

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

JOHN WILLIAM LICCIONE,
Plaintiff,

v.

Case No. 8:24-cv-02005-SDM-NHA

RONALD DION DESANTIS, in his official capacity as Governor of Florida; **ANDREW DARLINGTON**, in his official capacity as Director of the Florida Election Crimes and Security; **CORY BYRD**, in his official capacity as Florida Secretary of State; **JULIE MARCUS**, in her official capacity as Pinellas County Supervisor of Elections, **MATT SMITH**; in his official capacity as General Counsel for the Pinellas County Supervisor of Elections; **MINDY PERKINS**, in her professional capacity as Chief Executive Officer of VR Systems, Inc.; **WENDY LINK**, in her official capacity as Palm Beach County Supervisor of Elections; **JANE DOE 1**, in her personal and professional capacities; and, additional **JOHN/JANE DOES**, in their official and individual capacities, including unknown Russian hackers who compromised election system software and the production information systems of VR Systems and their software development environment, Defendants.

VERIFIED FIRST AMENDED COMPLAINT

Plaintiff John William Liccione, pro se, brings this verified First Amended Complaint against the Defendants named above and alleges as follows:

I. INTRODUCTION

1. This case arises from systemic election fraud, foreign interference, election software and systems hacking, evidence tampering and subsequent cover-up and obstructive efforts orchestrated by state and county officials, private entities, and

others to include hostile foreign actors, acting in concert to undermine election integrity in August 20, 2024 primary and the November 5th general election. Plaintiff also alleges new death threats, extortion, and intimidation tactics employed against him after having filed this lawsuit, to suppress his claims.

2. This First Amended Complaint adds named Defendants Ronald Dion DeSantis, Andrew Darlington, Cory Byrd, Mindy Perkins, Wendy Link, Matt Smith, and Defendant “Jane Doe 1” and other unnamed Jane/John Doe defendants. It removes Defendants Dustin Chase, Jennifer Griffith, Mark Weinkrantz, Whitney Fox (already dismissed), and Nikki Fried (already dismissed).

II. JURISDICTION AND VENUE

3. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 (federal question jurisdiction) and 42 U.S.C. § 1983 (civil rights violations).

4. Venue is proper under 28 U.S.C. § 1391 because the events giving rise to this action occurred within this judicial district.

III. PARTIES

5. **Plaintiff: John William Liccione**, a Democratic candidate in the 2024 election for U.S. Representative for Florida’s 13th Congressional District and a registered voter in Pinellas County, Florida.

6. **Defendant Ronald Dion DeSantis:** Governor of the State of Florida, accused of using his position to direct this alleged Florida election fraud conspiracy, to obstruct criminal investigations by Defendants Darlington, Byrd, and others, and of undermining election integrity.

7. **Defendant Andrew Darlington:** Director of the Florida Election Crimes and Security Division, accused of using his position to further the conspiracy, obstruct investigations, and undermine election integrity.

8. **Defendant Cory Byrd:** Florida Secretary of State, the chief elections officer in Florida, accused of failing to oversee and address systemic election fraud and irregularities and to obstruct criminal investigations.

9. **Defendant Julie Marcus:** Pinellas County Supervisor of Elections, responsible for administering elections in Pinellas County and accused of participating in the cover-up of election fraud.

10. **Defendant Matt Smith:** General Counsel for the Pinellas County Supervisor of Elections, accused of obstructing investigations and concealing material records.

11. **Defendant Mindy Perkins:** CEO of VR Systems, Inc., a company responsible for providing election software to the State of Florida and at least 7 other states and is accused of enabling election fraud, the hacking of their election systems by Russia, and participating in the concealment of the hacking and fraud.

12. **Defendant Wendy Link:** Palm Beach County Supervisor of Elections, accused of failing to safeguard election systems and records against fraud and actively participating in efforts to obstruct discovery of election irregularities.

13. **Defendant Jane Doe 1:** A Florida private attorney accused of acting in furtherance of the conspiracy in coordination with Defendant Andrew Darlington.

14. **John/Jane Does 2-10:** As yet unknown individuals, including Russian hackers alleged to have compromised election systems and facilitated fraud in the 2016 and 2024 elections.

