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Open letter to Governor Jared Polis
and Colorado Secretary of State Jena Griswold
Via Email

Re: Eliminating Computer Voting Machines from Colorado Elections

Dear Governor Polis and Secretary of State Griswold,

As counsel for Tina Peters, I call your attention to new evidence which demonstrates that the Dominion software used in 60 counties in Colorado is vulnerable to manipulation by foreign and domestic bad actors. The evidence below was revealed in the testimony of two former Venezuelan government officials, one of whom is a computer expert. The other witness served as security chief for former deceased dictator Hugo Chavez.

According to the witnesses, Dominion uses a modified version of Smartmatic software that was deployed to rig elections in Venezuela. Dominion retooled and rebranded its software to run on a Windows operating system, but bad actors can enter the voting system without detection, and they can exploit software vulnerabilities to control election outcomes.

To verify every fact that is stated in this letter, pdf transcripts of the testimony of the two Venezuelan witnesses are available at the links stated at the top of page 4. Each page has a header stamped on it by the U.S. District Court in Denver, Colorado.

Origins of Smartmatic Software. Smartmatic software originated in Venezuela in 2003 at the direction of now deceased dictator Hugo Chavez. It was a condition of the development contract that Smartmatic software would allow government-controlled engineers to inject votes during an election so that the government candidate would always win.ⁱ

Use of Smartmatic to rig elections in Venezuela. The first witness, a Venezuelan computer expert, described how Smartmatic engineers Ronald Morales and David Moreno created the data utility tool that was used to inject votes for government candidates during elections.ⁱⁱ The second witness, Chavez's former chief of security, described how during the 2013 presidential election, the government candidate, Nicolas Maduro, was trailing his opponent by 2 million votes at 10 a.m. on election day. Government officers commanded that the internet be shut down to halt the transmission

of votes. Next, Smartmatic engineers, using the data utility tool, and acting under the direction of government officials, injected over 2.2 million votes for Maduro into the election. When the internet re-opened, Maduro had a lead of 200,000 votes and was declared the winner.ⁱⁱⁱ

Exporting Smartmatic software. Chavez used Smartmatic software to rig elections and elect communist leaders in other South American countries: Evo Morales in Bolivia, Cristina Kirchner in Argentina, Rafael Correa in Ecuador, and Gustavo Petro in Columbia. Chavez bragged that one day Smartmatic would elect the president of the United States.^{iv}

Transferring Smartmatic software to Sequoia and Dominion. In 2005 Smartmatic purchased an American voting systems company, Sequoia, whose president at the time was Eric Coomer.^v Smartmatic transferred its software to Sequoia. In 2010, Dominion Voting Systems Inc. purchased Sequoia, thereby acquiring Smartmatic software and the capability to rig elections.^{vi}

Same people, same enterprise. Dominion currently employs Ronald Morales and David Moreno, the two Venezuelan engineers who created Smartmatic software with the capability to rig elections.ⁱⁱ

False testimony of Dominion CEO John Poulos. In January 2021, Dominion president John Poulos testified under oath before the Michigan Senate. Poulos testified that Dominion voting equipment cannot be connected to the internet. Examination of the Mesa County voting system forensic images preserved by Tina Peters revealed 36 wireless modems with internet connectivity. The Venezuelan computer expert who reviewed the Mesa County forensic images testified that Chinese firmware could allow an undetectable internet connection to the modem, even when software shows that the modem is turned off.^{vii}

Foreign Manufacture. Components for Dominion voting machines are manufactured in China, an enemy of the U.S. The components are assembled into computers in China, Taiwan, and Mexico.^{viii} The computers are configured in a Texas warehouse by David Moreno—one of the engineers who developed Smartmatic election-rigging software.ⁱⁱ

Built to Evade Detection. Experts have testified that Dominion systems are designed so that fraud cannot be detected. Log files are intentionally undersized, which results in overwriting log files generated during an election, so the election cannot be audited.^{ix} “Man-in-the-middle” software created by Ronald Morales allows remote entry into the voting system without detection.^x

Indictments of Smartmatic and its officers. On October 17, 2025, the U.S. Department of Justice released a superseding indictment of Smartmatic and three of its executives (Roger Piñate, Jorge Miguel Vasquez, and Elie Moreno) for allegedly paying over \$1 Million in bribes between 2015 and 2018 to induce a Philippine government

official to hire Smartmatic to run the 2016 Philippine elections. More indictments are expected.^{xi}

Constitutional Violations. Article 4, Section 4 of the U.S. Constitution guarantees every state a Republican form of government in which citizens, not computers, choose representatives to govern them. Article II, Section 5 of the Colorado Constitution guarantees that all state elections shall be “free and open.” Because bad actors can manipulate Colorado elections by exploiting software vulnerabilities, our constitutional rights to free elections are being violated.

