



Mathew Tyler

550 Vallombrosa Ave # 6471

Chico, CA 95927

+1-262-757-8802

hi@tylerpresident.com

Plaintiff, Pro per pro se

Dated: January 30, 2025

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MATHEW TYLER,

Plaintiff,

v.

118TH US CONGRESS,

US DEPARTMENT OF JUSTICE, et al.,

US ATTORNEY'S OFFICE NORTHERN CALIFORNIA, ET AL.,

BENJAMIN C. MIZER, ET SEQ., IN OFFICIAL CAPACITY AS PRINCIPAL DEPUTY

ASSOCIATE ATTORNEY GENERAL, US DEPARTMENT OF JUSTICE,

CALIFORNIA ATTORNEY GENERAL,

SHIRLEY WEBER, in her official capacity as California Secretary OF STATE,

FIONA MA, in her official capacity as California State TREASURER,

JAMES GALLAGHER, IN OFFICIAL CAPACITY AS CA. ASSEMBLYMAN

WASHINGTON US ATTORNEY / DOJ,

1 UTAH LT. GOVERNOR,
2 UTAH ATTORNEY GENERAL,
3 NEW HAMPSHIRE DOJ,
4 RHODE ISLAND EEOC,
5 DOES 1-50

6

7 *Defendants.*

8

9 Case No.

10

11 COMPLAINT FOR TREASON, VIOLATION OF CIVIL RIGHTS, AND OTHER
12 CRIMES

13

JURY TRIAL DEMANDED

14 **I. INTRODUCTION**

15 1. Plaintiff, Mathew Tyler, is an indigent layperson, a U.S. citizen, resident of
16 California, and a 2016-2084 U.S. Presidential candidate. Mr. Tyler is a qualified
17 individual with a disability under the Americans with Disabilities Act ("ADA")
18 and Section 504 of the Rehabilitation Act. Mr. Tyler's disabilities substantially
19 limit major life activities.

20 2. Defendants are various federal and state entities, officials, and individuals,
21 including the 118th U.S. Congress, the U.S. Department of Justice, the California

- 1 Secretary of State, and others, who are sued in their official and individual
2 capacities as appropriate.
- 3 3. DOES 1-50 are other state and federal officials whose identities are currently
4 unknown to Plaintiff.
- 5 4. This action concerns Defendants' blatant disregard for the U.S. Constitution,
6 federal laws, and international treaties protecting the civil rights of individuals
7 with disabilities. Defendants' unlawful actions have deprived Mr. Tyler of his
8 fundamental rights, including the right to vote, the right to participate in the
9 electoral process, and the right to equal protection under the law.
- 10 5. Defendants' actions constitute treason, deprivation of rights under color of law,
11 conspiracy against rights, discrimination on the basis of disability, and numerous
12 other violations of federal and state laws.
- 13 6. Mr. Tyler seeks immediate declaratory and **immediate, preliminary and**
14 **permanent injunctive relief**, compensatory and punitive damages, attorneys'
15 fees, and other appropriate remedies to redress the grievous harm caused by
16 Defendants' unlawful conduct.

17 **II. JURISDICTION AND VENUE**

- 18 1. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 and 28
19 U.S.C. § 1343.
- 20 2. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) as a substantial
21 part of the events giving rise to the claim occurred in this district.

22 **III. FACTUAL BACKGROUND**

1 1. In Barron v. Baltimore (1833) the Supreme Court held that the Bill of
2 Rights did not apply to state governments. In accordance with Article VI,
3 clause 2 of the US Constitution (the “Supremacy clause”), the Supreme
4 Court erred.

5 a) As the supreme law of the land, the US Constitution applies
6 everywhere in the United States of America unless explicitly
7 conferred otherwise by a Constitutional amendment; i.e., “...any
8 Thing in the Constitution or Laws of any State to the Contrary
9 notwithstanding.”

10 i. Historical, practical, and Federalism arguments to the
11 contrary are as inconsequential as they are irrelevant, the
12 unequivocal language leaves no room for ambiguity about
13 the supremacy of the Constitution. Effectively nullifying
14 any state law or constitutional provision that conflicts with
15 valid federal law or the Constitution, ensuring the cohesion
16 of the federal system and the uniform application of
17 national policies across all states; and,

18 ii. The “Incorporation Doctrine” principle and “selective
19 incorporation approach” principle is “Fruit of the poisonous
20 tree”

21 (1)The use or continued use of these principles is not
22 only unconstitutional, it is tantamount to obstruction

1 of justice and deprivation of rights without being
2 afforded due process.

