PA 17401 First seen: 02/2020, Last seen: 03/2020

Associates

5 Associates Found

#	Name	Age	Address
1	CATHERINE V FIGUEROA	66	469 Salem Ave York, PA 17401 First seen: 06/1999, Last seen: 06/1999 249 N Mulberry St Apt Lancaster, PA 17603 First seen: 01/1996, Last seen: 02/1999 118 S Penn St York, PA 17401 First seen: N/A, Last seen: N/A
2	CHARLES HENRY HUFFMAN	46	55 N Tremont St York, PA 17403 First seen: 07/2007, Last seen: 08/2017 1765 Yorktowne Dr Apt A York, PA 17408 First seen: N/A, Last seen: N/A 39 Dewey St York, PA 17404 First seen: N/A, Last seen: N/A
3	EXIA T SMALLWOOD	36	827 Roosevelt Ave York, PA 17404 First seen: 07/2019, Last seen: 11/2019 101 S Richland Ave York, PA 17404 First seen: 06/2016, Last seen: 06/2016 298 Graystone Cir Centerton, AR 72719 First seen: N/A, Last seen: N/A
4	RAYMOND B RITTER	N/A	130 S West St York, PA 17401 First seen: 12/2005, Last seen: 07/2007 323 S Penn St York, PA 17401 First seen: 08/1993, Last seen: 01/2003 44 S Penn St York, PA 17401 First seen: N/A, Last seen: N/A
5	SYNTHIA ARNETT	N/A	148 S Hartley St York, PA 17401 First seen: 04/2010, Last seen: 04/2010 120 Andersontown Road Ext Dover, PA 17315 First seen: 04/2010, Last seen: 04/2010 1028 E Market St York, PA 17403 First seen: 07/2007, Last seen: 10/2008

Professional

0 Jobs Found

Education

1 Schools Found

#	School	Degree	Dates Attended
1	N/A	Associate/2-year degree	N/A to N/A

Usernames

1 | Usernames Found

#	Username
1	dgudter

Social Media

1 | Social Media Found

#	Network	Profile Link
1	yellow pages	http://www.yellowpages.com/whitepages/show?fp=eyJmaXJzdCI6IkRlbWV0cml1cyIsImxhc3QiOiJNYXJ0aW4iLCJzdHJlZXQiOiIxNDggUyBIYXJ0bGV5IFN0IiwiY2l0

Photos

0 | Photos Found

Possible Owned Properties

0 | Properties Found

Possible Owned Automobiles

0 | automobiles Found

Possible Owned Aircrafts

0 | Aircrafts Found

Possible Owned Watercrafts

0 | Watercrafts Found

Criminal & Traffic Records

7 | Criminal Records

1. CRIMINAL RECORD

Name:	DEMETRIUSE A MARTIN JR
State:	PA
Offense Details	
Case Number:	MJ-19104-TR-0001042-2018
Date:	04/28/2018
Court Details	
Case Number:	MJ-19104-TR-0001042-2018
Description:	MAGISTERIAL DISTRICT COURT
Level:	TRAFFIC
Offense:	NO PARKING DURING CERTAIN HOURS
Statute:	LO.513.14K

2. CRIMINAL RECORD

Name:	DEMETRIUS A MARTIN JR
Date of birth:	11/19/1985
State:	PA
Race:	BLACK
Sex:	Male
Offense Details	
Case Number:	MJ-19101-TR-0000163-2018
Date:	01/03/2018
Court Details	
Case Number:	MJ-19101-TR-0000163-2018
Description:	MAGISTERIAL DISTRICT COURT
Level:	TRAFFIC
Offense:	TIME ZONE
Statute:	LO.513.19

3. CRIMINAL RECORD

Name:	DEMETRIUSE A MARTIN JR
State:	PA
Offense Details	
Case Number:	MJ-19105-TR-0001582-2017
Date:	06/23/2017
Court Details	
Case Number:	MJ-19105-TR-0001582-2017
Description:	MAGISTERIAL DISTRICT COURT
Level:	TRAFFIC
Offense:	NO PARKING DURING CERTAIN HOURS
Statute:	LO.513.14K

4. CRIMINAL RECORD

Name:	DEMETRIUS A MARTIN
Date of birth:	11/19/1985
State:	PA
Race:	BLACK
Sex:	Male
Offense Details	
Case Number:	MJ-19307-TR-0002966-2016
Date:	10/18/2016
Court Details	
Case Number:	MJ-19307-TR-0002966-2016
Date:	12/22/2016
Description:	MAGISTERIAL DISTRICT COURT
Disposition:	GUILTY OF A LESSER CHARGE
Level:	TRAFFIC
Offense:	EXCEED MAX SPEED LIM ESTB BY 21 MPH
Statute:	75.3362.A3-21
Offense Details	
Case Number:	MJ-19307-TR-0002966-2016
Date:	10/18/2016
Court Details	
Case Number:	MJ-19307-TR-0002966-2016
Date:	12/22/2016
Description:	MAGISTERIAL DISTRICT COURT
Disposition:	GUILTY PLEA
Level:	TRAFFIC
Offense:	EXCEED MAX SPEED LIM ESTB BY 6 MPH
Statute:	75.3362.A3-6

5. CRIMINAL RECORD

Name:	DEMETRIUSE A MARTIN JR
State:	PA
Sex:	Male
Offense Details	
Case Number:	MJ-19105-TR-0002203-2016
Date:	06/14/2016
Court Details	
Case Number:	MJ-19105-TR-0002203-2016
Date:	08/10/2016
Description:	MAGISTERIAL DISTRICT COURT
Disposition:	GUILTY
Level:	TRAFFIC
Offense:	METER VIOLATION/OVERTIME PARKING
Statute:	LO.509.10

6. CRIMINAL RECORD

Name:	DEMETRIUSE A MARTIN JR
State:	PA
Sex:	Male
Offense Details	
Case Number:	MJ-19105-TR-0002619-2015
Date:	08/10/2015
Court Details	
Case Number:	MJ-19105-TR-0002619-2015
Date:	10/26/2015
Description:	MAGISTERIAL DISTRICT COURT
Disposition:	GUILTY
Level:	TRAFFIC
Offense:	NO PARKING DURING CERTAIN HOURS
Statute:	LO,513.14K

7. CRIMINAL RECORD

Name:	DEMETRIUSE A MARTIN JR
State:	PA
Sex:	Male
Offense Details	
Case Number:	MJ-19105-TR-0002258-2015
Date:	07/07/2015
Court Details	
Case Number:	MJ-19105-TR-0002258-2015
Date:	10/26/2015
Description:	MAGISTERIAL DISTRICT COURT
Disposition:	GUILTY
Level:	TRAFFIC
Offense:	METER VIOLATION/OVERTIME PARKING
Statute:	LO.509.10

Bankruptcies

0 | Bankruptcy Records

Judgments & Liens

This section is locked. Upgrade this report to view this section.

Licenses

This section is locked. Upgrade this report to view this section.

ARKANSAS STATE POLICE

ASP 122
(Rev. 02/19/2019)

Identification Bureau
Individual Record Check Request Form

INSTRUCTIONS

If you are mandated by law to have the background check performed, please contact the licensing agency/entity that requires the background check for the proper request form.

1. When **an Arkansas background check** is requested, include a properly completed ***ASP 122*** request form and a check or money order in the amount of **$25.00 (DO NOT SEND CASH)**, made payable to the Arkansas State Police. A fingerprint card is NOT required to be submitted if only the Arkansas background check is requested. The results of the Arkansas background check will be sent to the person/entity as specified on this form.

2. The subject of the criminal records search may challenge the completeness or accuracy of the criminal history information by using the procedures as outlined in Title 28, Code of Federal Regulation (CFR) Section 16.34 and/or Arkansas Code §12-12-1013.

3. If the request is made by mail, an envelope properly addressed to the person/entity to whom the background check will be released, as specified on the ASP 122 form, with sufficient return postage must be included.

4. When the properly completed ***ASP 122*** form is submitted, other than in person at the ASP ID Bureau in Little Rock by the subject of the record check, this request form must be notarized.

5. Send properly completed request form, envelope, and proper payment to:

Arkansas State Police
Identification Bureau
1 State Police Plaza Drive
Little Rock, AR 72209

To contact the Arkansas State Police ID Bureau, you may call **501-618-8500**.

SEE OTHER SIDE FOR REQUEST FORM

Intervenors Exhibit
17

Front

ARKANSAS STATE POLICE

ASP 122
(Rev. 02/19/2019)

Identification Bureau
Individual Record Check Request Form

Last Name _____ First Name _____ Middle Name _____ Jr./Sr./III _____

List **ALL** other names ever used (married, maiden, shortened, etc.) _____ Daytime Phone #: _____

Date of Birth: _____ (Month/Day/Year) State of Birth: _____ Race: _____ Sex: _____

Social Security #: _____ Driver's License #: _____ State _____

Mailing Address: _____ Street/P.O. Box

City _____ State _____ Zip Code _____

APPLICANT RECORD NOTICE

Obtaining Copy: Procedures for obtaining a copy of the FBI criminal history record are set forth in Title 28, Code of Federal Regulations (CFR) Section 16.30 through 16.33 or the FBI website at http://www.fbi.gov/about-us/cjis/background-checks.

Change, Correction, or Updating: Procedures for obtaining a change, correction, or updating of an FBI criminal history record are set forth in Title 28, Code of Federal Regulations (CFR), Section 16.34.

I give my consent for the Arkansas State Police to conduct a criminal record search on myself and release any results to the following person or entity:

Signature: _____ (First/MI/Last Name) Date: _____ (Month/Day/Year)

Release to: _____ (First/MI/Last Name) **OR** Full Name of Agency

Mailing Address: _____ Street/P.O. Box

City _____ State _____ Zip Code _____

WHEN THIS PROPERLY COMPLETED REQUEST FORM IS SUBMITTED {OTHER THAN IN PERSON BY THE SUBJECT OF THE CHECK} THIS REQUEST FORM MUST BE NOTARIZED

STATE OF _____

COUNTY OF _____

Subscribed and sworn before me, a Notary Public, in and for the county and state aforesaid, this is the

_____ day of , 20 _____ .

_____ Notary Public

BELOW FOR OFFICE USE ONLY

☐ 82005 State Record Check

Back

Code of Federal Regulations
Title 28. Judicial Administration
Chapter I. Department of Justice
Part 16. Production or Disclosure of Material or Information (Refs & Annos)
Subpart C. Production of Fbi Identification Records in Response to Written Requests by Subjects Thereof (Refs & Annos)

28 C.F.R. § 16.30

§ 16.30 Purpose and scope.

