

April 21, 2014

SENT VIA E-MAIL

Carrie A. Dyrek,
Town Clerk
Town of Cave Creek
37622 N. Cave Creek Rd.
Cave Creek, AZ 85331
cdyrek@cavecreek.org

RE: Objection to Petition Sheets-“RECALL2013-02 Petitions Trenk”

Hello, Ms. Dyrek,

In the PDF you sent me titled “RECALL2013-02 Petitions Trenk,” each petition sheet is numbered in the top right hand corner. Below is a list of the petition sheets referenced by handwritten number which I object to as to form, together with the legal authority for those petition sheets to be voided.

Petition Sheet #	Issue(s)	Location of Issue	Legal Authority
14	(1) Circulator’s affidavit incomplete, did not indicate what county they were a resident of. (2) Handwriting in lines 12 and 13 identical, voids entire petition.	(1) Backside (2) Lines 12+13	(1) ARS §19-121.01(A)1(d) and ARS §19-112(D) (2) Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
15	Handwriting in lines 1 and 2 identical, voids entire petition.	Lines 1+2	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
21 and 22	Circulator committed petition fraud. On March 6, 2014, I approached the petition circulator located outside the Post office in Cave Creek at approximately 4:15pm. He stated his name was Franco and I told him I was signing as a joke and wrote in “James Gandolfini.” A published article and a “present sense impression” I posted to Facebook of the interaction confirms Franco	Sheet 21, line 7 and backsides of Sheets 21 and 22	ARS §19-112 ARS §19-115 ARS §19-119.01

	Marzella was the circulator of that petition. I watched Richard Dobbs sign this petition and others right before I approached the table. Hani Saba signed as circulator on the sheet I signed as a joke and on sheet 22 with signatures collected on the same date. The signatures on those sheets with the date 3/6/14 were not signed in the presence of Saba. Voids entire petition. <i>See attached article and Facebook post.</i>		
24	Circulator's affidavit incomplete, did not indicate what county they were a resident of nor county where it was notarized. Voids entire petition.	Backside	ARS §19-121.01(A)1(d) ARS §19-112(D)
27	Handwriting in lines 3 and 4 identical, voids entire petition.	Lines 3+4	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
30	Signatures in lines 2 and 3 appear to be identical or may be forged. In either case this would void entire petition.	Lines 2+3	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
31	(1) Line 5 was dated after the date that the circulator's affidavit was notarized. (2) Circulator's affidavit incomplete, did not indicate county where it was notarized. Entire petition void.	(1) Line 5 and backside. (2) Backside	(1) ARS §19-121.01(A)1(f) (2) ARS §19-121.01(A)1(d) ARS §19-112(D)
36	Handwriting in lines 12 and 13 identical, voids entire petition.	Lines 12+13	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
39	Handwriting in lines 5 and 6 and lines 7 and 8 identical, voids entire petition.	Lines 5+6 Lines 7+8	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
40	Handwriting in lines 6 and 7 identical, voids entire petition.	Lines 6+7	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)
41	(1) Handwriting in lines 10 and 11 identical, voids entire petition. (2) Line 15 was dated after the date that the circulator's affidavit was notarized. Entire petition voided.	(1) Lines 10+11 (2) Line 15 and backside	(1) Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013) (2) ARS §19-121.01(A)1(f)
44	Handwriting in lines 4 and 5 and 6 and 7 identical, voids entire petition.	Lines 4+5 and 6+7	Parker v. City of Tucson, 233 Ariz. 422, 314 P.3d 100 (Ariz.App. Div. 2,2013)

I expect that you will act accordingly in your capacity as Town Clerk to void those petitions that are defective. For the reasons stated, the above detailed petitions should be disqualified together with any others for reasons you have identified in your own independent analysis. In addition to this request to void entire sheets as detailed herein, I will be submitting objections to individual petition signatures in the coming days.

Thank you,

A handwritten signature in blue ink, appearing to read 'Adam M. Trenk', with a long horizontal flourish extending to the right.

Adam M. Trenk

cc: Town Manager- Peter Jankowski
Town Attorney- Law Offices of Dickinson Wright
Timothy La Sota