Sale of Dominion and rebranding as Liberty Vote. After the testimony of the two Venezuelan witnesses became public knowledge, Dominion announced that the company had been sold to Scott Leiendecker, and the company name changed to Liberty Vote.^{xii} Rebranding the unsafe voting system fails to protect the citizens of Colorado against election fraud.

Timeline:

September 23, 2025 – Testimony of Venezuelan computer expert filed in U.S. District Court, Denver, and viewed by public on internet^{xiii}

October 1, 2025 – Testimony of Hugo Chavez’s former chief of security filed in U.S. District Court, Denver, and viewed by public on internet.^{xiv}

October 9, 2025 – Dominion sold and re-branded as “Liberty Vote.”

As a Colorado lawyer, I believe the following immediate actions are necessary to assure free and transparent elections in Colorado:

1. Eliminate the use of computer voting machines in all Colorado elections.
2. Return to vote in person, with government issued id, on election day, in the voter’s own precinct, on paper ballots, that are hand counted in the precinct by bipartisan election judges under public observation. Hand counting ballots works successfully in most industrialized nations. Hand counts worked in Colorado for 100 years before we outsourced our elections to private vendors.
3. Preserve all existing election records, including digital logs, databases, and forensic images for use in future audits and civil rights litigation, as required by 52 U.S. Code §20701.
4. Convene public hearings to examine the evidence presented by experts and whistleblowers.

Failure to act now will erode public trust in the voting system beyond repair.

Respectfully,
JOHN CASE, P.C.

By John Case
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LINKS TO TRANSCRIPTS

1. Venezuelan computer expert:

Transcript 1. (<https://tinapeters.us/wp-content/uploads/2025/09/02-70-1-Exhibit-AM-Transcript-of-EUO-Confidential-Witness.pdf>)

Transcript 2 (<https://tinapeters.us/wp-content/uploads/2025/09/03-70-2-Exhibit-PM-Transcript-of-EUO-Confidential-Witness.pdf>)

2. Former chief of security for dictator Hugo Chavez

Transcript 3 (<https://tinapeters.us/wp-content/uploads/2025/10/76-1-2025-10-01-EXHIBIT-8-18-2025-TRANSCRIPT-OF-CONFIDENTIAL-WITNESS.pdf>)

ENDNOTES

ⁱ Chavez Security Chief - Transcript #3 pp. 11:13-12:6

“Q. Did you observe any individuals from Smartmatic in the meetings with CNE?

A. Yes, they had secret meetings. And present there was President Chavez and Mr. Jorge Rodriguez, the president of the CNE, and the founders of the Smartmatic: Pinate, Mugica, and Anzola were there. Where initially, in that meeting, President Chavez ordered to create a software to -- to guarantee them to always win the elections, whichever elections there were always in Venezuela. And there, he gave them, by word, a guarantee for the software financial of 100 -- of \$100 million, but that that would increase as they were developing the software.

Specifically in the meeting, Chavez would say that they had to guarantee, with the creation of the software, that all of -- that -- that in all of the elections that they were competing in, that they would always have the election result in their favor without anybody ever knowing.”

Venezuelan government computer expert transcript #2 p. 47:9-13

“Q. So summarize, is it true that the Venezuelan government paid Smartmatic to create software that could be used by the Venezuelan government to rig elections?

A. That is true.”

ii Venezuelan government computer expert transcript #2 pp. 31:10-32:15

“Q. Do you know Ronald Morales?”

A. He's a Smartmatic tech who was in Venezuela, Sequoia, and in Dominion as well.

Q. Does he currently work for Dominion?

A. He currently works for Dominion.

Q. Was Mr. Morales one of the developers of the original Smartmatic election software?

A. That is correct.

Q. And was that the same Smartmatic software that was used to rig elections in Venezuela?

A. That is correct.

Q. Do you know David Moreno?

A. Oh, David Moreno. The same thing goes for David Moreno. He was a specialist technician who used to be in Venezuela, then later on went to Mexico, then in 2004 ended up being transferred over to Sequoia.

In 2005 when it -- and then when it took over, he became part of Dominion.

Q. Is Mr. Moreno currently employed by Dominion?

A. He's in charge -- he's in charge of Dominion's warehouse in Texas, if I'm not mistaken. In other words, he's the person responsible for configuring the Dominion equipment for their -- for the elections.

Q. And this is the same David Moreno that was involved in creating the Smartmatic software that was used to rig elections in Venezuela?