Currentness

This subpart contains the regulations of the Federal Bureau of Investigation (FBI) concerning procedures to be followed when the subject of an identification record requests production of that record to review it or to obtain a change, correction, or updating of that record.

Credits
[Order No. 2258–99, 64 FR 52226, Sept. 28, 1999]

SOURCE: Order No. 556–73, 38 FR 32806, Nov. 28, 1973; 51 FR 16677, May 6, 1986; 52 FR 33231, Sept. 2, 1987; Order No. 2156–98, 63 FR 29593, June 1, 1998; Order No. 2258–99, 64 FR 52226, Sept. 28, 1999; Order No. 3517–2015, 80 FR 18106, April 3, 2015; Order No. 008–2015, 80 FR 34051, June 15, 2015; Order No. 3803–2016, 82 FR 727, Jan. 4, 2017; Order No. 4442–2019, 84 FR 16777, April 23, 2019, unless otherwise noted.

AUTHORITY: 5 U.S.C. 301, 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717.

Notes of Decisions (12)

Current through July 23, 2020, 85 FR 44649.

End of Document

Intervenors Exhibit
21

Code of Federal Regulations
Title 28. Judicial Administration
Chapter I. Department of Justice
Part 16. Production or Disclosure of Material or Information (Refs & Annos)
Subpart C. Production of Fbi Identification Records in Response to Written Requests by Subjects Thereof (Refs & Annos)

28 C.F.R. § 16.31

§ 16.31 Definition of identification record.

Currentness

An FBI identification record, often referred to as a "rap sheet," is a listing of certain information taken from fingerprint submissions retained by the FBI in connection with arrests and, in some instances, includes information taken from fingerprints submitted in connection with federal employment, naturalization, or military service. The identification record includes the name of the agency or institution that submitted the fingerprints to the FBI. If the fingerprints concern a criminal offense, the identification record includes the date of arrest or the date the individual was received by the agency submitting the fingerprints, the arrest charge, and the disposition of the arrest if known to the FBI. All arrest data included in an identification record are obtained from fingerprint submissions, disposition reports, and other reports submitted by agencies having criminal justice responsibilities. Therefore, the FBI Criminal Justice Information Services Division is not the source of the arrest data reflected on an identification record.

Credits

[Order No. 960–81, 46 FR 52356, Oct. 27, 1981; Order No. 2258–99, 64 FR 52226, Sept. 28, 1999]

SOURCE: Order No. 556–73, 38 FR 32806, Nov. 28, 1973; 51 FR 16677, May 6, 1986; 52 FR 33231, Sept. 2, 1987; Order No. 2156–98, 63 FR 29593, June 1, 1998; Order No. 2258–99, 64 FR 52226, Sept. 28, 1999; Order No. 3517–2015, 80 FR 18106, April 3, 2015; Order No. 008–2015, 80 FR 34051, June 15, 2015; Order No. 3803–2016, 82 FR 727, Jan. 4, 2017; Order No. 4442–2019, 84 FR 16777, April 23, 2019, unless otherwise noted.

AUTHORITY: 5 U.S.C. 301, 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717.

Notes of Decisions (8)

Current through July 23, 2020, 85 FR 44649.

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Code of Federal Regulations
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Subpart C. Production of Fbi Identification Records in Response to Written Requests by Subjects Thereof (Refs & Annos)

28 C.F.R. § 16.32

§ 16.32 Procedure to obtain an identification record.

Currentness

The subject of an identification record may obtain a copy thereof by submitting a written request via the U.S. mails directly to the FBI, Criminal Justice Information Services (CJIS) Division, ATTN: SCU, Mod. D–2, 1000 Custer Hollow Road, Clarksburg, WV 26306. Such request must be accompanied by satisfactory proof of identity, which shall consist of name, date and place of birth and a set of rolled-inked fingerprint impressions placed upon fingerprint cards or forms commonly utilized for applicant or law enforcement purposes by law enforcement agencies.

Credits

[Order No. 805–78, 43 FR 50173, Oct. 27, 1978; 51 FR 16677, May 6, 1986; Order No. 2258–99, 64 FR 52226, Sept. 28, 1999]

SOURCE: Order No. 556–73, 38 FR 32806, Nov. 28, 1973; 51 FR 16677, May 6, 1986; 52 FR 33231, Sept. 2, 1987; Order No. 2156–98, 63 FR 29593, June 1, 1998; Order No. 2258–99, 64 FR 52226, Sept. 28, 1999; Order No. 3517–2015, 80 FR 18106, April 3, 2015; Order No. 008–2015, 80 FR 34051, June 15, 2015; Order No. 3803–2016, 82 FR 727, Jan. 4, 2017; Order No. 4442–2019, 84 FR 16777, April 23, 2019, unless otherwise noted.

AUTHORITY: 5 U.S.C. 301, 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717.

Notes of Decisions (2)

Current through July 23, 2020, 85 FR 44649.

End of Document

Code of Federal Regulations
Title 28. Judicial Administration
Chapter I. Department of Justice
Part 16. Production or Disclosure of Material or Information (Refs & Annos)
Subpart C. Production of Fbi Identification Records in Response to Written Requests by Subjects Thereof (Refs & Annos)

28 C.F.R. § 16.33

§ 16.33 Fee for production of identification record.

Currentness

Each written request for production of an identification record must be accompanied by a fee of $18 in the form of a certified check or money order, payable to the Treasury of the United States. This fee is established pursuant to the provisions of 31 U.S.C. 9701 and is based upon the clerical time beyond the first quarter hour to be spent in searching for, identifying, and reproducing each identification record requested as specified in § 16.10. Any request for waiver of the fee shall accompany the original request for the identification record and shall include a claim and proof of indigency. Subject to applicable laws, regulations, and directions of the Attorney General of the United States, the Director of the FBI may from time to time determine and establish a revised fee amount to be assessed under this authority. Notice relating to revised fee amounts shall be published in the Federal Register.

Credits

[49 FR 12258, March 28, 1984; 51 FR 16677, May 6, 1986; 56 FR 22825, May 17, 1991; 60 FR 38, Jan. 3, 1995; Order No. 2258-99, 64 FR 52226, Sept. 28, 1999]

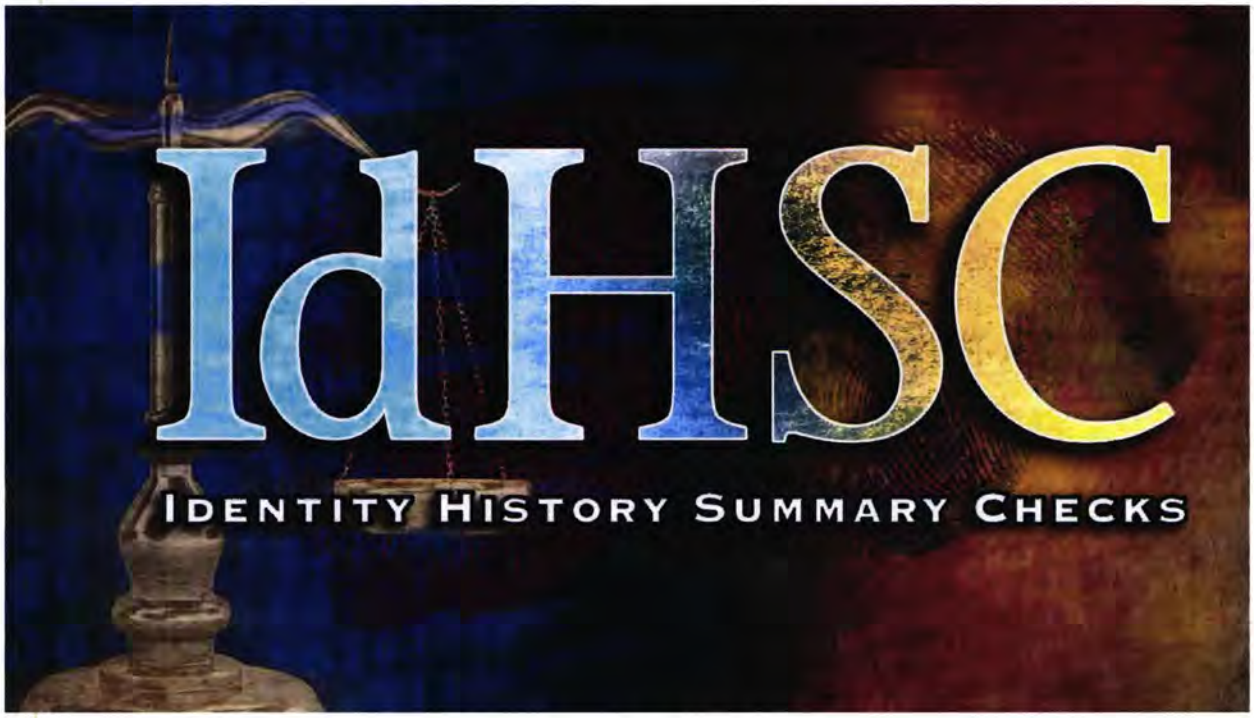
SOURCE: Order No. 556–73, 38 FR 32806, Nov. 28, 1973; 51 FR 16677, May 6, 1986; 52 FR 33231, Sept. 2, 1987; Order No. 2156–98, 63 FR 29593, June 1, 1998; Order No. 2258–99, 64 FR 52226, Sept. 28, 1999; Order No. 3517–2015, 80 FR 18106, April 3, 2015; Order No. 008–2015, 80 FR 34051, June 15, 2015; Order No. 3803–2016, 82 FR 727, Jan. 4, 2017; Order No. 4442–2019, 84 FR 16777, April 23, 2019, unless otherwise noted.

AUTHORITY: 5 U.S.C. 301, 552, 552a, 553; 28 U.S.C. 509, 510, 534; 31 U.S.C. 3717.

Current through July 23, 2020, 85 FR 44649.

End of Document

Identity History Summary Checks



Current processing time for Identity History Summary requests submitted electronically is estimated to be three to five business days upon receipt of the fingerprint card. Allow additional time for mail delivery if this option was selected during the request process.

Current processing time for Identity History Summary requests submitted via the mail is 2-4 weeks. Allow additional time for mail delivery.

For a fee, the FBI can provide individuals with an Identity History Summary—often referred to as a criminal history record or a "rap sheet"—listing certain information taken from fingerprint submissions kept by the FBI and related to arrests and, in some instances, federal employment, naturalization, or military service.

If the fingerprint submissions are related to an arrest, the Identity History Summary includes the name of the agency that submitted the fingerprints to the FBI, the date of the arrest, the arrest charge, and the disposition of the arrest, if known. All arrest information included in an Identity History Summary is obtained from fingerprint submissions, disposition reports, and other information submitted by authorized criminal justice agencies.

