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21 November 2024

U.S. ATTORNEY EASTERN DISTRICT OF PENNSYLVANIA (EDPA)

JACQUELINE C. ROMERO

615 Chestnut Street, Suite 1250

Philadelphia, PA 19106

usapae.USAttorney@usdoj.gov

9589 0710 5270 1129 6903 22 - Delivered 11/25/24

SUBJECT: FEDERAL DISCLOSURE OF DELIBERATE ELECTION INTERFERENCE BY DIANE ELLIS-MARSEGLIA, A PROPERLY ELECTED BUCKS COUNTY COMMISSIONER, RESPONSIBLE FOR THE CONDUCT OF A FREE AND FAIR NATIONAL ELECTION IN BUCKS COUNTY PENNSYLVANIA ON 20 NOVEMBER 2024 IN VIOLATION OF 18 U.S.C. § 595; 18 U.S.C. 242; 18 U.S.C. 1346; AND 18 U.S.C. § 1505

1. As my appointed U.S. Attorney, I am sure you are fully aware, that states have primary responsibility for administering elections; however, the **federal government** maintains significant authority over elections which **includes** safeguarding the safety and integrity of congressional elections, see enclosure (1).¹

2. I am also confident that the U.S. Attorney is aware of the statutory duty to prosecute all offenses against the United States [28 U.S.C. § 547(1)].²

3. Because Executive Branch (Article II) administrative "policies, protocols, memorandums, bulletins, monographs,"³ and/or historical traditions" do not supplant, subvert, obstruct, hinder, modify or supersede statutory law, I remain confident that proceedings before the federal government (criminal investigation) [18

¹ **ARTICLE I, SECTION 4, CLAUSE 1, U.S. CONSTITUTION.** Known as the Elections Clause, states, "*The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of [choosing] Senators.*"

² **U.S. ATTORNEY-DUTIES [28 U.S.C. § 547].** See: <https://www.law.cornell.edu/uscode/text/28/547>

³ Department of Justice (DOJ), Criminal Division (CRM), Public Integrity Section (PIN), Election Crimes Branch (ECB) *Federal Prosecution of Election Offense*. Monograph. 8th Edition, December 2017. See: <https://www.justice.gov/criminal/file/1029066/dl?inline>

U.S.C. § 1505⁴ will not delay U.S. Attorney **ROMERO** from expeditiously performing criminal investigative action, necessary to preserve evidentiary base (witness statements & documentation) properly disclosed to a duly appointed Officer of the United States.^{5,6,7}

4. On 14 November 2024, **DIANE M. ELLIS-MARSEGLIA**, in her official capacity as the Bucks County Board Chairman/Board of Elections (BOE) Commissioner intentionally violated Pennsylvania election law while contemptuously disregarding legal guidance, provided by Bucks County Deputy Solicitor **DANIEL GRIESER**, recommending BOE Commissioners not count **124** misdated or undated Provisional Ballots (PB) directly affecting 2024 federal elections.⁸

5. Despite provision of legal guidance from the Bucks County Deputy Solicitor **DANIEL GRIESER** to the contrary, BOE Commissioners **ROBERT J. HARVIE JR. (D)** & **DIANE M. ELLIS-MARSEGLIA (D)** elected to count misdated or undated Provisional Ballots (PB) with BOE Commissioner DIANE M. ELLIS-MARSEGLIA confidently proclaiming:

"We all know precedent by a court doesn't matter anymore in this country."; "If I violate this law, it's because I want the court to pay attention. There is nothing more important than counting votes."; "People violate laws any time they want,"^{9,10,11}

- a. **DIANE M. ELLIS-MARSEGLIA (D)** has insulted her sacred duty & failed to uphold the responsibility of her office while under color of law in violation **18 U.S.C. § 242**.¹²

⁴ **OBSTRUCTION OF PROCEEDINGS BEFORE DEPARTMENTS, AGENCIES, AND COMMITTEES [18 U.S.C. § 1505]**. Federal Criminal Investigation(s) are proceedings Before the Federal Government. See:

<https://www.law.cornell.edu/uscode/text/18/1505>

⁵ **OFFICERS OF THE UNITED STATES**. See: <https://www.justice.gov/sites/default/files/olc/opinions/attachments/2015/05/29/op-olc-v031-p0083.pdf>

⁶ **ELECTION YEAR SENSITIVITIES MEMORANDUM, 86th U.S. ATTORNEY GENERAL MERICK GARLAND**. 24 June 2024. AG Garland sets "policy" for Statements, Investigations, and Charging Near an Election. See:

<https://www.justice.gov/ag/media/1359366/dl>

⁷ **ADDITIONAL REQUIREMENTS FOR THE OPENING OF CERTAIN SENSITIVE INVESTIGATIONS, 85th U.S. ATTORNEY GENERAL WILLIAM P. BARR**. 05 Feb 2020. EB 2020. Policy memorandum concerning investigation of (1) Declared candidates for President/Vice President; (2) Declared Candidate(s); (3) Relating to Illegal Contributions. See:

<https://www.congress.gov/116/meeting/house/110836/documents/HHRG-116-JU00-20200624-SD009-U19.pdf>

⁸ **SUPREME COURT OF PENNSYLVANIA EASTERN DISTRICT**. 01 Nov 2024. Emergency Application for Extraordinary Relief. No. 76 EM 2024/No. 77 EM 2024. Concerned about changing the rules so close to the 05 November 2024 election the Pennsylvania Supreme Court issued an order that changes would not apply to the 2024 Federal Election. See:

<https://www.pacourts.us/Storage/media/pdfs/20241101/221334-nov.1.2024-ordergrantingemergencyapplicationforextraordinaryrelief.pdf>

⁹ **BUCKS COUNTY COMMISSIONER DIANE M. ELLI-MARSEGLIA FAILURE TO PERFORM OFFICIAL DUTY AND PROVIDE HONEST SERVICES IN VIOLATION OF 18 U.S.C. § 1346**. See: <https://youtu.be/Q-09yUhb21Wk?si=KVux8gfcZ5-VredV>

¹⁰ **BUCKS COUNTY COMMISSIONER DIANE M. ELLI-MARSEGLIA CONFIRMING FAILURE TO PROVIDE HONEST SERVICES IN VIOLATION OF 18 U.S.C. § 1346**. See: https://youtu.be/c1vE3zUc7nM?si=df63ek_jhDEgVgll

¹¹ <https://www.phillyburbs.com/story/news/local/2024/11/20/bucks-county-commissioners-meeting-elections-2024-ballot-count-supreme-court-voter-fraud-allegations/76459536007/>

¹² **DEPRIVATION OF RIGHTS UNDER COLOR OF LAW [18 U.S.C. § 242]**. Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States. See: <https://www.law.cornell.edu/uscode/text/18/242>

6. The failure of a duly appointed county official to uphold the state law directly impacting on the 2024 federal election stands in direct violation of **18 U.S.C. § 595¹³** & denied voters in Bucks County the intangible right of honest service expected from a public official in violation of **18 U.S.C. § 1346¹⁴**.

7. As an American citizen exercising my 1st Amendment right to petition my government for redress of grievance (disclosing wrongdoing), I demand (a) your immediate written response confirming receipt and (2) plan of action to address this clear & present insider threat to governmental transparency & accountability jeopardizing free and fair elections.



CHRISTINE I. HEITMAN

Copy to:

Senator **Gary C. Peters Sr.**

Chairman

Senate Committee Homeland Security & Govt. Affairs

724 Hart Senate Office Building

Washington, DC 20510

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Room 206

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Ranking Member

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Honorable **Jamin B. Raskin (MD-08)**

Ranking Member

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Wayne A. Jacobs Special Agent in Charge (SAC)

William J. Green, Jr. Building

600 Arch Street, 8th Floor

Philadelphia, PA 19106

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¹ Department of Justice (**DOJ**), Criminal Division (**CRM**), Public Integrity Section (**PIN**), Election Crimes Branch (**ECB**) *Federal*

¹³ **INTERFERENCE BY ADMINISTRATIVE EMPLOYEES OF FEDERAL, STATE, OR TERRITORIAL GOVERNMENTS [18 U.S.C. § 595]**. See: <https://www.law.cornell.edu/uscode/text/18/595>

¹⁴ **DEFINITION OF "SCHEME OR ARTIFICE TO DEFRAUD" [18 U.S.C. 1346]**. See: <https://www.law.cornell.edu/uscode/text/18/1346>



Bucks County

**BUCKS COUNTY
BOARD CHAIR**

DIANE M. ELLIS-MARSEGLA (D)

BUCKS COUNTY VICE CHAIR

ROBERT J. HARVIE JR. (D)

BUCKS COUNTY SECRETARY

GENE DIGIROLAMO (R)

DISTRICT ATTORNEY (DA)

"Acting"

JENNIFER SCHORN

FIRST ASSISTANT DA

COUNTY SHERIFF

FREDERICK A. HARRAN (R)

COUNTY CONTROLLER

PAMELA A. VAN BLUNK (R)

OFFICE OF THE SOLICITOR

ANN FITZPATRICK

OFFICE OF THE SOLICITOR

DEPUTY

DANIEL GRIESER

Board of Elections

CHAIRMAN

ROBERT J. HARVIE JR. (D)

COMMISSIONER

**DIANE M. ELLIS-
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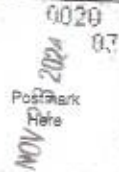
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