IV. NON-PARTY NECESSARY WITNESSES AND/OR INTERESTED PARTIES

15. **John Siamas:** Former candidate for the Florida State Senate District 21 who filed a lawsuit in Florida Circuit Court, Leon County, **Case No. 2024-CA-001457**, exposing fraudulent activity within VR Systems' software and systemic failures in voter record management and a total breakdown in internal controls within the Pinellas County Supervisor of Elections office and the State Division of Elections.

16. **Jeffrey Buongiorno:** Candidate for Palm Beach County Supervisor of Elections running against Defendant Link, and the plaintiff in **Case No. 9:24-CV-80920-AMC** in U.S. District Court for the Southern District of Florida, alleging widespread vote-by-mail fraud.

17. **Chris Gleason:** Candidate for Pinellas County Supervisor of Elections running against Defendant Marcus and the plaintiff in **Case No. 24-003717-CI**, exposing fraudulent vote-by-mail ballot order data manipulation and unlawful ballot issuance practices in Pinellas County.

18. **Samuel Thompson:** Candidate for Clerk of the Circuit Court and Comptroller in Palm Beach County, and the plaintiff in **Case No. 50-2024-CA-011346**, highlighting voter ID verification failures, fraudulent ballot issuance, and systemic data tampering.

V. FACTUAL ALLEGATIONS

A. Evidence from the Reality Winner leaked NSA report and DOJ Indictments against Russian GRU Hackers that Breached VR Systems in 2016 to Get Trump elected.

19. The top-secret NSA report leaked to The Intercept by NSA whistleblower Reality Winner in 2017¹ revealed that Russian GRU operatives successfully hacked VR Systems' software and employee administrator accounts during the 2016 election in an effort to get Donald Trump elected president. It began with spearphishing campaigns that targeted VR Systems employees and their admin

¹ EXHIBIT A: *Report: The NSA Knew Russia Hacked a U.S. Voting Software Supplier Before the Election. What Now?*, The Intercept, June 6, 2027; <https://www.gq.com/story/the-intercept-russia-hack-report>

accounts. This was confirmed in the Robert Mueller DOJ indictment of 12 Russian GRU hackers.²

20. The compromised systems were used to manipulate voter registration data and facilitate election fraud during the 2016 Presidential Election. This was not limited to just Florida, but several other states that used VR Systems election software.

21. Page 26, Paragraph 76 in the Mueller Indictment reads as follows:

“76. In or around November 2016 and prior to the 2016 U.S. presidential election, KOVALEV and his co-conspirators used an email account designed to look like a Vendor 1 email address to send over 100 spearphishing emails to organizations and personnel involved in administering elections in numerous Florida counties. The spearphishing emails contained malware that the Conspirators embedded into Word documents bearing Vendor 1’s logo.”

22. Eight years later, evidence uncovered during the 2024 primary and general elections by Plaintiff and 4 other candidates demonstrates a more sophisticated cyberattack that exploited vulnerabilities in VR Systems Voter Focus vote-by-mail (VBM) ballot ordering software, and VR Systems production servers running that software, in several Florida counties (and possibly across 7 other states such as Georgia, North Carolina, and Texas).

² **EXHIBIT B:** The Robert Mueller DOJ Unsealed Indictment of Russian GRU Hackers, *United States of America v. Viktor Borisovich Netyksho, et al*, 1:18-cr-00215-ABJ, filed July 13, 2018.

23. A massive number of fraudulent VBM orders missing voter ID information (SSAN-last 4 and driver's license numbers) on June 23 and June 26 of 2024 were submitted to Pinellas and Miami-Dade counties' Supervisors of Elections over the Internet. The hackers manipulated voter registration data, and then they retroactively tampered with and modified (on September 9, 2024) the historical record of those VBM ballot orders that had been submitted on June 23rd in Pinellas County.

24. The VBM ballot fraud was large enough to alter the outcome of Plaintiff's primary election on August 20th, the elections in other Pinellas county primary races, and in the general election races on November 5th, 2024. This includes potentially the re-election of Donald Trump, the re-election of Congresswoman Anna Paulina Luna, and the elections of others such as: (1) FL Senate candidate Edward Hooper; (2) Defendant Julie Marcus (Pinellas Supervisor of Elections); (3) Defendant Wendy Link (Palm Beach Supervisor of Elections), and Adam Anderson (District 57 FL House).