The U.S. Department of Justice Order 556-73 (https://www.fbi.gov/services/cjis/identity-history-summary-checks/us-department-of-justice-order-556-73), also known as Departmental Order, establishes rules and regulations for you to obtain a copy of your Identity History Summary for review or proof that one does not exist.

Intervenors Exhibit
12
Intv Add 34

Only *you* may request a copy of your own Identity History Summary (or proof that one does not exist). You would typically make this request for personal review, to challenge information on record, to meet a requirement for adopting a child, or to meet a requirement to live, work, or travel in a foreign country.

Available Now:
Electronic Departmental Order (eDO)

The FBI has implemented a new option to electronically submit requests and receive responses for Identity History Summary Checks and Identity History Summary Challenges. The new eDO option will allow for faster processing of requests. Visit https://www.edo.cjis.gov (https://www.edo.cjis.gov)

How to Submit a Request

The FBI offers three options for requesting your Identity History Summary or proof that one does not exist.

Option 1: Electronically Submit Your Request Directly to the FBI

Step 1: Go to https://www.edo.cjis.gov (https://www.edo.cjis.gov).

Step 2: Follow the steps under the "Obtaining Your Identity History Summary" section. If you submit a request electronically directly to the FBI, you may visit a participating U.S. Post Office location (https://www.edo.cjis.gov/#/org/USPS) to submit your fingerprints electronically as part of your request. You may go to any of the 81 participating U.S. Post Office locations (https://www.edo.cjis.gov/#/org/USPS) nationwide upon completion of your request. Additional fees may apply.

If you choose to use a U.S. Post Office location, you must complete your application and payment electronically prior to visiting a U.S. Post Office location to submit your fingerprints electronically as part of your request.

If you choose not to use a U.S. Post Office location to submit your fingerprints electronically, then you may still mail your completed fingerprint card, along with your confirmation email, to the address listed on your confirmation email.

Option 2: Submit Your Request Directly to the FBI via the Mail

Step 1: Complete the Applicant Information Form (https://forms.fbi.gov/criminal-history-summary-checks-review/).

- If the request is for a couple, family, etc., each person must complete and sign a form.
- Include a complete mailing address. Please provide your telephone number and e-mail address, if available.
- Your results will be provided on standard white paper and returned to you by First-Class Mail via the U.S. Postal Service.
- Self-addressed envelopes will not be accepted. This includes pre-paid Priority Mail, FedEx account numbers, United Parcel Service, etc., foreign postage coupons, and requests to forward correspondence to the Department of State for the apostille process.

Step 2: Obtain a Set of Your Fingerprints

- Your fingerprints should be placed on a standard fingerprint form (FD-258) (https://www.fbi.gov/file-repository/standard-fingerprint-form-fd-258-1.pdf/view) commonly used for applicant or law enforcement purposes. The FBI will accept FD-258 fingerprint cards on standard white paper stock.
- You must provide a current fingerprint card. Previously processed cards or copies will not be accepted.
- Your name and date of birth *must be* provided on the fingerprint card.
- You must include rolled impressions of all 10 fingerprints and impressions of all 10 fingerprints taken at the same time (these are sometimes referred to as plain or flat impressions).
- If possible, have your fingerprints taken by a fingerprinting technician. This service may be available at a law enforcement agency. The FBI recommends that red or purple ink not be used for fingerprinting.
- Fingerprints taken with ink or via live scan are acceptable. If your fingerprints are taken via a live scan device, a hard copy must be generated so the fingerprint card can be mailed to the FBI.
- To ensure the most legible prints possible, refer to the Recording Legible Fingerprints page (https://www.fbi.gov/services/cjis/fingerprints-and-other-biometrics/recording-legible-fingerprints). If fingerprints are not legible, the fingerprint card will be rejected. This could cause delays in processing and could also result in additional fees.
- The name on your response letter will match the name indicated on the fingerprint card when your application, payment, and fingerprint card are submitted via the mail.
- If the last four digits of your Social Security number are needed on your response letter, then please ensure the full nine-digits or last four digits of your Social Security number are on the fingerprint card when submitting your request.
- For more information, refer to the Recording Friction Ridges (http://recording-friction-ridges.s3-website-us-gov-west-1.amazonaws.com/) module.

Step 3: Submit Payment

- Option 1: Pay by credit card using the Credit Card Payment Form (https://www.fbi.gov/file-repository/idhsc-credit-card-payment-form.pdf/view). Don't forget to include the expiration date of the credit card that you are using.
- Option 2: Obtain a money order or certified check for $18 U.S. dollars made payable to the Treasury of the United States. Please be sure you sign where required.
- **Important note:** Cash, personal checks, or business checks WILL NOT be accepted and sending any of these will delay processing of your request.
- Payment must be for the exact amount.
- If the request is for a couple, family, etc., include $18 for each person.
- The FBI will provide one sealed response for each request received. You may make as many copies as needed upon receipt of your response. **Note:** If you need additional sealed responses mailed to the same address or separate address, you must submit an additional request with another payment of $18 for each sealed response requested. Also, if you need additional copies of your response that do not need to be in a sealed envelope, you may make as many copies as needed upon receipt of your response.
- If you are unable to pay the $18 fee, your request for a waiver of the fee must include a claim and proof of indigence, such as a notarized affidavit of indigence.
- The FBI will not accept additional payment to expedite your request.

Step 4: Review

- Review the Identity History Summary Request Checklist (https://www.fbi.gov/file-repository/identity-history-summary-request-checklist.pdf/view) to ensure that you have included everything needed to process your request.

Step 5: Mail the Required Items Listed Above

Mail the required items listed above—signed applicant information form, fingerprint card, and payment of $18 U.S. dollars per person—to the following address:

FBI CJIS Division – Summary Request
1000 Custer Hollow Road
Clarksburg, WV 26306

What Happens Next

If we find no Identity History Summary on file, you will receive a response by First-Class Mail via the U.S. Postal Service indicating that you have no prior arrest data on file at the FBI. If you do have an Identity History Summary on file, you will receive your Identity History Summary or "rap sheet" by First-Class Mail via the U.S. Postal Service.

Option 3: Submit Your Request to an FBI-Approved Channeler (https://www.fbi.gov/services/cjis/identity-history-summary-checks/list-of-fbi-approved-channelers-for-departmental-order-submissions)

An FBI-approved Channeler is a private business that has contracted with the FBI to submit your request on your behalf. FBI-approved Channelers receive the fingerprint submission and relevant data, collect the associated fee(s), electronically forward the fingerprint submission with the necessary information to the FBI for a national Identity History Summary check, and receive the electronic summary check result for dissemination to the individual. An FBI-approved Channeler simply helps expedite the delivery of Identity History Summary information on behalf of the FBI.

The process for making a request through an FBI-approved Channeler is consistent with FBI submission procedures. Please note that an FBI-approved Channeler may have different methods or processes for submissions. Also, additional fees may apply above the FBI fee for requests submitted through an FBI-approved Channeler. Contact each Channeler for costs, processing times, and availability in your area.

An individual requesting an Identity History Summary or proof that a summary does not exist through FBI-approved Channelers should contact the Channeler directly for complete information and instructions.

- List of FBI-Approved Channelers for Departmental Order Submissions (https://www.fbi.gov/services/cjis/identity-history-summary-checks/list-of-fbi-approved-channelers-for-departmental-order-submissions)

Note: Please review the information below regarding the use of FBI-approved Channelers:

- An FBI-approved Channeler may only process requests for a U.S. person (an individual who is a citizen of the U.S. or a lawful permanent resident of the U.S.). A lawful permanent resident is any person not a citizen of the U.S. who is residing in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant (also known "Permanent Resident Alien," "Resident Alien Permit Holder," and "Green Card Holder").
- An FBI-approved Channeler cannot process a request for employment and/or licensing purposes within the United States. This type of request should be coordinated with the appropriate State Identification Bureau (https://www.fbi.gov/services/cjis/identity-history-summary-checks/state-identification-bureau-listing) (or state police) for the correct procedures.

Identity History Summary Checks for Employment or Licensing

If you are requesting a background check for employment or licensing within the U.S., you may be required by state statute or federal law to submit your request through your state identification bureau, the requesting federal agency, or another authorized channeling agency.

The FBI's authority to conduct an Identity History Summary check for noncriminal justice purposes is based upon Public Law (Pub. L.) 92-544. Pursuant to that law, the FBI is empowered to exchange Identity History Summary information with officials of state and local governments for employment, licensing—which includes volunteers—and other similar noncriminal justice purposes, if authorized by a state statute which has been approved by the Attorney General of the United States. The U.S. Department of Justice has advised that the state statute establishing guidelines for a category of employment or the issuance of a license must, in itself, require fingerprinting and authorize the governmental licensing or employing agency to exchange fingerprint data directly with the FBI.

An Identity History Summary search obtained pursuant to U.S. Department of Justice Order 556-73 may not meet employment requirements. Governmental licensing or employing agencies covered by federal laws and/or state statutes may refuse to accept Identity History Summary information directly from the subject of the summary, as there would be no way to verify that the information contained on the summary had not been altered. Also, an Identity History Summary provided to the subject for personal review contains only information maintained by the FBI and may lack dispositional data and/or arrest records that are maintained only at the state level.

You should contact the agency requiring the fingerprinting or the appropriate state identification bureau for the correct procedures to follow.

Challenge of an Identity History Summary

The FBI is responsible for the storage of fingerprints and related Identity History Summary information for the nation and does not have the authority to modify any Identity History Summary information unless specifically notified to do so by the agency that owns the information. If you believe your Identity History Summary contains inaccurate or incomplete information, you have three options for requesting a change or correction:

Option 1: Contact the agency or agencies that submitted the information to the FBI

Missing or Incorrect State (Non-Federal) Information

Most states require that changes to Identity History Summary information be processed through their respective state centralized agency (State Identification Bureau) before any changes can be made to your information. You may contact the respective State Identification Bureau for assistance, and, if applicable, request that they provide the FBI with updates to your Identity History Summary. Contact information for each state is provided on the State Identification Bureau listing (https://www.fbi.gov/services/cjis/identity-history-summary-checks/state-identification-bureau-listing).

Several states maintain their own record system. Record updates are made at the state level only, so the FBI cannot change its records. Instead, the FBI accesses the state's system for authorized purposes to review the record. Contact information for states maintaining records at the state level is provided on the State-Maintained Records listing (https://www.fbi.gov/services/cjis/identity-history-summary-checks/state-maintained-records-listing).

Missing or Incorrect Federal Information

For federal Identity History Summary updates, the FBI must receive a request directly from the original arresting agency, from a court with control over the arrest data, or from another agency with control over the arrest data.

Option 2: Electronically submit your challenge request directly to the FBI

Step 1: Go to https://www.edo.cjis.gov (https://www.edo.cjis.gov).