3 iii. Unless conferred restrictively¹, the entire US Constitution,
4 including the “Unincorporated Rights” preempt and prevail
5 regardless if ever “Incorporated”

6 **b) As a matter of the letter of the law, in accordance with Article**
7 **VI, clause 2 of the US Constitution, absent a Constitutional**
8 **amendment to the contrary, the Supreme Court is prime facie**
9 **without the authority to preside over the US Constitution as the**
10 **US Constitution is peerless; being peerless makes the Supreme**
11 **Court inferior to the US Constitution, pursuant to Article VI,**
12 **clause 2, an inferior cannot exert authority over the supreme**
13 **law of the land.**

14 2. In light of the rampant government fraud and corruption, including the
15 highest prosecutors of the land, the United States Department of Justice
16 and US Attorney’s, Plaintiff demands either the government prosecute on
17 Plaintiff’s behalf or demonstrate that never in the history of English law
18 that a citizen has prosecuted crimes in the absence of the government or
19 violate Plaintiff’s equal protection rights without first affording Plaintiff of
20 due process.

21 3. Defendants willingness to commit such egregious hate crimes against
22 Plaintiff solely from Defendants prejudice/bias against people with a

1 XVIII amendment to the US Constitution; i.e., medicinal and religious exceptions

1 disability signifies the Defendants willingness to interfere or tamper with
2 the election in any other means too.

3 4. The election and results being “Fruit of the Poisonous Tree,”² the United
4 States is currently without a legitimate US President, Vice President, or
5 Administration. Without a legitimate US President, the United States
6 cannot provide anyone with a Presidential pardon. The origin of the
7 current 47th US President originating from fraud & corruption, nothing
8 other than re-conducting the 2024 Presidential election to include Mr.
9 Tyler can ever be done to legitimize any of this.

10 5. **Continuing Violations Doctrine;** the plainly unconstitutionally, illegally,
11 and fraudulently tampered with 2024 election’s improper conduct to
12 exclude Mr. Tyler solely for Mr. Tyler having a disability and requesting a
13 reasonable accommodation constitutes a continuing violation of crimes
14 indicated herein. The continuing-violations doctrine allows Plaintiff to
15 challenge these ongoing violations. Plaintiff’s previous attempts to raise
16 awareness of these crimes were ignored by Defendants which is part of
17 this criminal / civil complaint.

18 6. **Manifest Injustice;** Continued enforcement of the unconstitutionally,
19 illegally, and fraudulently tampered 2024 election will result in manifest
20 injustice to Petitioner and other similarly situated parties.

21 2. **Discrimination and Denial of Ballot Access:**

2 In **In re Leslie Fay Cos.**, 168 B.R. 581 (S.D.N.Y. 1994), the court addressed disqualification due to fundamental procedural errors. The same principle applies here, as the State’s improper conduct undermines statutory requirements and affect the entire legitimacy of the United States.

1 a. In 2024, Mr. Tyler made a Section 504/ADA request for reasonable
2 accommodations to the Secretary of State for all 50 states. Mr. Tyler specifically
3 requested a medical exception to the requirement of collecting hundreds of
4 thousands of signatures from each state to obtain unaffiliated ballot access in the
5 2024 general election.

6 b. Despite Mr. Tyler's repeated requests and citations to superseding federal laws,
7 including the U.S. Constitution and the ADA, all 50 states refused to provide
8 reasonable accommodations and denied Mr. Tyler access to the ballot.

9 c. Defendants' actions constituted a clear violation of Mr. Tyler's civil rights and a
10 discriminatory denial of his right to participate in the electoral process.

11 d. Defendants violated the clear will of Congress, as Congress re-affirmed the
12 ADA with the "ADA Amendments Act of 2008" after the Supreme Court imposed
13 its political bias of disability discrimination through limiting the scope of the
14 ADA.

15 **Section 504 / ADA Accessibility/Request for Modifications**

16 **Authority**

- 17 1. Pursuant to Article 6, Clause 2 of the U.S. Constitution (herein the
18 "SUPREMACY CLAUSE"), in accordance with the 1st amendment to the
19 U.S. Constitution to petition the Government for a redress of grievances
20 via the 14th amendment to the U.S. Constitution as/if/when necessary; 18
21 U.S.C. § 3771, 42 U.S.C. § 12202, "*Section 504 of the Rehabilitation Act of*
22 *1973*," 29 U.S.C. § 794 (herein "Section 504"), the "*Americans with*

1 *Disabilities Act of 1990*,” 42 U.S.C. §§ 12101 et seq. (herein “ADA”); and
2 the 1990 Copenhagen Commitment sections 5.1, 5.3, 5.4, 6, 7.1, 7.3, 7.5,
3 7.6, 7.7, 7.8; collectively herein “AUTHORITY”.

