



Written by [Annalisa Pesek](#) on December 24, 2022

Kari Lake Trial: Surprise! Judge Finds No “Evidence” of Election Day Misconduct

Maricopa County Superior Court Judge Peter Thompson issued a [verdict](#) Saturday ruling against the claims of GOP gubernatorial candidate Kari Lake’s lawsuit challenging the election results of the Arizona governor’s race and accusing her Democratic opponent Katie Hobbs and the Maricopa County Board of Supervisors of election misconduct.

In his ruling, Judge Thompson did not find any “clear and convincing” evidence of the two counts he was willing to consider in Lake’s ten-count filing: 1) that printer and tabulator malfunctions contributed to misconduct impacting the result of the election; and 2) ballot chain of custody violations were in violation of state law and that such misconduct impacted the results of the election.



Kari Lake (AP Images)

The court’s ruling further ordered the “timely” confirmation of Hobbs as Arizona governor-elect on January 2.

The verdict comes on the heels of a fast-paced, two-day evidentiary trial held in Maricopa Superior Court to determine if the changes in printer settings and tabulator errors that occurred in roughly 59 percent of polling centers throughout Maricopa County — home to 60 percent of the state’s voters — on Election Day made it impossible for some voters to cast their ballots. The county says the “root cause” of the printer malfunctions is being investigated.

But as Lake’s attorney Kurt Olsen, pointed out: “Why are we doing a root cause analysis now if the modification had arisen in three prior elections? It doesn’t make sense.”

Judge Thompson’s ruling acknowledged the “anger and frustration” of voters who were “inconvenienced” in the election. He noted that setting aside the results “has never been done in the history of the United States,” according to the [Los Angeles Times](#).

“But this Court’s duty is not solely to incline an ear to public outcry,” the judge continued. “It is to subject Plaintiff’s claims and Defendants’ actions to the light of the courtroom and scrutiny of the law.”

Lake’s lawyers presented to the court hundreds of sworn affidavits as testimony to the chaos that ensued as a result of the printer/tabulator issues, which lasted in some polling centers from morning to evening. This created extraordinarily long lines and frustration among voters. They also provided reports from whistleblowers who swore under oath they witnessed chain of custody violations at Runbeck Election Services, the third-party company outsourced by Maricopa County to handle the counting of Election Day ballots.



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A witness for Lake, Rich Baris, director of Big Poll Data, testified on Thursday that after more than six years of conducting exit voting polls, he had seen things in Arizona he had never seen before.

“Pre-election day polling is very different from Election Day polling. Election Day voters they go back to their polling stations. What we saw this time was such a disparity between early voting and election day voters. There was no good reason why voters who had been voting for decades did not complete the exit poll,” he testified.

“The lines were too long,” he continued. “Many said they would return but many did not. These thousands of people did not get to vote based on the issues that arose in Maricopa County. The tabulator and printer issues and long lines.”

According to Baris’s research, more than 16 percent of voters and up to 20 percent did not cast their ballots on Election Day owing to the confusion and chaos. “I err on the side of believing the American voter when I hear from so many. Tens of thousands of voters were disenfranchised,” he said.

The defense team’s expert witness, University of Wisconsin Political Science professor Kenneth Mayer, called Baris’s research pure speculation that lacked statistical support. Yet as Baris repeated, “a range of issues occurred on Election Day, and that is enough to have changed the outcome of the election.”

Following the trial, Lake told reporters that “we proved without a shadow of a doubt that there was malicious intent that caused disruption so great it changed the result of the election.... Our elections in this country are a mess, and I am glad to stand up and say no longer will we put up with this. We demand fair, honest, transparent elections and we will get them.”

Lake announced on her Twitter account Saturday that she will appeal the decision, writing: “My Election Case provided the world with evidence that proves our elections are run outside of the law. This Judge did not rule in our favor. However, for the sake of restoring faith and honesty in our elections, I will appeal his ruling.”

“They didn’t follow the law and we have a manifestation that is still unexplained,” said Lake’s attorney Olsen. “On November 9, the reported count is still 29,000 ballots less than on November 10. On the day of the election, they put out what the count is and then the day after the election, magically 20,000 plus ballots appear? The law is there for a reason.”

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