Step 2: Follow the steps under the "Challenging Your Identity History Summary" section.

If you submitted a challenge request electronically directly to the FBI, you will receive a response electronically and an option to receive a response by First-Class Mail via the U.S. Postal Service.

Option 3: Send a written challenge request to the FBI

Your written request should clearly identify the information that you feel is inaccurate or incomplete and should include copies of any available proof or supporting documentation to support your claim. For example, if your disposition information is incorrect or missing, you may submit documentation obtained from the court having control over the arrest or the office prosecuting the offense. The FBI will contact appropriate agencies in an attempt to verify or correct challenged entries for you. Upon receipt of an official communication from the agency with control over the data, the FBI will make appropriate changes and notify you of the outcome.

You may submit an Identity History Summary challenge to the FBI by writing to the following address:

FBI CJIS Division
Attention: Criminal History Analysis Team 1
1000 Custer Hollow Road
Clarksburg, WV 26306

Frequently Asked Questions

1. Does the FBI accept personal checks, business checks, or cash?

No. Do not send personal checks, business checks, or cash, as they are not an acceptable form of payment for Departmental Order (DO) requests. Personal and business checks submitted with a DO request will not be returned and will be destroyed.

2. How much does it cost to request an Identity History Summary Check?

The cost to request an Identity History Summary Check is $18.

3. Does it cost the same to request an Identity History Summary whether I request it via the mail or electronically?

The cost to request an Identity History Summary is the same whether it is requested via the mail or electronically.

4. Do I have to pay $18 for each copy requested if I need more than one copy of my results?

The FBI will provide one sealed response for each request received. You may make as many copies as needed upon receipt of your response. If submitting electronically, you may print as many copies as needed upon your receipt of the electronic response. **Note:** If you need additional sealed responses mailed to the same address or a separate address, you must submit an additional request with another payment of $18 for each sealed response requested. Also, if you need additional copies of your response that do not need to be in a sealed envelope, you may make as many copies as needed upon receipt of your response.

5. What if I can't pay the $18 to request an Identity History Summary Check?

If you are unable to pay the $18 fee, your request for a waiver of the fee must include a claim and proof of indigence, such as a notarized affidavit of indigence. If you are submitting your request electronically, you will need to contact (304) 625-5590 or identity@fbi.gov to receive instructions for requesting a waiver for the fee prior to submitting your request.

6. Can someone else pay for my Identity History Summary?

Yes. They must complete the Credit Card Payment Form (https://www.fbi.gov/file-repository/idhsc-credit-card-payment-form.pdf/view) with the cardholder's signature or obtain a money order or certified check for $18 U.S. dollars made payable to the Treasury of the United States. Please be sure to sign where required. If paying by credit card, don't forget to include the expiration date of the credit card that you are using. If submitting electronically, they must provide the payment information during the request process.

7. If I submit my request electronically, how will I receive my results?

The FBI will send an e-mail to the e-mail address provided on the request with a secure link and personal identification number for accessing all results, both foreign and domestic. The FBI will also send a hard copy of all results, both foreign and domestic, by First-Class Mail via the U.S. Postal Service if this option is selected during the request process.

8. If I submit my request electronically, will I receive the results faster?

The requests should be processed faster upon receipt of your completed fingerprint card via the mail in the date order they are received.

9. If I submit my request electronically, can I receive status notifications?

The option to receive status notifications by e-mail may be selected in the *Preferences* section during the request process.

10. When using the electronic option, is my personal information secure?

Yes. This is a secure service provided by the FBI.

11. Do you have procedures for expeditious handling?

No. The FBI does not expedite requests; however, an expedited response may be provided by an FBI-approved Channeler (https://www.fbi.gov/services/cjis/identity-history-summary-checks/list-of-fbi-approved-channelers-for-departmental-order-submissions). If submitting electronically, the requests should be processed faster upon receipt of your completed fingerprint card via the mail in the date order they are received.

12. Where can I get my fingerprints taken?

If submitting directly to the FBI, your local, county, or state law enforcement agencies may take your fingerprints for a fee. Also, some printing companies offer this service; check the yellow pages in your telephone book or search online.

If using the Channeler option, please contact the FBI-approved Channeler (https://www.fbi.gov/services/cjis/identity-history-summary-checks/list-of-fbi-approved-channelers-for-departmental-order-submissions) for information on how to get your fingerprints taken.

13. What if my fingerprints are continuously rejected?

You should have multiple sets of fingerprints taken, preferably by a fingerprinting technician. (This service may be available at a law enforcement agency). Mail all fingerprint cards to the FBI with your request. For more information on taking legible fingerprints, refer to the Recording Legible Fingerprints (https://www.fbi.gov/services/cjis/fingerprints-and-

other-biometrics/recording-legible-fingerprints) page.

Note: The FBI **does not** provide name checks for Identity History Summary requests.

14. Can I use the fingerprint card I download from this site?

Yes, the FBI will accept FD-258 fingerprint cards (https://www.fbi.gov/file-repository/standard-fingerprint-form-fd-258-1.pdf/view) on standard white paper stock, but if you go to a law enforcement agency or private fingerprinting agency to be fingerprinted, they may prefer to use a fingerprint card on standard card stock. You may use the fingerprint card provided by the printing agency.

15. Can I use the same fingerprint card I used for my previous Identity History Summary?

No. The FBI requires a current fingerprint card to process your Identity History Summary.

16. Will my fingerprint card be returned?

No. Due to concerns related to the protection of personally identifiable information, fingerprint cards are no longer being returned either for a "no summary" response or with an Identity History Summary.

17. How will my Identity History Summary be sent back to me?

The FBI will return all results, both foreign and domestic, by U.S. First-Class Mail via the U.S. Postal Service. If you submitted your request electronically, you will receive a response electronically and an option to receive a response by First-Class Mail via the U.S. Postal Service.

18. What name will be used on my response?

The name on your response letter will match the name indicated on your fingerprint card when your application, payment, and fingerprint card are submitted via the mail. If submitting electronically, the name on your response letter will match the name that you entered on your electronic DO request.

19. Will the last four digits of my Social Security number be on my response?

If the last four digits of your Social Security number are needed on your response letter, then please ensure the full nine-digits or last four digits of your Social Security number are on the fingerprint card when submitting your request.

20. How do I notify the FBI if my address has changed since I submitted my request for my Identity History Summary or if I want to verify my correct address was submitted?

Please complete and sign the Address Change Request Form (https://www.fbi.gov/file-repository/idhsc-address-verification-change-request/view) and fax it to (304) 625-9792, or scan the form and e-mail it to identity@fbi.gov. If you submitted your request electronically, you may change your address either by using the secure link and personal identification number received during the request process or by e-mail or facsimile as previously stated.

Note: Changes will not be made unless a signature is present on the form if submitting via e-mail or facsimile.

21. Can I send a self-addressed stamped envelope with my request?

Due to automation of the mailing process, the FBI does not accept return self-addressed stamped envelopes with Departmental Order requests.

22. Will I receive my Identity History Summary on blue security paper?

Due to automation of the mailing process, the FBI does not provide Identity History Summary results on blue security paper. All responses will be processed on standard white paper.

23. Does the FBI provide apostilles*?

(*An apostille is a certification that a document has been "legalized" or "authenticated" by the issuing agency through a process in which various seals are placed on the document.)

The FBI will authenticate all U.S. Department of Justice Order 556-73 fingerprint search results by placing the FBI seal and the signature of a division official on the results at the time of submission.

Note: *The FBI seal is no longer a raised seal.* Documents authenticated by the FBI may then be sent to the U.S. Department of State by the requestor to obtain an apostille if necessary. Requests to authenticate previously processed results will not be accepted.

24. How do I challenge my FBI record?

Review the Challenge of an Identity History Summary (https://fbigov.hgwc.me/services/cjis/copy_of_identity-history-summary-checks#Challenge-of%20an%20Identity%20History%20Summary) and/or the Challenge brochure (https://www.fbi.gov/file-repository/challenge-brochure.pdf/view) to obtain information regarding your Identity History Summary.

25. What is the processing time for challenging my Identity History Summary?

Challenges are processed in the date order they are received. It should be noted that the average response time for challenging your Identity History Summary is within 30 days of receipt of the challenge.

26. Does it cost anything to challenge my Identity History Summary?

No. There are no fees for challenging your Identity History Summary.

27. How do I notify the FBI if my address has changed since I submitted an Identity History Summary Challenge request or if I want to verify my correct address was submitted?

You may request a change of address or verify your address by sending an email to CK_CHAT_CHALLENGE@fbi.gov or via facsimile at (304) 625-9898.

28. How can law enforcement entities request certified copies of fingerprints and/or Identity History Summary information?

Visit the Certified Copies of Fingerprint and/or Identity History Summaries (https://www.fbi.gov/services/cjis/identity-history-summary-checks/certified-copies-of-fingerprints-and-or-identity-history-summaries) page to obtain information on requesting certified copies of fingerprints and/or Identity History Summary information by law enforcement entities.

Note: *An individual cannot request a certified copy of fingerprints and/or Identity History Summary information.*

Departmental Order Information Packet

Below is a Departmental Order Information Packet containing everything needed to assist with requesting a copy of your Identity History Summary (or proof that one does not exist). Please pay close attention to Item # 4, the Identity History Summary Request Checklist, which contains all the steps required by the FBI to process an Identity History Summary Check. Questions can be directed to 304-625-5590.