25. In the most recent act in furtherance of this election fraud conspiracy, on December 2, 2024, Defendant Jane Doe 1, a Florida lawyer and social advocate with ties to the Ron DeSantis administration, arranged and hosted a Zoom videoconference meeting involving Defendant Andrew Darlington and John Siamas (a former Florida State Senate candidate who allegedly lost to Edward

Hooper in the August 20th primary) who is an interested party and necessary witness in this case.

26. The meeting was hosted on Jane Doe 1's Zoom account, bypassing official state communication channels to avoid transparency and oversight, and to leave no trace of the on-line meeting on any public record.

27. During the meeting, Darlington requested Siamas' data regarding the aforementioned vote-by-mail (VBM) ballot anomalies, including the unexplained massive spikes in VBM requests in Pinellas and Miami-Dade counties on June 23rd and 26th which had Social Security and driver's license numbers labeled as non-existent in over 80 percent of VBM ballot requests, as was shown in FL state election records.

28. Siamas expressed concerns as to why Darlington, as Director of the Florida Election Crimes and Security Division and the chief election crimes law enforcement officer in Florida, was asking *him* to provide Darlington the State's own VBM ballot ordering data the State itself had published.

29. Jane Doe 1's role was to broker and facilitate the Zoom meeting, as she, not Darlington or anyone from his office, had made the initial outreach to Siamas, where she would drop Darlington's name as an enticement.

30. Siamas later described the meeting to Plaintiff as a thinly disguised attempt to assess the strength of his election fraud case against Darlington's bosses such as

Florida Secretary of State Cory Byrd and Governor Ron DeSantis and other State and county elections officials.

31. Plaintiff alleges that this Zoom conference, convened at the request of Defendant Darlington through his proxy Jane Doe 1, represents the latest act in furtherance of this election fraud conspiracy to conceal election fraud exposed in Siamas' and Plaintiff's and other candidates' lawsuits, and to obstruct what legitimately should be a criminal election fraud investigation by Defendants Darlington and Byrd in their official administration and law enforcement duties.

Death Threat and Coercion Against Plaintiff to Drop Lawsuits

32. On November 15, 2024, Plaintiff received a disturbing email titled "GoneGetGaetz," threatening him to abandon his lawsuits and stop political activities against Donald Trump, Anna Luna, Matt Gaetz, and Lauren Boebert, or face harm, ruin, or expulsion from the country. The email stated that Plaintiff was on a hit list being developed by the incoming Trump administration.³

33. The sender used a "burner" one-time use email account *gonegetgaetz@proton.me*, which was deleted before Plaintiff could respond.

Evidence of Unlawful Vote-by-Mail Ballot Requests on a Massive Scale

34. On June 23, 2024, over 219,000 VBM requests were processed in Pinellas County by VR Systems' Voter Focus production servers hosted on behalf of the

³ EXHIBIT C: Threatening "GoneGetGaetz" email threat/warning to John Liccione, 11/15/24.

Pinellas County Supervisor of Elections under the domain name

pinellas.electionsfl.org.⁴

35. Ninety-six point eight percent (96.8%) were recorded as lacking required voter identification (SSAN last 4 and/or driver's license number). It is noted that Plaintiff ordered his own vote-by-mail ballot in September of 2024 and the VBM ballot request form cannot even be submitted unless at least one of the SSAN/Driver's License fields are filled in.

36. Deceased Voters: VBM ballots were requested for deceased individuals.

37. Systemic Internal Control Failures: VR System's Voter Focus software used in Florida counties permitted administrators, or hackers using hacked administrator accounts, to turn off fraud detection features, and to wipe or modify the records, facilitating fraudulent VMB ballot orders, the down-stream counting of fraudulently marked blank ballots mailed to the fraudsters, and the after-the-fact obstruction by State and County-level election officials to conceal the evidence.

Evidence from the Thompson Lawsuit

38. Palm Beach County Irregularities: Of 292,292 VBM requests, 19,649 lacked identification. Fraud detection systems were overridden, allowing issuance of these requests.

⁴ **EXHIBIT D:** Screenshots of Liccione Wireshark packet capture recorded during his VBM request session with the Pinellas Supervisor of Elections website (VR Systems Voter Focus) on September 27, 2024, showing DNS resolution to domain pinellas.flelections.org and other metadata.