A. That is correct.

iii Chavez Security Chief - Transcript #3 p. 18:15-18

“So they inflated the votes for the government's candidate over the 2 million votes to 200,000 votes over. And they did all of that through the software.”

iv Chavez Security Chief - Transcript #3 pp. 26:9 -24:8

“Q. At any point, did you have any knowledge of a, you know, significant plan of any sort that impacted more than Venezuela?”

A. Yes. Because, initially, Hugo Chavez, with the initial meetings with Smartmatic, which was Anzola, Mugica, and Pinate, where the -- President Chavez there,

he expressed that he wanted to project his Bolivarian project, and he called it Proyecto Revolucionario of El Siglo XXI. And he wanted initially to place presidents in every country in Latin America initially, and the help was going to be through the help of the software, Smartmatic.

And that was present in Bolivia where he placed -- where he placed Evo Morales, and -- and in -- in Argentina, Cristina Kirchner, in Ecuador, Rafael Correa, and now in Colombia, we see it with Petro. And in all of those countries, Smartmatic was present in executing -- or present with their machines for the manipulation of votes in every country.

And also, President Chavez expressed and that with their project -- in -- and that with their project, one day, they would place a president in the United States as well. And that Smartmatic was also, together with other companies, to be able to -- to be able to place their election machines also in the United States.”

^v Venezuelan government computer expert - transcript #2 p. 37:13-15

“Mr. Coomer used to be the president of Sequoia and then was the president of Smartmatic United States around 2005/2006.”

^{vi} Venezuelan government computer expert - transcript #2 p. 50:3-14

“Q. And is it true that Dominion acquired from Sequoia the same Smartmatic software that was used to rig elections in Venezuela?

A. That is correct. It acquired the Venezuelan systems integration into the Sequoia systems.

You cannot say that its exactly the same because, semantically speaking, the company is going to say that that is incorrect. These are parts of a system that are included in the new systems. This is what we call the central core, the main functionality of the system.”

^{vii} Venezuelan government computer expert - transcript #2 pp. 11:12 - 12:7

“Q. Do the computers made in China and Taiwan include circuits that can communicate with the internet?

A. Correct. They have internal modems that allow for external communications, and it is the responsibility of each one of the different

corporations to disable those components or to leave them enabled for the elections.

Q. Now, can the firmware keep those modems enabled even if the software commands the system to disable the modem?

In other words, can you have firmware that allows the modem to remain on, even when the software thinks that it's off?

A. Yes. Well, for that, you would need an engineer that understands the Windows pipeline system, which will allow you to block certain parameters within the system. But through the operating system, then I can enable that component. In other words, yes, the answer to your question is yes."

viii Venezuelan government computer expert - transcript #2 p. 9:5-21

Q. Now, when you were working for the Venezuelan government between 2003 and 2016, was part of your responsibility to manage the manufacturing of the voting equipment?

A. Well, the manufacturing of the voting equipment, these were manufactured in Taiwan and China.

My responsibilities was to receive those components, or those pieces of equipment, configure them and send them out to production to be used through the elections, meaning that any part or piece that was given to me was exported from either China or Taiwan.

Q. Did that include firmware in the computers?

A. They would already come pre-configured from Taiwan or China."

ix Venezuelan government computer expert - transcript #2 pp. -17:10 - 18:7

Q. So in -- did you -- you examined the forensic image of the election management server that was used in the Mesa County 2020 election, correct?

A. That's correct.

Q. Did you notice the settings on the size of the Windows log files in the Windows operating system?

A. I don't recall, but it is part of the report that we created, and I can get that to you.

But I seem to remember that it was too small, the size was too small for what it needed to do. When I talk about small in size or very little space, I'm talking -- I mean, that on a programming level.

You assign a certain disc space or memory space for the log to be stored in, and that's going to give you an X number of lines so that a log or a record can be kept. And depending on what the setting is, once the log gets full, it starts rewriting over it and deleting evidence. That's why I believe their settings were too small."

^x Venezuelan government computer expert - transcript #2 p. 23:4-13

"Q. So, are you saying that the man-in-the-middle system was used in Chicago in the 2006 election?

A. No, it is used currently in these last elections that you held here.

Dominion has an engineer, whose name is Ronald Morales, and Ronald Morales is the person that does maintenance on the electoral systems. Ronald Morales is the person that puts that man-in-the-middle in place."

^{xi} Venezuelan government computer expert - transcript #2 p. 36:15-18

"Victor Vasquez is a manager, a manager for Smartmatic, and he's currently been named as part of the bribery case in the Philippines, or 2016 -- 2016 bribery case in the Philippines."