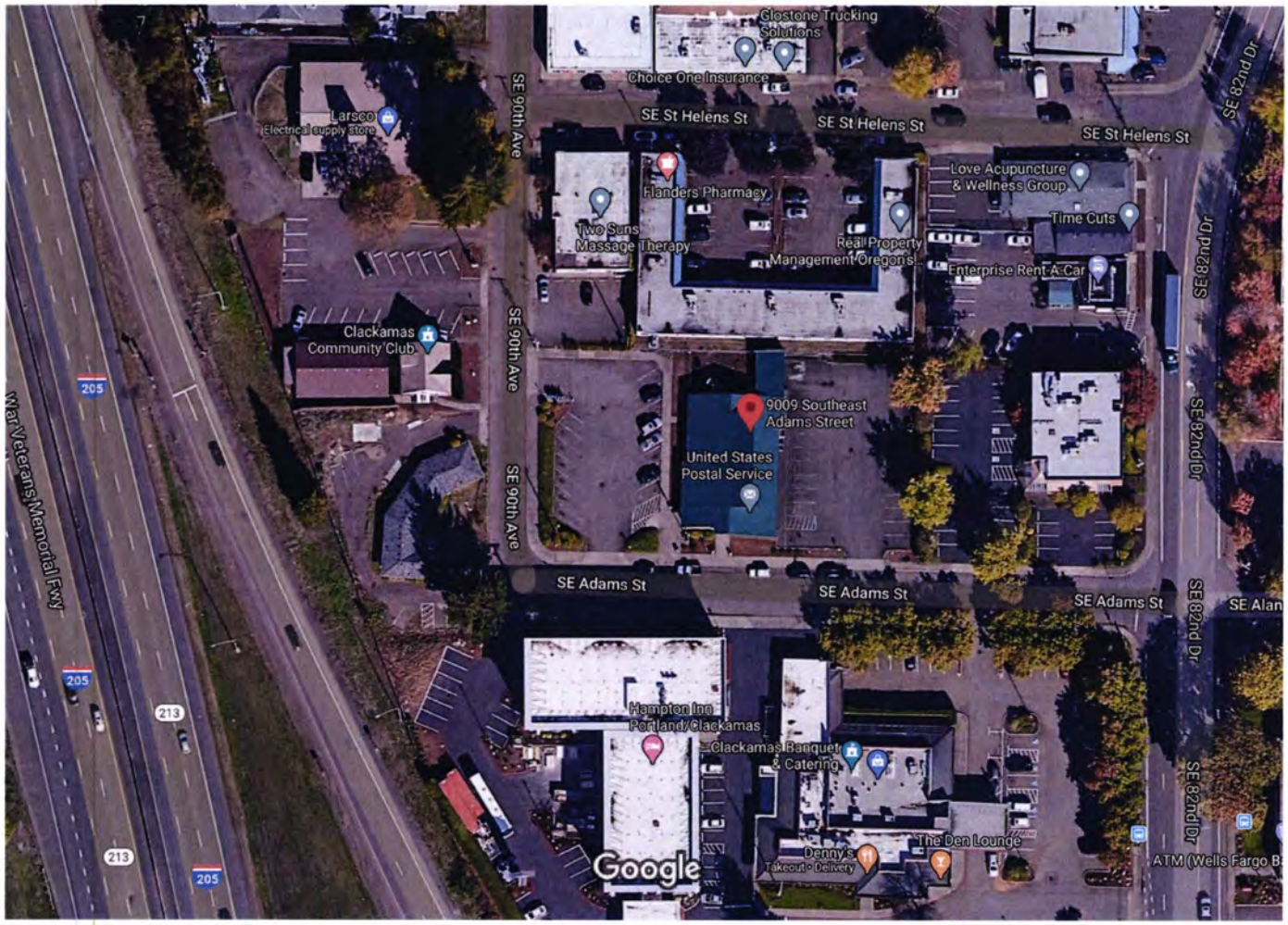
1. Departmental Order Information Packet Cover Letter (https://www.fbi.gov/file-repository/cover-letter.pdf/view)
2. U.S. Department of Justice Order 556-73 (https://www.fbi.gov/services/cjis/identity-history-summary-checks/us-department-of-justice-order-556-73)
3. Applicant Information Form (https://forms.fbi.gov/identity-history-summary-checks-review)
4. Identity History Summary Request Checklist (https://www.fbi.gov/file-repository/identity-history-summary-request-checklist.pdf/view)
5. Credit Card Payment Form (https://www.fbi.gov/file-repository/idhsc-credit-card-payment-form.pdf/view)
6. FD-258 Fingerprint Card (https://www.fbi.gov/file-repository/standard-fingerprint-form-fd-258-1.pdf/view)

For Law Enforcement Only

The FBI's Criminal Justice Information Services (CJIS) Division provides certification of fingerprints and/or Identity History Summary information to be used in court cases. Certified copies can only be requested by law enforcement entities.

- Certified Copies of Fingerprints and/or Identity History Summaries (https://www.fbi.gov/services/cjis/identity-history-summary-checks/certified-copies-of-fingerprints-and-or-identity-history-summaries)

Google Maps 9009 SE Adams St



Imagery ©2020 Maxar Technologies, Metro, Portland Oregon, State of Oregon, U.S. Geological Survey, Map data ©2020 50 ft

9009 SE Adams St

Clackamas, OR 97015

Building

Intervenors Exhibit

23

Google Maps United States Postal Service

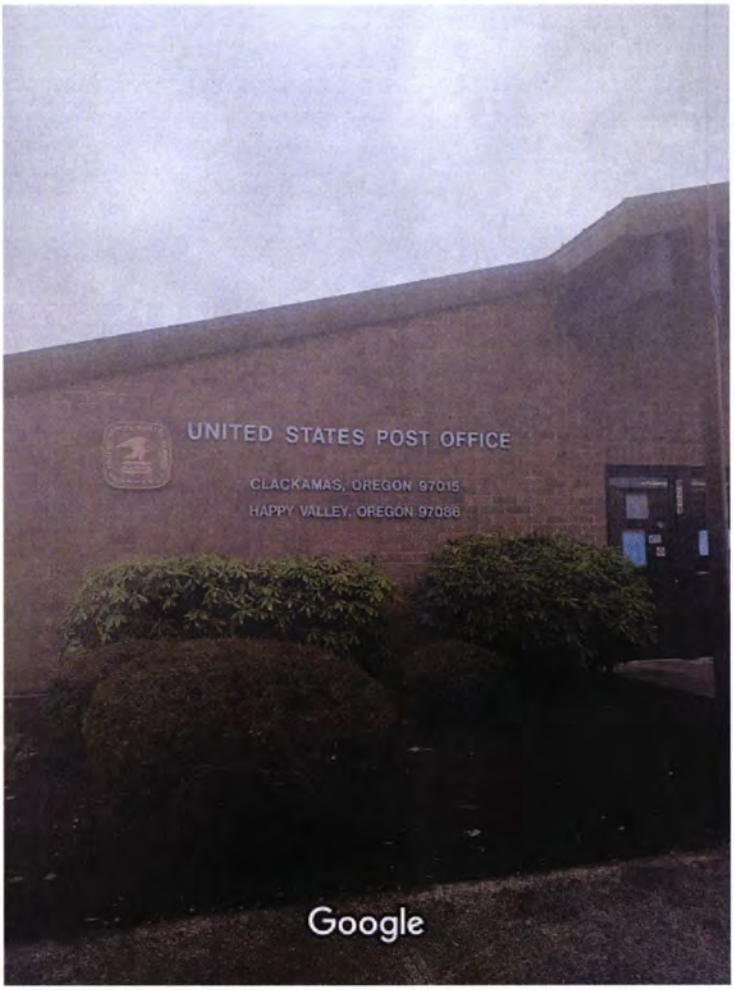


Image capture: Dec 2018 Images may be subject to copyright.

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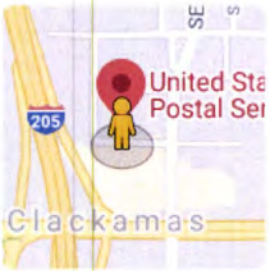
Photo - Dec 2018



Intv Add 45

Google Maps 9009 SE Adams St

Image capture: Oct 2019 © 2020 Google

Clackamas, Oregon

Google

Street View

Intv Add 46

Google Maps 9009 SE Adams St

Image capture: Oct 2019 © 2020 Google

Clackamas, Oregon

Google

Street View

Intv Add 47

PAID CANVASSER STATEMENT

I Josef Bautista being duly sworn on oath or solemn affirmation, do state and attest to the following facts:

- I have read and understand the Arkansas law applicable to obtaining signatures on an initiative or referendum petition.
- I have been provided a copy of the most recent edition of the Secretary of State's initiatives and referenda handbook.
- I have not pleaded guilty or nolo contendere to or been found guilty of a criminal felony offense or a violation of the election laws, fraud, forgery, or identification theft in any state of the United States, the District of Columbia, Puerto Rico. Guam, or any other United States protectorate.

My full name is: Josef Bautista

I have used the following other assumed names: _____

My current residence address is: 8000 Sheridan Rd. Whitehall AR 71602

My permanent domicile address is: 9009 SE Adams St. #1144 Clackamas OR 97015

Signature of Paid Canvasser _____

FILED
JUN 02 2020
Arkansas
Secretary of State

STATE OF Arkansas)

COUNTY OF Pulaski)

Subscribed and sworn to before me this 2 day of June, 2020.

My commission expires: 5/5/2027

Katherine F Lett
Notary Public

[Seal]

KATHERINE F. LETT
NOTARY PUBLIC-STATE OF ARKANSAS
PULASKI COUNTY
My Commission Expires 05-05-2027
Commission # 12701486

18 Not Hill Co Rd AR 72205
Residence

EXHIBIT
T 24
PENGAD 800-631-6989

Intv Add 48

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Find Locations FAQs

Find Locations FAQs

The U.S. Postal Service® offers services at locations other than a Post Office™. Clicking a location will show you the time it closes, when it opens, and the services offered.