39. Manual Overrides: After discrepancies were exposed by Plaintiff and the other named candidates in their lawsuits, VBM count records were fraudulently altered retroactively to appear compliant with statutory requirements.

Russian Hacking/Foreign Interference

40. Forensic analysis identified cyber intrusion consistent with Russian GRU hacking operations targeting VR Systems during the 2016 election to get Trump elected. Similar or more sophisticated tactics were employed in 2024, generated fraudulent batch VBM orders with absent mandatory voter identification, manipulation of voter rolls - once again to the benefit of Donald Trump and this time, Anna Paulina Luna, Edward Hooper, Julie Marcus, Wendy Link, Adam Anderson, and other victorious candidates.

Fraudulent Concealment of IP Addresses of VBM Ballot Requesters
on June 23, 2024

41. On August 30, 2024, Plaintiff submitted a very narrowly focused public records request as CEO of **The Crabber News** (Request no. 2024-392) to the Pinellas Supervisor of Elections⁵ requesting the IP addresses and timestamps of all VBM ballot requests submitted on Sunday June 23, 2024, as follows:

*“A .csv file or excel spreadsheet report showing **the source IP address of each and every individual who submitted an absentee ballot request to the Pinellas Supervisor of Elections over the Internet on June 23,***

⁵ **EXHIBIT E** – Email thread of Liccione public records request for IP addresses of VBM ballot requests on June 23, 2024, and PSOE General Counsel Matt Smith’s responses.

2024. The report need not provide any personally identifiable information, just the following 2 columns: (1) Date/Time of submission; (2) Source IP Address of submitter. It is noted that this type of metadata is typically available as a cybersecurity standard practice in web server logs, firewall logs, cloud service provider (e.g., Cloudflare) reports, and other off-the-shelf IT logging and reporting systems. It would typically take an IT person with proper access credentials less than 30 minutes to generate it and export it to a csv or Excel file."

42. After 18 days of silence PCSOE General Council Matt Smith replied via email and gave this one-sentence, completely non-responsive response: "***We have no records responsive to your request.***"

43. Plaintiff requested an in-person meeting with Smith and others at the PCSOE to discuss the matter. Smith refused, citing Plaintiff's pending litigation against the PCSOE and referring Plaintiff to litigation counsel.

44. On September 3 2024, after the election results were certified by the State of Florida and the PCSOE, Plaintiff filed his related State lawsuit against Julie Marcus, et al in Florida's 6th Circuit Court: Case no. 24-003939-CI.

45. On September 12 2024, Plaintiff Liccione served the Case 24-003939-CI summons, the 1st Amended Complaint, and his 1st Request for Production of Documents on Defendant Julie Marcus. He he demanded production of the June 23rd VBM requestor IP addresses and timestamps (and added related voter and cybersecurity forensic metadata to the request.⁶

⁶ **EXHIBIT F:** Plaintiff's Request for Production of IP Addresses of VBM Ballot requestors in Case no. 24-003939-CI.

Violation of Discovery Rules, The FL Public Records Act, Fraudulent Concealment, Obstruction

46. On October 22, 2024, Defendant Marcus' attorney, Kirby Kreider, requested an extension of the discovery deadline, claiming that the requested records were held by an unidentified external contractor and would require an additional time to retrieve.

47. During this discussion, Kreider refused to confirm, when pressed by Plaintiff, whether the contractor retained the requested records or could produce them, suggesting a deliberate effort to delay and obstruct the discovery process.

48. Plaintiff provided Defendant Marcus' counsel with evidence, including excerpts from the Voter Focus on-line user manual, demonstrating that the Voter Focus software records, stores, retains, and performs fraud detection based on the IP addresses used by mail ballot requestors, and that the fraud detection feature can be disabled by Voter Focus administrators.⁷ Despite this, Defendant's counsel denied knowledge of these capabilities and failed to provide assurances that the records would be produced even within another 45 days.

49. Plaintiff filed a 12-page Motion to Compel Discovery of the IP Address records against Defendant Marcus in 24-003939-CI on October 28, 2024.⁸

⁷ **EXHIBIT G:** Liccione email to Attorney Kirby Kreider with Voter Focus User's manual pages proving IP Address record retention for VBM ballot orders and fraud detection.

