

STATE OF WISCONSIN

WISCONSIN ELECTIONS COMMISSION

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THE MATTER OF:  
NOMINATION PAPERS FILED BY TONY  
WIED WITH RESPECT TO THE August 13,  
2024, SPECIAL ELECTION FOR U S  
REPRESENTATIVE, 8TH CONGRESSIONAL  
DISTRICT OF WISCONSIN.

Tony Theisen  
931 S Baird St  
Green Bay,  
Wisconsin 54301

Complainant,

v.

Tony Wied  
514 Randall Ave,  
De Pere, WI 54115

Respondent.

Case No \_\_\_\_\_

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**VERIFIED COMPLAINT**

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1. This Verified Complaint is made pursuant to Wis. Stat. § 5.06, Wis. Admin. Code § EL 2.07, and other Wisconsin laws governing elections and election campaigns.

2. Complainant Tony Theisen is a Wisconsin Elector residing at 931 S Baird St, Green Bay, Wisconsin 54301.

3. Upon information and belief, Respondent Tony Wuid is a resident of Wisconsin and resides at 514 Randall Ave, De Pere, WI 54115.

4. Respondent Tony Wied filed or caused to be filed on his behalf nomination papers with the Wisconsin Election Commission ("WEC") on June 3, 2024, to qualify for the ballot for U.S. Representative, 8<sup>th</sup> Congressional District of Wisconsin Special Election.

5. To qualify for the ballot as a candidate for Representative in Congress, Respondent was required to timely submit at least 1,000, and no more than 2,000, valid signatures of electors by June 1, 2024. Wis. Stat. § 8.15(6)(b).

6. Upon information and belief, the Respondent filed 1,670 signatures for verification to the Wisconsin Election Commission.

7. This Verified Complaint is timely filed on June 6, 2024, which is within three calendar days of the deadline for submission of nomination papers on June 1, 2024. Wis. Admin. Code § EL 2.07(1); Wis. Stat. § 8.15(1).

8. The Wisconsin Elections Commission has jurisdiction over this Complaint as provided in Wis. Admin. Code § EL 2.07.

### **Argument**

9. As a result of fraudulent tactics to procure signatures, the Respondent has submitted numerous invalid nominating signatures to qualify for the August 13, 2024, Special election ballot.

10. These fraudulent signature-gathering tactics violated Wisconsin law and affronted the Republican Party's commitment to the rule of law and election integrity.

11. The Wisconsin Supreme Court has made clear that "[i]f the right to vote is to have any meaning at all, elections must be conducted according to law." *Teigen v. Wisconsin Elections Comm'n*, 976 N.W.2d 519, 529 (Wis. 2022).

12. "Elections are one of the most important features of our Republic, and upholding the rules and procedures prescribed for elections, according to the laws enacted by the Legislature, reinforces the sanctity of the rule of law and reassures all Americans of the integrity of our elections." *Id.*

13. As a candidate for public office, Respondent Wied "has the responsibility to assure that his or her nomination papers are prepared, circulated, signed, and filed in compliance with statutory and other legal requirements." Wis. Admin. Code § EL 2.05(1).

14. Respondent Wied has failed to uphold his responsibility to ensure his nomination papers were circulated and signed in compliance with the law.

15. The Complainant personally observed canvassers deploying fraudulent tactics to induce voters to sign the Respondent's nomination papers. *See* Affidavit of Tony Theisen.

16. On May 25, 2024, at approximately 11:15 am, Complainant personally observed two of Respondent Wied's circulators collecting nomination signatures for the Respondent outside the Green Bay Farmers Market. *Id.*

17. The circulators deliberately misled electors to believe that they were providing signatures for "housing for the homeless" when, in reality, they were signing the Respondent's nominating papers. *Id.*

18. To be statutorily valid, nominating papers must include a signed certification that each elector "signed the paper with full knowledge of its content." Wis. Stat. §8.15(4). Because these circulators deliberately misrepresented the content and purpose of the nominating papers,

the electors did not have “full knowledge of its content”; therefore, these nominating papers included false certifications of the circulators.