4 a) Preemption of inconsistent state law when necessary to effectuate a
5 required “reasonable modification” is affirmed by, *Mary Jo C. v.*
6 *New York State and Local Retirement Sys.*, No. 11-2215, 35 at 6 -
7 36 at 2, 37 at 7 - 39 at 9 (2d Cir. 2013)

8 **2. Request**

9 a) Pursuant to the aforementioned AUTHORITY, as a U.S.
10 citizen and qualified individual with a disability³⁴, Mathew Tyler
11 (herein “Mr. Tyler” and “REQUESTOR”) hereby requests the fol-
12 lowing reasonable modifications in: policies, practices, and proce-
13 dures;

14 b) an exception to all and any policies, practices, or procedures
15 that might prevent in whole or in part this complaint from being in-
16 vestigated and acted upon fully in its entirety.

17 **3. Election Interference and Tampering:**

18 a. Defendants' refusal to accommodate Mr. Tyler's disability and their subsequent
19 denial of ballot access constituted intentional interference and tampering with the
20 2024 general election.

3 42 U.S.C. § 12131(2)

4 Afflicted with Central core disease and ADHD; major life activities affected by Central core disease:
performing manual tasks, walking, standing, lifting, bending, breathing, and stamina; ADHD: learning,
reading, concentrating, thinking, communicating, time/appointments, and working

1 b. By excluding Mr. Tyler from the election solely due to his disability,
2 Defendants undermined the integrity of the electoral process and deprived Mr.
3 Tyler of his fundamental right to vote.

4 c. Defendants' actions furthered a discriminatory scheme to provide aid and
5 comfort to their preferred candidate(s), thereby committing treason against the
6 United States.

7 **4. Government Fraud and Corruption:**

8 a. Defendants' conduct demonstrates a pattern of government fraud and
9 corruption, including the misuse of public resources and the obstruction of justice.

10 b. Defendants' actions have undermined the rule of law and eroded public trust in
11 government institutions.

12 **5. Failure to Investigate and Prosecute:**

13 a. Despite Mr. Tyler's numerous complaints and requests for assistance, various
14 government agencies, including the U.S. Department of Justice and state and local
15 law enforcement, failed to investigate or prosecute Defendants' criminal acts.

16 b. These agencies' inaction further enabled Defendants' unlawful conduct and
17 perpetuated the deprivation of Mr. Tyler's civil rights.

18 **IV. CAUSES OF ACTION**

19 **A. Count I: Violation of the First Amendment (Freedom of Speech and Association)**

1 1. Defendants' actions have deprived Mr. Tyler of his right to freedom of speech and
2 association by preventing him from participating in the electoral process as an
3 unaffiliated candidate.

4 **B. Count II: Violation of the Fifth and Fourteenth Amendments (Due Process and**
5 **Equal Protection)**

6 1. Defendants' actions have deprived Mr. Tyler of his right to due process and equal
7 protection under the law by arbitrarily excluding him from the electoral process
8 based on his disability and need for medical accommodation.

9 **C. Count III: Violation of the Americans with Disabilities Act and Section 504 of the**
10 **Rehabilitation Act**

11 1. Defendants have discriminated against Mr. Tyler on the basis of his disability by
12 failing to provide reasonable accommodations in the electoral process.

13 **D. Count IV: Conspiracy to Interfere with Civil Rights (18 U.S.C. §§ 241-242, 42**
14 **U.S.C. § 1983, 42 U.S.C. § 1985)**

15 1. Defendants have conspired to deprive Mr. Tyler of his civil rights by collectively
16 refusing to accommodate his disability in the electoral process.

17 **E. Count V: Treason (Article III, Section 3 of the U.S. Constitution; 18 U.S.C. §**
18 **2381)**

19 1. Owing allegiance to the United States, Defendants have adhered to the enemies of
20 the United States, giving them aid and comfort, through the national intentional
21 interference and tampering with the 2024 U.S. Election to provide aid and comfort

1 to the 45th U.S. President and his supporters who led and committed an
2 insurrection against the United States on January 6, 2021.