⁸ **EXHIBIT H:** Liccione Motion to Compel Discovery of IP Address Records against Julie Marcus in FL case 24-003939-CI.

50. To date, Defendant Marcus and her attorneys have continued to stonewall in the State case until, on October 20, 2024, the FL 6th Circuit Court presiding judge Patricia Muscarella, issued an order staying proceedings, including stay of discovery, until after a final judgement is entered in this federal case, which won't get to trial until at least January 2026.

51. Plaintiff alleges that Defendant Marcus and her attorneys, including Matt Smith, Kirby Kreider, and Andrew Keefe, acting at the direction of Governor Ron DeSantis, Secretary of State Cory Byrd and Division of Elections Director Maria Mathews, and Election Crimes and Security Director Andrew Darlington, are actively concealing the existence of critical records that would identify the source of the fraudulent 219,000+ mail ballot requests received on June 23, 2024.

52. Defendants Marcus and Smith's refusal to produce these records, and even, in Smith's case, to claim the records don't even exist when it is obvious they do exist, constitutes a violation of both the Florida Public Records Act and the Florida rules of discovery, and it further supports allegations of a post-election cover-up by way of fraudulent concealment and obstruction of justice.

53. Plaintiff alleges that the Defendants have acted in concert to obstruct justice by denying access to public records and discovery materials critical to Plaintiff's claims of election fraud.

54. On September 9, 2024, the State of Florida's vote-by-mail request file made downloadable to candidates by the State, then reflected that 198,259 mail ballot requests were received in a single day under the general election's ID number.

This serves to extend the appearance of election fraud out to the general election.

55. Plaintiff has presented evidence that the Voter Focus software includes fraud detection features that capture and analyze the IP addresses of mail ballot requestors and flags potential fraud for investigation in its "fraud case management system." The refusal to produce these records hinders the investigation and discovery of potential foreign interference, including IP addresses linked to foreign entities, such as Russia, China, and Iran.

56. Defendants' actions have delayed Plaintiff's ability to substantiate his claims, deprived him of critical evidence, and represent a willful effort to impede the legal process.

Fraudulent Concealment

57. Plaintiff alleges that the failure to produce the IP addresses and related metadata and constitutes fraudulent concealment, as well as wire fraud, as Defendants are aware of the records' existence and their relevance to this case.

58. The retroactive adjustment of the June 23, 2024 mail ballot request count, which occurred in early September shortly after Plaintiff and others filed their

election fraud lawsuits, further evidences a concerted effort by Defendants to manipulate election records and obscure the truth regarding election irregularities.

59. Defendants' intentional withholding of these records violates their obligations under Florida law and the Rules of Civil Procedure, warranting judicial intervention to compel disclosure and address this misconduct.

The Wendy Link Public Declaration that she will never release the IP addresses of VMB Ballot Requestors During Sun Sentinel Debate

60. On September 5, 2024, during a recorded public debate with her opponent Jeff Buongiorno that was hosted by the Sun Sentinel's editorial board, Defendant Wendy Link declared that she would *never* release the IP addresses of VBM ballot requestors.

61. This declaration by Link can be seen as an admission of guilt and criminal intent, obstruction of justice, fraudulent concealment, and various election crimes.

62. On information and belief, Defendants Marcus and Link's marching orders are flowing down from Governor Ron DeSantis, through Secretary of State Byrd, and through the State Division of Elections Director Maria Matthews and Defendant Darlington, and then down to all of Florida's County supervisors of elections, as well as over to the CEO of VR Systems, Defendant Mindy Perkins.

63. The cumulative evidence from publicly available State records as disclosed in lawsuits and investigations reveals a coordinated effort involving a hostile foreign power, state and local election officials, and private individuals, with systemic

breaches of voter identification protocols, intentional failures to uphold election laws, and violation of Florida Public Records act and violation of the rules of discovery under color of law.

V. CLAIMS FOR RELIEF

COUNT I: Violation of 42 U.S.C. § 1983 – Deprivation of Civil Rights

Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

64. **Against Defendants:** Ron DeSantis, Andrew Darlington, Cory Byrd, Julie Marcus, Matt Smith, Wendy Link, Jane Doe 1, and John/Jane Does 2-10.