*indicates a required field

*City and State, or ZIP Code™

97015

Or Use Current Location

Filter By

Location Types

Post Offices™

Services

Select a Service

Within

20 Miles

Search Reset

Refine Search

Feedback

Showing Results 1-10 of 61

2.7 miles away

CLACKAMAS DCU — Post Office™

9836 SE EMPIRE CT CLACKAMAS, OR 97015-9630

Mon-Fri	Sat	Sun
9:00 am-12:30 pm 1:30 pm-4:00 pm	9:00 am-12:30 pm	Closed

3.3 miles away

CLACKAMAS — Post Office™

9009 SE ADAMS ST CLACKAMAS, OR 97015-9594

Retail Hours

Mon-Fri	Sat	Sun
8:30 am-5:00 pm	10:00 am-2:00 pm	Closed

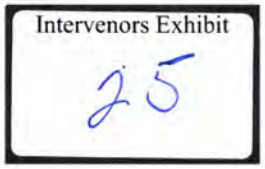
Lot Parking Available

4.9 miles away

LENTS DCU — Post Office™

8100 SE CRYSTAL SPRINGS BLVD PORTLAND, OR 97206-8599

Mon-Fri	Sat	Sun
8:00 am-5:00 pm	8:00 am-3:00 pm	Closed



5.3 miles away

GLADSTONE — Post Office™
605 PORTLAND AVE GLADSTONE, OR 97027-2700

Retail Hours

Mon-Fri	Sat	Sun
8:30 am-5:00 pm	9:00 am-12:00 pm	Closed

Lot Parking Available

6.2 miles away

OAK GROVE — Post Office™
3860 SE NAEF RD PORTLAND, OR 97267-5623

Retail Hours

Mon-Fri	Sat	Sun
8:30 am-5:30 pm	10:00 am-2:00 pm	Closed

Lot Parking Available

6.3 miles away

LENTS AT EASTPORT — Post Office™
3850 SE 82ND AVE PORTLAND, OR 97266-2999

Retail Hours

Mon-Fri	Sat	Sun
9:00 am-5:00 pm	Closed	Closed

Lot Parking Available

6.6 miles away

WEST LINN — Post Office™
5665 HOOD ST WEST LINN, OR 97068-7068

Retail Hours

Mon-Fri	Sat	Sun
8:30 am-5:00 pm	10:00 am-2:00 pm	Closed

Lot Parking Available

6.7 miles away

GRESHAM — Post Office™
103 W POWELL BLVD GRESHAM, OR 97030-3000

Retail Hours

Mon-Fri	Sat	Sun
8:30 am-5:30 pm	10:00 am-2:00 pm	Closed

Lot Parking Available

7.2 miles away

MILWAUKIE — Post Office™
11222 SE MAIN ST PORTLAND, OR 97222-7748

Retail Hours

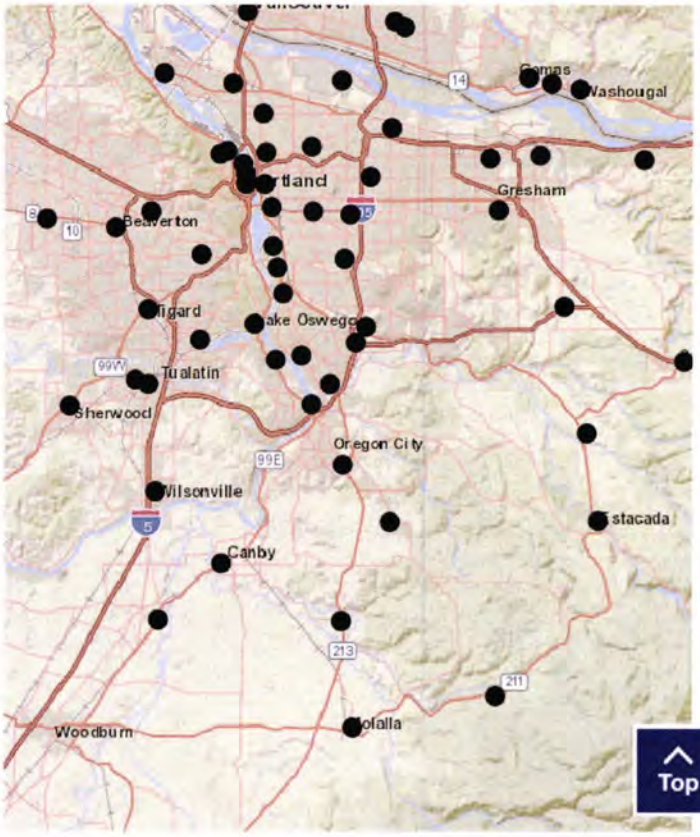
Mon-Fri	Sat	Sun
8:30 am-5:00 pm	Closed	Closed

Postal Providers

Post Office™

Satellite View

Feedback



Street Parking Available

7.4 miles away

BORING — Post Office™
28515 SE HIGHWAY 212 BORING, OR 97009-9009

Retail Hours

Mon-Fri	Sat	Sun
7:30 am-5:00 pm	10:00 am-12:00 pm	Closed

Lot Parking Available

Results Per Page: 10

1 2 3 4 5

Feedback

Top

Intv Add 51

Back to Results
Close icon.

CLACKAMAS — Post Office™

9009 SE ADAMS ST

CLACKAMAS, OR 97015-9594

Lot Parking Available

For facility accessibility, please call the Post Office.

1-800-ASK-USPS® (800-275-8777)

Phone 503-657-9358

Fax 503-557-0197

TTY 877-889-2457

Share this Location Print

Hours

Bulk Mail Acceptance Hours

Mon-Fri 9:00 am-4:00 pm

Sat Closed

Sun Closed

Retail Hours

Mon-Fri 8:30 am-5:00 pm

Sat 10:00 am-2:00 pm

Sun Closed

Global Express Guaranteed Hours

Mon-Fri 5:00 pm

Sat Closed

Sun Closed

Intv Add 52

Last Collection Hours

Mon-Fri 5:15 pm

Sat 2:15 pm

Sun Closed

Lobby Hours

Mon-Fri 6:45 am-5:30 pm

Sat 6:45 am-2:30 pm

Sun Closed

PO Box Access Hours

Mon-Fri 6:45 am-5:30 pm

Sat 6:45 am-2:30 pm

Sun Closed

See More Hours Expand/collapse arrow icon.

Self-Service Kiosk Hours

Mon-Fri 12:01 am-11:59 pm

Sat 12:01 am-11:59 pm

Sun 12:01 am-11:59 pm

Pickup Services Hours

Mon-Fri 8:30 am-5:00 pm

Sat Closed

Sun Closed

PO Box Delivery Hours

Mon-Fri 10:00 am

Sat 10:00 am

Sun Closed

On-Site Services

Intv Add 53

Service hours may vary.

Self-Service Kiosk

Business Reply Mail® Account Balance

Business Reply Mail New Permit

Bulk Mail Acceptance

Bulk Mail Account Balance

Bulk Mail New Permit

Burial Flags

Call Referral

Duck Stamps

General Delivery

Greeting Card Services

Global Express Guranteed®

Money Orders (Domestic)

Money Orders (Inquiry)

Money Orders (International)

Pickup Accountable Mail

Pickup Hold Mail

Priority Mail International®

PO Box Online

USPS.com & Other Online Services

- Print a Label with Postage
- Schedule a Pickup
- Buy Stamps

- Forward Mail
- Reserve or Renew a PO Box
- Schedule a Redelivery

- Mailing Requirements
- Media/Press Contacts
- Vandalism/Theft

Intv Add 54

Nearby Self-Service Kiosks

CLACKAMAS

9009 SE ADAMS ST

CLACKAMAS OR 97015

OAK GROVE

3860 SE NAEF RD

PORTLAND OR 97267

WEST LINN

5665 HOOD ST

WEST LINN OR 97068

Nearby Alternate Locations

CLACKAMAS DCU

9836 SE EMPIRE CT

CLACKAMAS OR 97015

GLADSTONE

605 PORTLAND AVE

GLADSTONE OR 97027

OAK GROVE

3860 SE NAEF RD

PORTLAND OR 97267

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

CERTIFIED A TRUE COPY
DAN BYRNES
CLERK OF COURTS

Docket Number: CP-67-CR-0006050-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse Martin

CASE INFORMATION

Judge Assigned: Kelley, Thomas H.
Date Filed: 12/17/2004 Initiation Date: 11/08/2004
OTN: K 110293-1 LOTN:
Originating Docket No: MJ-19201-CR-0000625-2004
Initial Issuing Authority: Harold D. Kessler
Final Issuing Authority: Harold D. Kessler
Arresting Agency: Springettsbury Twp Police Dept
Arresting Officer: Craul, Raymond E.
Complaint/Incident #:
Case Local Number Type(s)
Case Local Number(s)

STATUS INFORMATION

Case Status: Closed

Status Date	Processing Status
04/20/2009	Sentenced/Penalty Imposed
07/28/2005	Sentenced/Penalty Imposed
07/28/2005	Awaiting Sentencing
02/07/2005	Awaiting Trial Scheduling
12/17/2004	Awaiting Formal Arraignment
12/17/2004	Awaiting Filing of Information

Arrest Date: 11/08/2004

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0006050-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse Martin

CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Guilty Plea	01/24/2005	9:30 am	Courtroom 12	Judge John H. Chronister	Scheduled
Arraignment	01/28/2005	9:00 am			Scheduled
Rule 586	02/14/2005	9:30 am	Courtroom 12	Judge John H. Chronister	Scheduled
Pre-Trial Conference	02/15/2005	9:30 am	Courtroom 12	Judge John H. Chronister	Scheduled
Rule 586	03/21/2005	9:30 am	Courtroom 12	Judge John H. Chronister	Scheduled
Bench Warrant	07/27/2005	9:30 am	Courtroom 12	Judge John H. Chronister	Scheduled
Probation Violation Hearing	06/19/2006	9:30 am	Courtroom 12	Judge John H. Chronister	Cancelled
Parole Violation Hearing	01/29/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Moved
Parole Violation Hearing	02/12/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Moved
Parole Violation Hearing	03/19/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Scheduled
Parole Violation Hearing	08/20/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Continued
Parole Violation Hearing	10/22/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Moved
Parole Violation Hearing	11/05/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Moved
Parole Violation Hearing	11/28/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Scheduled
Parole Violation Hearing	10/20/2008	9:30 am	Courtroom 4	Judge Thomas H. Kelley	Scheduled
Parole Violation Hearing	04/20/2009	9:30 am	Courtroom 4	Judge Thomas H. Kelley	Scheduled

DEFENDANT INFORMATION

Date Of Birth: 11/19/1985

City/State/Zip: York, PA 17401

Alias Name
Martin, Demetriuse A. Jr.
Martin, Demetruise
Martin, Demitrius A.

CASE PARTICIPANTS

Participant Type	Name
Defendant	Martin, Demetriuse Jr.

Intv Add 57

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0006050-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse Martin

BAIL INFORMATION

Martin, Demetriuse Jr. **Nebbia Status: None**

Bail Action	Date	Bail Type	Percentage	Amount	Bail Posting Status	Posting Date
Set	11/08/2004	Monetary		$5,000.00	Posted	11/12/2004

CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
1	1	M1	**18 § 3922 §§ A1**	Theft By Decep-False Impression	12/20/2003	K 110293-1

DISPOSITION SENTENCING/PENALTIES

Disposition
Case Event
Sequence/Description
Sentencing Judge
Sentence/Diversion Program Type
Sentence Conditions
Disposition Date
Offense Disposition
Sentence Date
Incarceration/Diversionary Period
Final Disposition
Grade Section
Credit For Time Served
Start Date

Guilty Plea

Bench Warrant — 07/28/2005
1 / Theft By Decep-False Impression — Guilty Plea — Final Disposition — M1 — 18 § 3922 §§ A1

Chronister, John H.
Probation — 07/28/2005
Min of 12.00 Months
Max of 12.00 Months
12 months — 07/27/2005

To pay such costs/restitution as has been imposed.