3 **F. Additional Counts**

4 1. Mr. Tyler also brings claims for:

- 5 a. Interfering with federally protected activities (18 U.S.C. § 245(b)(1)(A), (B),
6 (E))
- 7 b. Violating the 1990 Copenhagen Commitment
- 8 c. Negligence to prevent (42 U.S.C. § 1986)
- 9 d. Interference by administrative employee (18 U.S.C. § 595)
- 10 e. Failure to request funds (42 U.S.C. § 2000d-6(d))
- 11 f. Failure to promulgate and denial of benefits (29 U.S.C. § 794(a))
- 12 g. Failure to induce compliance (28 C.F.R. § 42.108(a))
- 13 h. Failure to investigate alleged violations (42 U.S.C. § 12188(b)(1)(A)(i))
- 14 i. Failure to coordinate compliance (28 C.F.R. § 35.190(a))
- 15 j. Failure to investigate Section 504 complaints (28 C.F.R. § 35.171(ii)(3)(i))
- 16 k. Failure to notify the public entity of the receipt and acceptance of the complaint
17 (28 C.F.R. § 35.171(c)(1))
- 18 l. Failure to investigate complaints (28 C.F.R. § 35.172(a))
- 19 m. Failure to attempt informal resolution (28 C.F.R. § 35.172(c))

- n. Honest services fraud (18 U.S.C. § 1346)
- o. Violation of federal anti-discrimination laws (42 U.S.C. § 2000a(d))
- p. Hate crimes (18 U.S.C. § 249(a)(1)-(2))
- q. Theft of public resource/property in the commission of a crime
- r. Violent crime against property through extortion, mail fraud, wire fraud, embezzlement, dealing in obscene matter, obstruction of justice (18 U.S.C. § 1961(1))
- s. Fraud scheme (18 U.S.C. § 1341)
- t. Wire fraud, government computers used in the commission of crimes (18 U.S.C. § 1343)
- u. Violation of 18 U.S.C. § 1503
- v. Owing allegiance to the U.S., failure to disclose treason (18 U.S.C. § 2382)
- w. Imposing eligibility criteria that screens out or tends to screen out an individual with a disability (28 C.F.R. § 35.130(b)(3), (6), (8); 42 U.S.C. § 12182(b)(1)(A)(i), (2)(A)(iii))
- x. Refusing to make reasonable modifications (28 C.F.R. § 35.130(b)(1)(i)-(vii), (2), (7); 42 U.S.C. § 12182(b)(2)(A)(ii))
- y. Failing to demonstrate how honoring Mr. Tyler's Section 504/ADA request for reasonable modifications would fundamentally alter anything (28 C.F.R. § 35.164)

V. PRAYER FOR RELIEF

1 WHEREFORE, Plaintiff respectfully requests that this Court:

2 1. Declare that Defendants' actions violate the First, Fifth, and Fourteenth
3 Amendments to the U.S. Constitution, the ADA, Section 504 of the Rehabilitation
4 Act, and other applicable laws.

5 2. Declare the entire 2024 Presidential election proceedings, results, and any
6 resulting orders as "Fruit of the Poisonous Tree" tainted by the widespread,
7 national election interference and tampering by state-level personnel in all 50
8 states.

9 3. Order the termination of, or refuse to grant or continue, federal financial
10 assistance to all 50 states pursuant to federal financial anti-discrimination
11 requirements.

12 4. In California, order the enforcement of California Government Code §§ 11135-
13 11139.

14 5. Issue a preliminary and permanent injunction requiring Defendants to provide
15 reasonable accommodations for Mr. Tyler's disabilities in all electoral processes:

16 a) Modify ballot access requirements to accommodate disabilities; and,

17 b) Implement policies ensuring equal access to election process; and,

18 c) Properly investigate and remedy civil rights violations; and,

19 d) Cease discriminatory practices.

20 6. Award compensatory damages in an amount to be determined at trial.

7. Award punitive damages against the individual defendants in their personal capacities.

8. Award Mr. Tyler his costs and reasonable attorneys' fees pursuant to 42 U.S.C. § 1988.

9. Grant such other and further relief as the Court deems just and equitable.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all claims so triable.

VI. CERTIFICATION AND CLOSING

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Dated: January 26, 2025

Respectfully submitted,

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Mathew Tyler

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550 Vallombrosa Ave # 6471

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Chico, CA 95927

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+1-262-757-8802

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hi@tylerpresident.com

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Plaintiff, Pro per pro se

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VERIFICATION

2

I, Mathew Tyler, declare under penalty of perjury under the laws of the State of California

3

that the foregoing is true and correct to the best of my knowledge and belief.

4

5

Executed on _____, at Butte County, California.

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8



Mathew Tyler

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12 **Attachments**

13

1. Exhibits A-F (State Communications)

14

2. Local Rule 131(b) Certificate of Interested Entities

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