19. These false witness certifications violated Wisconsin law and necessarily invalidated these nominating petitions. Wis. Stat. § 8.15(4)(a); Wis. Admin. Code § EL 2.05(14).

20. When a candidate's nomination papers are deficient on their face, no signatures on that paper may be counted toward the statutorily required number of signatures. *See* Wis. Admin. Code § EL 2.073(a); Wis. Stat. § 8.07.

21. Further, the fraudulent conduct observed by the Complainant invalidates every nomination paper collected by this circulator. *See* Ex. A.

22. Upon information and belief, the Complainant has identified one of the two circulators that it observed misleading voters.

23. This identified circulator was responsible for 228 number of signatures for the Respondent.

### **Conclusion**

24. For the foregoing reasons, Respondent Wied has submitted numerous nominating papers that WEC must determine are invalid.

25. Even if the removal of the explicitly cited signatures leaves the Respondent with sufficient valid signatures to appear on the ballot, given the evidence of fraudulent activity related to the circulations of the Respondent's nominating papers, WEC should conduct a thorough investigation into all of the nominating petitions by the Respondent and should not certify the Respondent until the conclusion of its investigation.

26. Alternatively, if WEC determines a thorough investigation of the alleged fraudulent activity is outside the scope of a challenge to the Respondent's nomination papers, WEC should utilize its statutory authority to investigate the alleged unlawful conduct.

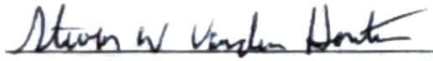
STATE OF WISCONSIN )  
 )  
COUNTY OF Brown )

Tony Theisen, being first duly sworn on oath, deposes and states as follows:

1. That Tony Theisen is an elector of the State of Wisconsin.
2. That Tony Theisen, being first duly sworn on oath, state that I personally read the above Complaint and that the above allegations are true based on my personal knowledge, except as to those matters therein stated upon information and belief or based upon exhibits filed in support of this Verified Complaint, as to which matters he believes them to be true.

  
Tony Theisen

Subscribed and sworn to before me  
this 6<sup>th</sup> day of June, 2024

  
Notary Public, State of Wisconsin  
Commission expires: June 8, 2025



STATE OF WISCONSIN

WISCONSIN ELECTIONS COMMISSION

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THE MATTER OF  
NOMINATION PAPERS FILED BY TONY WIED  
WITH RESPECT TO THE August 13, 2024  
SPECIAL ELECTION FOR U.S.  
REPRESENTATIVE, 8TH CONGRESSIONAL  
DISTRICT OF WISCONSIN.

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**AFFIDAVIT OF TONY THEISEN**


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STATE OF WISCONSIN    )  
                                  )  
COUNTY OF Brown    )

Tony Theisen, being duly sworn, states as follows:

1. I am over 18 years of age.
2. I make this affidavit in reference to the above-captioned matter.
3. I have personal knowledge of the matters set forth herein, and if called as a witness, I could and would testify competently as to the truth of such matters.
4. I served on the Green Bay City Council for 28 years.
5. Over the past 30 years, I have collected nominating signatures for my campaigns and for numerous other campaigns in the state of Wisconsin.
6. From this experience, I have extensive knowledge of the process and the rules and regulations related to nominating papers.
7. On Saturday, May 25, at approximately 11:15 am, I personally observed two circulators collecting nominating signatures for Tony Wied at the Green Bay Farmers Market.
8. I heard two Tony Wied circulators tell people the petitions were for "housing for the homeless."

9. I was within a distance of the circulators, where I was able to clearly see that the papers the two circulators were holding were nominating papers for the special election. The papers clearly had Tony Wied printed on the nominating papers. The box for the special election was also marked.
10. Upon information and belief, one of the two circulators was Joyce Klepacki.

  
\_\_\_\_\_  
Tony Theisen

Subscribed and sworn to before me  
this 6<sup>th</sup> day of June, 2024

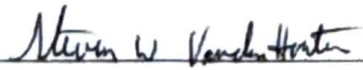
  
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Notary Public, State of Wisconsin  
Commission expires: June 8 2025



Exhibit A

<b>Petition Page #</b>	<b>Page Signature Count</b>
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35	7
36	8
37	10
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