Chronister, John H.
Probation — 05/04/2006
Min of 12.00 Months
Max of 12.00 Months
12 months — 07/27/2005

Chronister, John H.
Probation — 03/19/2007
Min of 12.00 Months
Max of 12.00 Months
12 months — 07/27/2005

Chronister, John H.
Confinement — 11/28/2007
Min of 289.00 Days
Max of 289.00 Days
Other — 11/28/2007

Defendant to serve the unserved balance
Reparole Effective after 3 months
Defendant is Remanded Forthwith

Kelley, Thomas H. — 04/20/2009

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0006050-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse Martin

DISPOSITION SENTENCING/PENALTIES

Disposition
Case Event
Sequence/Description
Sentencing Judge
Sentence/Diversion Program Type
Sentence Conditions

Disposition Date
Offense Disposition
Sentence Date
Incarceration/Diversionary Period

Final Disposition
Grade Section
Credit For Time Served
Start Date

Confinement

Other

Defendant to serve the unserved balance 187 days.
Reparole Effective after 90 days
Can apply for Outmate
Probation/Parole Terminated When Costs/Fines Paid in Full

COMMONWEALTH INFORMATION

Name:

Supreme Court No:

ATTORNEY INFORMATION

Name: Fice Public Defender'S Of, Esq.
Court Appointed - Private
Supreme Court No:
Rep. Status: Active
Phone Number(s):
Address:
28 East Market St
York, PA 17401

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	11/08/2004		Kessler, Harold D.
Bail Set - Martin, Demetriuse Jr.			
1	11/12/2004		Kennedy, Margaret
Bail Posted - Martin, Demetriuse Jr.			
1	12/17/2004		Court of Common Pleas - York County
Original Papers Received from Lower Court			
1	12/22/2004		Court of Common Pleas - York County
Assignment of Judge			
1	02/01/2005		York County District Attorney's Office
Information Filed			
1	02/15/2005		Chronister, John H.
Pre-Trial Conf. 03/21/05 @9:30am.			

Intv Add 59

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0006050-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse Martin

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
Service To		Service By	
Issue Date	Service Type	Status Date	Service Status
Commonwealth of Pennsylvania			
03/28/2005	Interoffice		
Martin, Demetriuse Jr.			
03/28/2005	First Class		
1	02/25/2005		Court of Common Pleas - York County
Penalty Assessed			
1	07/28/2005		Chronister, John H.
Guilty Plea			
2	07/28/2005		Chronister, John H.
Disposition Filed			
3	07/28/2005		Chronister, John H.
Order - Sentence/Penalty Imposed			
Commonwealth of Pennsylvania			
08/18/2005	Interoffice		
Martin, Demetriuse Jr.			
08/18/2005	First Class		
1	08/15/2005		Chronister, John H.
Guideline Sentence Form			
1	10/04/2005	10/04/2005	O'Shell, Don R.
Entry of Civil Judgment			
1	04/28/2006		York County Adult Probation
Motion for Hearing on Violation of Probation/Parole			
2	05/04/2006		Chronister, John H.
Order - Sentence/Penalty Imposed			
3	05/04/2006		York County Clerk of Courts
Probation Violation Hearing Cancelled			

Intv Add 60

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0006050-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse Martin

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	06/08/2006		Court of Common Pleas - York County
Delinquency Notice Filed - 159 Days Overdue			
1	06/27/2006		Chronister, John H.
reparoled			
1	10/29/2006		Court of Common Pleas - York County
Delinquency Notice Filed - 87 Days Overdue			
1	11/30/2006		York County Adult Probation
Motion for Hearing on Violation of Probation/Parole			
1	03/02/2007		Court of Common Pleas - York County
Delinquency Notice Filed - 62 Days Overdue			
1	03/19/2007		Chronister, John H.
Order - Sentence/Penalty Imposed			
1	04/17/2007		York County Court Administration
Proof of service order of 3/19/07			
1	06/15/2007		York County Adult Probation
Motion for Hearing on Violation of Probation/Parole			
1	06/19/2007		Chronister, John H.
Order Granting Motion for Hearing on Violation of Probation/Parole			
Commonwealth of Pennsylvania			
06/29/2007	Interoffice		
Martin, Demetriuse Jr.			
06/29/2007			
York County Adult Probation			
06/29/2007	Interoffice		
1	08/20/2007		Chronister, John H.
Parole Hearing Continued			
1	08/24/2007		York County Court Administration
Proof of Service-8/20/07 Order			

Intv Add 61

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0006050-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse Martin

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	11/20/2007		York County Court Administration
Proof of service of Order 10/22/07			
1	11/28/2007		Chronister, John H.
Order - Sentence/Penalty Imposed			
1	12/07/2007		York County Court Administration
Proof of Service-11/5/07 Order			
1	02/11/2008		York County Court Administration
Proof of Service-11/28/07 Order			
Martin, Demetriuse Jr.			
03/10/2008	First Class	03/24/2008	Returned - Undeliverable
1	02/14/2008		Kelley, Thomas H.
Order Granting Parole			
1	03/06/2008		Court of Common Pleas - York County
Delinquency Notice Filed - 250 Days Overdue			
1	08/26/2008		Court of Common Pleas - York County
Reassigned to Judge: Kelley, Thomas H.			
1	08/27/2008		York County Adult Probation
Motion for Hearing on Violation of Probation/Parole			
1	09/02/2008		Kelley, Thomas H.
Order Granting Motion for Hearing on Violation of Probation/Parole			
Commonwealth of Pennsylvania			
09/09/2008	Interoffice		
Martin, Demetriuse Jr.			
09/09/2008			
Public Defender'S Of. Fice			
09/09/2008			
York County Adult Probation			
09/09/2008	Interoffice		
1	11/03/2008	10/20/2008	York County Court Administration
Proof of Service of Order 10/20/08			
York County Public Defender's Office	York County Court Administration		

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0006050-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse Martin

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
Service To		Service By	
Issue Date	Service Type	Status Date	Service Status
11/03/2008	Hand Delivered		

1	04/14/2009		Court of Common Pleas - York County
Delinquency Notice Filed - 196 Days Overdue			
1	04/20/2009		Kelley, Thomas H.
Order - Sentence/Penalty Imposed			
1	05/01/2009		York County Court Administration
Proof of Service-4/20/09 Order			
1	06/08/2009		Martin, Demetriuse Jr.
Penalty Satisfied			
1	07/28/2009	07/28/2009	O'Shell, Don R.
Praecipe to Satisfy Judgment			

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0006050-2004

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse Martin

CASE FINANCIAL INFORMATION

Last Payment Date: 06/09/2009 Total of Last Payment: -$3,046.64

Martin, Demetriuse Jr. Defendant	Assessment	Payments	Adjustments	Non Monetary Payments	Total
Costs/Fees					
Automation Fee (York)	$5.00	($5.00)	$0.00	$0.00	$0.00
Constable Costs (York)	$22.50	($22.50)	$0.00	$0.00	$0.00
Constable Education Training Act	$5.00	($5.00)	$0.00	$0.00	$0.00
Postage	$10.00	($10.00)	$0.00	$0.00	$0.00
Clerk - County - Plea (York)	$132.50	($132.50)	$0.00	$0.00	$0.00
DA Misdemeanor (York)	$15.00	($15.00)	$0.00	$0.00	$0.00
Sheriff - Misdemeanor (York)	$2.00	($2.00)	$0.00	$0.00	$0.00
State Court Costs (Act 204 of 1976)	$9.26	($9.26)	$0.00	$0.00	$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	$7.94	($7.94)	$0.00	$0.00	$0.00
County Court Cost (Act 204 of 1976)	$25.80	($25.80)	$0.00	$0.00	$0.00
Crime Victims Compensation (Act 96 of 1984)	$35.00	($35.00)	$0.00	$0.00	$0.00
Victim Witness Service (Act 111 of 1998)	$25.00	($25.00)	$0.00	$0.00	$0.00
Judicial Computer Project	$8.50	($8.50)	$0.00	$0.00	$0.00
ATJ	$1.50	($1.50)	$0.00	$0.00	$0.00
Domestic Violence Compensation (Act 44 of 1988)	$10.00	($10.00)	$0.00	$0.00	$0.00
Firearm Education and Training Fund	$5.00	($5.00)	$0.00	$0.00	$0.00
Prothonotary Filing Fee (York)	$31.00	($31.00)	$0.00	$0.00	$0.00
Photostatic Copies - Per Sheet (York)	$3.00	($3.00)	$0.00	$0.00	$0.00
OSP (York/State) (Act 35 of 1991)	$210.00	($210.00)	$0.00	$0.00	$0.00
OSP (York/State) (Act 35 of 1991)	$210.00	($210.00)	$0.00	$0.00	$0.00
Warrant Costs (York)	$69.00	($69.00)	$0.00	$0.00	$0.00
Costs/Fees Totals:	$843.00	($843.00)	$0.00	$0.00	$0.00
Restitution					
Restitution	$2,220.52	$0.00	($2,220.52)	$0.00	$0.00
Restitution	$2,220.52	($2,220.52)	$0.00	$0.00	$0.00
Restitution Totals:	$4,441.04	($2,220.52)	($2,220.52)	$0.00	$0.00
Grand Totals:	$5,284.04	($3,063.52)	($2,220.52)	$0.00	$0.00

** - Indicates assessment is subrogated

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0005945-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse A. Martin

CASE INFORMATION

Judge Assigned: Kelley, Thomas H.
Date Filed: 10/24/2005 Initiation Date: 07/21/2005
OTN: K 240677-3 LOTN:
Originating Docket No: MJ-19205-CR-0000236-2005
Initial Issuing Authority: Walter Groom
Final Issuing Authority: Walter Groom
Arresting Agency: Spring Garden Twp Police Dept
Arresting Officer: Hott, James D.
Complaint/Incident #: 0608
Case Local Number Type(s)
Case Local Number(s)

STATUS INFORMATION

Case Status: Closed

Status Date	Processing Status
06/10/2009	Completed
04/20/2009	Sentenced/Penalty Imposed
05/04/2006	Sentenced/Penalty Imposed
05/04/2006	Case Returned to Adjudicated
05/04/2006	Awaiting Sentencing
02/14/2006	Awaiting Trial
12/08/2005	Awaiting Pre-Trial Conference
10/24/2005	Awaiting Formal Arraignment
10/24/2005	Awaiting Filing of Information

Arrest Date: 07/21/2005

Complaint Date: 06/08/2005

Intv Add 65

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0005945-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse A. Martin

CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Arraignment	12/02/2005	9:00 am	Hearing Room 1	Deborah A. Heilman	Scheduled
Pre-Trial Conference	02/14/2006	1:30 pm	Courtroom 12	Judge John H. Chronister	Scheduled
Bench Warrant	05/04/2006	9:30 am	Courtroom 12	Judge John H. Chronister	Scheduled
Parole Violation Hearing	01/29/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Moved
Parole Violation Hearing	02/12/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Moved
Parole Violation Hearing	03/19/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Scheduled
Parole Violation Hearing	08/20/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Continued
Parole Violation Hearing	10/22/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Moved
Parole Violation Hearing	11/05/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Moved
Parole Violation Hearing	11/28/2007	9:30 am	Courtroom 12	Judge John H. Chronister	Scheduled
Parole Violation Hearing	10/20/2008	9:30 am	Courtroom 4	Judge Thomas H. Kelley	Scheduled
Parole Violation Hearing	04/20/2009	9:30 am	Courtroom 4	Judge Thomas H. Kelley	Scheduled

DEFENDANT INFORMATION

Date Of Birth: 11/19/1985

City/State/Zip: York, PA 17401

Alias Name
Martin, Demetriuse Jr.
Martin, Demetruise
Martin, Demitrius A.