65. **Conduct:** Defendants acted under color of state law to deprive Plaintiff of his constitutional rights, including the right to a fair election and equal protection under the law, by facilitating election fraud, obstructing investigations, and concealing evidence.

66. **Damages:** Plaintiff suffered harm as:

- a. **A voter:** His vote was diluted and canceled by fraudulently ordered and cast vote-by-mail ballots and manipulated election results in both the primary and general elections.
- b. **A candidate:** His Congressional candidacy was undermined, depriving him of a fair electoral process, directly causing his loss.

- c. **A plaintiff:** Defendants' acts of obstruction hindered his ability to gather evidence and pursue legal redress, both before and after the election results were certified, resulting in financial and emotional harm.

COUNT II: Violation of Federal Election Laws (52 U.S.C. § 20511)

Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

67. **Against Defendants:** Ron DeSantis, Cory Byrd, Julie Marcus, Matt Smith, Wendy Link, and Mindy Perkins.

68. **Conduct:** Defendants knowingly engaged in fraudulent activities, including the concealment of metadata and facilitation of fraudulent vote-by-mail requests, materially interfering with the integrity of federal elections.

69. **Damages:** Plaintiff suffered harm as:

- a. **A voter:** His constitutional right to participate in an untainted election process was violated.
- b. **A candidate:** Fraudulent activity altered the election outcome, depriving him of fair competition.
- c. **A plaintiff:** His ability to substantiate claims of election fraud was obstructed, causing reputational and financial harm.

COUNT III: Conspiracy to Commit Election Fraud

Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

70. **Against Defendants:** Ron DeSantis, Andrew Darlington, Cory Byrd, Julie Marcus, Matt Smith, Wendy Link, Mindy Perkins, Jane Doe 1, and John/Jane Does 2-10.

71. **Conduct:** Defendants conspired to commit election fraud by manipulating voter data, suppressing evidence, and retroactively altering records to conceal fraudulent vote-by-mail requests.

72. **Damages:** Plaintiff suffered harm as:

- a. **A voter:** His vote was devalued by widespread fraud.
- b. **A candidate:** The conspiracy directly impacted the outcome of his election.
- c. **A plaintiff:** Plaintiff's ability to litigate was undermined through intentional concealment and obstruction.

COUNT IV: Violation of the Florida Public Records Act - Fla. Stat. § 119.01 (2024)

Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

73. **Against Defendants:** Julie Marcus, Matt Smith, Wendy Link, and John/Jane Does 2-10.

74. **Conduct:** Defendants willfully failed to produce records, including metadata and IP addresses related to vote-by-mail requests, in violation of Florida's Public Records Act.

75. **Damages:** Plaintiff suffered harm as:

- a. **A voter:** Denied transparency in the election process, undermining his confidence in democracy.
- b. **A candidate:** Lack of access to records concealed fraud that influenced the election.
- c. **A plaintiff:** Obstruction of public records delayed and hindered Plaintiff's ability to pursue legal remedies.

COUNT V: Fraudulent Concealment

Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

76. **Against Defendants:** Julie Marcus, Matt Smith, Mindy Perkins, and John/Jane Does 2-10.

77. **Conduct:** Defendants concealed material facts, including metadata and vote-by-mail records, with the intent to obstruct investigations and deceive Plaintiff and the public.

78. **Damages:** Plaintiff suffered harm as:

- a. **A voter:** Fraudulent concealment perpetuated election fraud, violating his rights.
- b. **A candidate:** Lack of transparency allowed fraud to affect the election outcome, harming his candidacy, and directly resulting in Plaintiff's defeat..
- c. **A plaintiff:** Concealment of evidence caused delays, additional costs, and emotional distress in pursuing legal action.

COUNT VI: Violation of the Computer Fraud and Abuse Act 18 U.S.C. § 1030 (CFAA)

Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

79. **Against Defendants:** Mindy Perkins, Julie Marcus, Wendy Link, and John/Jane Does 2-10.

80. **Conduct:** Unauthorized access to protected election systems and metadata facilitated fraudulent vote-by-mail requests and voter record manipulation.

81. **Damages:** Plaintiff suffered harm as:

- a. **A voter:** Cyber intrusions compromised election integrity and his participation in the process.
- b. **A candidate:** Manipulated records and fraud undermined his ability to compete fairly, directly resulting in Plaintiff's defeat.
- c. **A plaintiff:** Defendants' conduct caused delays and increased costs in obtaining critical forensic evidence.

