

## Certificate of Service

In accordance with Rules of Practice 150 and 151, 17 C.F.R. 201.150 &.151, I certify that a copy of Closing Arguments for Case Number D-101-CV-2022-00473 have been served on the following on August 29, 2022, via e-mail:

First Judicial District Court

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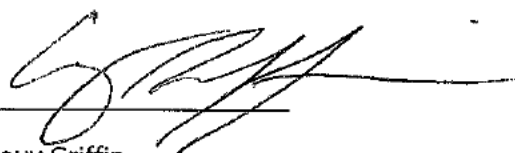
Nikhel Sus

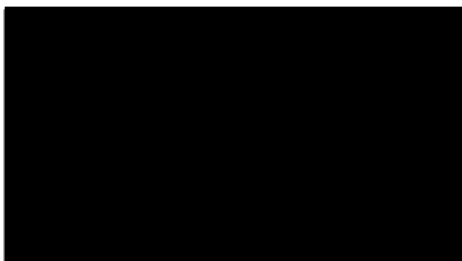
Stuart McPhaul

Daniel Small

Eden Tadesse

Respectfully Submitted:

  
Couy Griffin



STATE OF NEW MEXICO  
COUNTY OF SANTA FE  
FIRST JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO, ex rel.,  
MARCO WHITE, MARK MITCHELL,  
and LESLIE LAKIND,

Plaintiffs,

vs.

Case No. D-101-CV-2022-00473

COUY GRIFFIN,

Defendant.

### **Closing Arguments**

It is with respect for the courts and confidence in our laws being followed that I write these closing arguments. I thank the court for patience with myself and only ask your honor to gracefully put all opinions aside and only consider the letter of the law.

To use a State Quo Warranto proceeding in which a state district judge could remove a county commissioner from office under the precept of “insurrection” would usurp the power which is solely vested in the federal Legislative branch found in the United States Congress pursuant to very clear language of Sections Three and Five of the Fourteenth Amendment. Case in point this is not a self-executing provision of law but a matter in which the United States Congress is required to enact legislation for grounds of insurrection and in part removal from office. In this case sections Three and Five of the Fourteenth Amendment are nothing short of black-letter law in regards to Constitutional provisions in relation to a single subject which must be construed together under *pari materia* principle.

Plaintiffs have very clearly missed their mark and failed in regards to Section 3 of the Fourteenth Amendment, as; Insurrection and/or Rebellion against the United States.

Failure lies in proving thru evidence, not opinion, that Insurrection/Rebellion occurred on January 6, 2021. The evidence presented at trial only further proves that I, Couy Griffin, only travelled to Washington D.C. out of concern that our election was compromised and laws had been broken which protect our electorate. I stood with

many others to peacefully and Constitutionally protest the certification of the election. Not in an attempt to “stop the transfer of power” but only to lobby Vice President Mike Pence to act well inside his duty and to lawfully vote no on a yes/no vote on election certification. Only to legally, lawfully, and Constitutionally roll that vote back to the states for certification. All well within the law and well inside the duties of those legislators involved. In no way does that pertain to nor support Insurrection/Rebellion.

Plaintiffs in this case have proven their lack of understanding of what Quo Warranto remedies are allowed as well as an attempt to mislead the Court in believing it has the power as a state judicial branch to replace the federal legislative branch of the United States.

The failed attempt of the plaintiffs to construe my words and present myself as an insurrectionist are purely political and have no place in the court of law. My actions on January 6<sup>th</sup> were in support of the United States legal system and were acted out in protest against any election laws that were now proven to have been violated. My actions were to support and encourage Vice-President Mike Pence to operate inside his legal duty and to vote no on the certification of the 2020 election. Not to stop the transfer of power or disrupt our great government but to only protect our electorate and to focus more on the discrepancies that have proven to be true.

In closing I would like to ask your honor to also consider the will of the people of District Two of Otero County. My constituents followed very closely every detail that was publicly published. They followed my public social media accounts as well as local and national media. The recall campaign that was waged against me was very public and very devoted political adversaries were involved. There was much time, energy, and money spent on lobbying to remove me from office. Political adversaries went door to door encouraging those living inside District 2 in Otero County to sign a recall petition. That petition as well as recall failed miserably with only 28% of people living in my district signed it. This recall was waged well after January 6<sup>th</sup>. And the people of Otero County spoke. They want me to finish my term as Otero County Commissioner.

Thank you your honor for your time and for your service to our great state.

Respectfully Submitted

Couy Griffin