CASE PARTICIPANTS

Participant Type	Name
Defendant	Martin, Demetriuse A. Jr.

Intv Add 66

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

CERTIFIED A TRUE COPY
DAN BYRNES
CLERK OF COURTS

Docket Number: CP-67-CR-0005945-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse A. Martin

BAIL INFORMATION

Martin, Demetriuse A. Jr. **Nebbia Status: None**

Bail Action	Date	Bail Type	Percentage	Amount	Bail Posting Status	Posting Date
Set	07/21/2005	Monetary		$1,000.00	Posted	07/28/2005

CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
2	2	M2	**18 § 3922 §§ A1**	Theft By Decep-False Impression	01/19/2005	K 240677-3

DISPOSITION SENTENCING/PENALTIES

Disposition
Case Event — Disposition Date — Final Disposition
Sequence/Description — Offense Disposition — Grade — Section
Sentencing Judge — Sentence Date — Credit For Time Served
Sentence/Diversion Program Type — Incarceration/Diversionary Period — Start Date
Sentence Conditions

Lower Court Proceeding (generic)
Lower Court Disposition — 10/20/2005 — Not Final
2 / Theft By Decep-False Impression — Held for Court (Lower Court) — M2 — 18 § 3922 §§ A1

Guilty Plea
Bench Warrant — 05/04/2006 — Final Disposition
2 / Theft By Decep-False Impression — Guilty Plea — M2 — 18 § 3922 §§ A1

Chronister, John H. — 05/04/2006
Confinement — Min of 3.00 Months, Max of 12.00 Months, Other — 04/28/2006
To pay such costs/restitution as has been imposed. 122.77
Credit for any time served

Chronister, John H. — 03/19/2007
Confinement — Min of 3.00 Months, Max of 12.00 Months, Other — 04/28/2006

Chronister, John H. — 11/28/2007
Confinement — Min of 289.00 Days, Max of 289.00 Days, Other — 11/28/2007
Defendant to serve the unserved balance
Reparole Effective after 3 months
Defendant is Remanded Forthwith

Kelley, Thomas H. — 04/20/2009

Intv Add 67

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0005945-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse A. Martin

DISPOSITION SENTENCING/PENALTIES

Disposition
Case Event
Sequence/Description
Sentencing Judge
Sentence/Diversion Program Type
Sentence Conditions

Disposition Date
Offense Disposition
Sentence Date
Incarceration/Diversionary Period

Final Disposition
Grade Section
Credit For Time Served
Start Date

Confinement

Other

Defendant to serve the unserved balance of 187 days
Reparole Effective after 90 days
Can apply for Outmate
Probation/Parole Terminated When Costs/Fines Paid in Full

COMMONWEALTH INFORMATION

Name:

Supreme Court No:

ATTORNEY INFORMATION

Name: Erin S. Thompson
Public Defender
Supreme Court No: 090172
Rep. Status: Active
Phone Number(s):
Address:
45 North George Street
York, PA 17401

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	07/21/2005		Groom, Walter
Bail Set - Martin, Demetriuse A. Jr			
1	07/28/2005		Bondsman
Bail Posted - Martin, Demetriuse A. Jr.			
1	10/24/2005		Court of Common Pleas - York County
Original Papers Received from Lower Court			
1	10/31/2005		Court of Common Pleas - York County
Assignment of Judge			
1	11/28/2005		Commonwealth of Pennsylvania
Information Filed			
1	12/02/2005		Thompson, Erin S.
Entry of Appearance			

Intv Add 68

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0005945-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse A. Martin

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	12/08/2005	12/02/2005	Court of Common Pleas - York County
Arraigned			
1	05/04/2006		Chronister, John H.
Guilty Plea			
2	05/04/2006		Chronister, John H.
Disposition Filed			
4	05/04/2006		Chronister, John H.
Order - Sentence/Penalty Imposed			
1	06/05/2006		Court of Common Pleas - York County
Penalty Assessed			
1	06/27/2006		Chronister, John H.
reparoled			
1	10/29/2006		Court of Common Pleas - York County
Delinquency Notice Filed - 87 Days Overdue			
1	11/30/2006		York County Adult Probation
Motion for Hearing on Violation of Probation/Parole			
1	02/06/2007		York County Adult Probation
Proof of service order 1/29/007			
1	02/22/2007		York County Court Administration
Proof of service order of 2/12/07			
1	03/02/2007		Court of Common Pleas - York County
Delinquency Notice Filed - 62 Days Overdue			
1	03/19/2007		Chronister, John H.
Order - Sentence/Penalty Imposed			
1	04/17/2007		York County Court Administration
Proof of service order of 3/19/07			

Intv Add 69

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0005945-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse A. Martin

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	06/15/2007		York County Adult Probation
Motion for Hearing on Violation of Probation/Parole			
1	06/19/2007		Chronister, John H.
Order Granting Motion for Hearing on Violation of Probation/Parole			
Commonwealth of Pennsylvania			
06/29/2007	Interoffice		
Martin, Demetriuse A. Jr.			
06/29/2007			
York County Adult Probation			
06/29/2007	Interoffice		
1	08/20/2007		Chronister, John H.
Parole Hearing Continued			
1	08/24/2007		York County Court Administration
Proof of Service-8/20/07 Order			
1	11/20/2007		York County Court Administration
Proof of service of Order 10/22/07			
1	11/28/2007		Chronister, John H.
Order - Sentence/Penalty Imposed			
1	12/07/2007		York County Court Administration
Proof of Service-11/5/07 Order			
1	02/11/2008		Court of Common Pleas - York County
Reassigned to Judge: Kelley, Thomas H.			
2	02/11/2008		York County Court Administration
Proof of Service-11/28/07 Order			
Martin, Demetriuse A. Jr.			
03/10/2008	First Class	03/24/2008	Returned - Undeliverable
1	02/14/2008		Kelley, Thomas H.
Order Granting Parole			
1	03/06/2008		Court of Common Pleas - York County
Delinquency Notice Filed - 250 Days Overdue			

Intv Add 70

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0005945-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse A. Martin

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
1	08/27/2008		York County Adult Probation
Motion for Hearing on Violation of Probation/Parole			
1	09/02/2008		Kelley, Thomas H.
Order Granting Motion for Hearing on Violation of Probation/Parole			
Commonwealth of Pennsylvania			
09/09/2008	Interoffice		
Martin, Demetriuse A. Jr.			
09/09/2008			
Thompson, Erin S.			
09/09/2008			
York County Adult Probation			
09/09/2008	Interoffice		
1	11/03/2008	10/20/2008	York County Court Administration
Proof of Service of Order 10/20/08			
York County Public Defender's Office		York County Court Administration	
11/03/2008	Hand Delivered		
1	04/14/2009		Court of Common Pleas - York County
Delinquency Notice Filed - 196 Days Overdue			
1	04/20/2009		Kelley, Thomas H.
Order - Sentence/Penalty Imposed			
1	05/01/2009		York County Court Administration
Proof of Service-4/20/09 Order			
1	06/08/2009		Martin, Demetriuse A. Jr.
Penalty Satisfied			
1	06/10/2009	06/09/2009	Kelley, Thomas H.
Order Supervision Terminated-Case Closed			
Unknown Recipient			
06/11/2009	Interoffice		
York County Adult Probation			
06/11/2009	Interoffice		
York County Prison			
06/11/2009	Fax		

Intv Add 71

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0005945-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse A. Martin

ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
Service To		Service By	
Issue Date	Service Type	Status Date	Service Status

COURT OF COMMON PLEAS OF YORK COUNTY

DOCKET

Docket Number: CP-67-CR-0005945-2005

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania
v.
Demetriuse A. Martin

CASE FINANCIAL INFORMATION

Last Payment Date: 06/09/2009 Total of Last Payment: -$936.37

Martin, Demetriuse A. Jr. Defendant	Assessment	Payments	Adjustments	Non Monetary Payments	Total
Costs/Fees					
Automation Fee (York)	$5.00	($5.00)	$0.00	$0.00	$0.00
Postage (York)	$10.00	($10.00)	$0.00	$0.00	$0.00
Constable Costs (York)	$97.60	($97.60)	$0.00	$0.00	$0.00
Constable Education Training Act	$5.00	($5.00)	$0.00	$0.00	$0.00
Clerk - County - Plea (York)	$132.50	($132.50)	$0.00	$0.00	$0.00
DA Misdemeanor (York)	$15.00	($15.00)	$0.00	$0.00	$0.00
Sheriff - Misdemeanor (York)	$2.00	($2.00)	$0.00	$0.00	$0.00
State Court Costs (Act 204 of 1976)	$9.37	($9.37)	$0.00	$0.00	$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	$8.03	($8.03)	$0.00	$0.00	$0.00
County Court Cost (Act 204 of 1976)	$26.10	($26.10)	$0.00	$0.00	$0.00
Crime Victims Compensation (Act 96 of 1984)	$35.00	($35.00)	$0.00	$0.00	$0.00
Domestic Violence Compensation (Act 44 of 1988)	$10.00	($10.00)	$0.00	$0.00	$0.00
Victim Witness Service (Act 111 of 1998)	$25.00	($25.00)	$0.00	$0.00	$0.00
Firearm Education and Training Fund	$5.00	($5.00)	$0.00	$0.00	$0.00
Judicial Computer Project	$8.00	($8.00)	$0.00	$0.00	$0.00
ATJ	$2.00	($2.00)	$0.00	$0.00	$0.00
Warrant Costs (York)	$69.00	($69.00)	$0.00	$0.00	$0.00
OSP (York/State) (Act 35 of 1991)	$140.00	($140.00)	$0.00	$0.00	$0.00
OSP (York/State) (Act 35 of 1991)	$140.00	($140.00)	$0.00	$0.00	$0.00
Warrant Costs (York)	$69.00	($69.00)	$0.00	$0.00	$0.00
Costs/Fees Totals:	$813.60	($813.60)	$0.00	$0.00	$0.00
Restitution					
Restitution	$122.77	($122.77)	$0.00	$0.00	$0.00
Restitution Totals:	$122.77	($122.77)	$0.00	$0.00	$0.00
Grand Totals:	$936.37	($936.37)	$0.00	$0.00	$0.00

** - Indicates assessment is subrogated