COUNT VII: Violation of the Racketeer Influenced and Corrupt Organizations Act (RICO) (18 U.S.C. §§ 1961-1968)

Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

82. **Against Defendants:** All defendants.

83. **Conduct:** Defendants engaged in a coordinated corrupt enterprise involving multiple criminal acts within the span of seven months in 2024 to include fraudulent vote-by-mail requests, obstruction of investigations, and retroactive alteration and destruction of electronic election records, wire fraud, violation of the Florida Public Records Act, constituting racketeering activity.

84. **Damages:** Plaintiff suffered harm as:

- a. **A voter:** Systemic fraud diluted his vote and undermined democratic processes.

- b. **A candidate:** Racketeering activities distorted the election's outcome, depriving him of fair competition, directly resulting in Plaintiff's defeat.
- c. **A plaintiff:** Efforts to obstruct justice impeded his ability to prosecute claims and seek redress.

COUNT VIII: Obstruction of Justice Under 18 U.S.C. § 1503

Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

85. **Against Defendants:** All Defendants.

86. **Conduct:** Defendants intentionally obstructed Plaintiff's judicial proceedings by refusing to produce evidence, retroactively altering records, and misrepresenting the existence of metadata and violating rules of civil procedure on discovery.

87. **Damages:** Plaintiff suffered harm as:

- a. **A voter:** Denied accountability in the electoral process.
- b. **A candidate:** Obstruction concealed fraudulent activities that influenced the election outcome and resulted in Plaintiff's election defeat.

- c. **A plaintiff:** Obstruction caused significant delays in Plaintiff's judicial proceedings, financial loss, emotional distress, and inability to prosecute his claims.

COUNT IX: Intentional Infliction of Emotional Distress

Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

88. **Against Defendants:** Ron DeSantis, Julie Marcus, Matt Smith, Jane Doe 1, and John/Jane Does 2-10.

89. **Conduct:** Defendants engaged in extreme and outrageous conduct, including death threats, suppression of Plaintiff's claims, and obstructive tactics, intending to cause severe emotional distress.

90. **Damages:** Plaintiff suffered harm as:

- a. **A voter:** Emotional distress from threats and undermined confidence in democracy.
- b. **A candidate:** Threats and intimidation interfered with his campaign and placed him in fear for his life.
- c. **A plaintiff:** Psychological and emotional harm due to Defendants' malicious conduct.

COUNT X: Fraudulent Misrepresentation

Plaintiff incorporates by reference all preceding paragraphs as if fully set forth herein.

91. **Against Defendants:** Julie Marcus, Matt Smith, Mindy Perkins, Wendy Link, and John/Jane Does 2-10.

92. **Conduct:** Defendants knowingly misrepresented the existence of records and metadata pertaining to mail ballot order processing, to deceive Plaintiff, obstruct investigations, and delay litigation.

93. **Damages:** Plaintiff suffered harm as:

- a. **A voter:** Fraudulent misrepresentation perpetuated fraud in the election process.
- b. **A candidate:** Lack of transparency allowed election fraud to influence the outcome, directly resulting in Plaintiff's election defeat.
- c. **A plaintiff:** Deception delayed litigation, increased costs, and caused reputational harm.

VI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court:

- A. Declare the actions of Defendants unconstitutional and unlawful.

- B. Grant injunctive relief to preserve election records and order production of requested records by Defendants Marcus, Link, Darlington, Byrd, and DeSantis.
- C. Award compensatory and punitive damages in an amount to be determined at trial.
- D. Award treble RICO damages, costs, attorneys' fees, and pre- and post-judgement interest.
- E. Order the invalidation of all unlawfully ordered, processed, voted, and counted VBM ballots in the August 20th FL Primary election in Plaintiff's congressional primary race, in the Anna Paulina Luna vs Whitney Fox general election congressional CD-13 race, and in the Florida presidential race, and the de-certification of each races election results.

VII. DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury on all issues so triable.

Respectfully submitted,

/s/ John W. Liccione

John William Liccione, Pro Se
6800 Gulfport Blvd S. Ste 201-116
South Pasadena, FL 33707
443-698-8156
jliccione@gmail.com