

**IN THE COURT OF APPEAL**  
**HOLDEN AT ABUJA**

**IN THE MATTER OF THE ELECTION TO THE OFFICE OF THE**  
**PRESIDENT OF THE FEDERAL REPUBLIC OF NIGERIA**  
**HELD ON THE 23<sup>rd</sup> FEBRUARY 2019**

**PETITION No: \_\_\_\_\_**

**BETWEEN:**

1. ATIKU ABUBAKAR
2. PEOPLES DEMOCRATIC PARTY  
(PDP).....PETITIONERS

**AND:**

1. INDEPENDENT NATIONAL ELECTORAL COMMISSION  
(INEC)
2. MUHAMMADU BUHARI
3. ALL PROGRESSIVES CONGRESS  
(APC).....RESPONDENTS

**PETITION**

THE PETITION OF ATIKU ABUBAKAR OF PLOT 121 ADETOKUNBO ADEMOLA CRESCENT, WUSE 2, ABUJA AND PEOPLES DEMOCRATIC PARTY OF WADATA PLAZA, PLOT 1970, MICHAEL OKPARA STREET, WUSE ZONE 5, ABUJA, WHOSE NAMES ARE BOTH SUBSCRIBED.

**(A). PARTIES INTERESTED IN THE PETITION AND RIGHT OF PETITIONERS TO PRESENT THE PETITION:**

1. The 1<sup>st</sup> Petitioner, ATIKU ABUBAKAR, who voted and has the right to vote and be voted for, was a candidate at the election to the office of President of the Federal

Republic of Nigeria which presidential election held on Saturday, 23<sup>rd</sup> February 2019 across Nigeria. The 1<sup>st</sup> Petitioner contested the said election on the platform of and was sponsored by the 2<sup>nd</sup> Petitioner, and states that he has a right to be returned as elected at the said election.

2. The 2<sup>nd</sup> Petitioner, Peoples Democratic Party (PDP) is a duly registered political party in Nigeria and sponsored the 1<sup>st</sup> Petitioner as its candidate to contest the election to the office of President of Nigeria, which election held on Saturday, 23<sup>rd</sup> February 2019. The 2<sup>nd</sup> Petitioner is a corporate body and in this election acted through and by means of its agents and officials, who were reporting amongst themselves from bottom to top and vice versa in hierarchy in this election. The 2<sup>nd</sup> Petitioner had agents in all the polling units, in all the Ward Collation Centres, Local Government Area Collation Centres, and the State Collation Centres, in all the States of the Federation and the Federal Capital Territory as well as at the National Collation Centre.
3. The agents and officials of the 2<sup>nd</sup> Petitioner performed several functions relating to the disputed election, including but not limited to monitoring the election and distribution of election materials, signing of result sheets, collecting and forwarding of duplicate result sheets to their colleagues, originating, receiving and forwarding of complaints to appropriate quarters, and performing related duties for the success of the election.
4. The Petitioners have the right to present this Petition, having participated in the said election as candidate in the said election of 23<sup>rd</sup> February 2019 and as political party that sponsored the candidate respectively.
5. The 1<sup>st</sup> Respondent is the body constitutionally and statutorily vested with the responsibility of organising

and conducting elections in Nigeria, and was the body that conducted the election of 23<sup>rd</sup> February 2019, the subject-matter of this Petition. Each and every person who acted as Presiding Officers, Assistant Presiding Officers, Supervisory Presiding Officers, ad hoc Staff in all the polling units/stations/points, Ward Collation Officers in all the Ward Collation Centres, Local Government Collation Officers in all the Local Government Area Collation Centres, all the State Collation Officers in all the State Collation Centres, the Resident Electoral Commissioners, the Chief Returning Officer, and any other person who acted in one capacity or the other on behalf of the 1<sup>st</sup> Respondent at the aforesaid election, acted as agents of the 1<sup>st</sup> Respondent.

6. The 2<sup>nd</sup> Respondent was a candidate in the said Presidential Election of 23<sup>rd</sup> February 2019 and contested under the platform of the 3<sup>rd</sup> Respondent.
7. The 3<sup>rd</sup> Respondent is a registered political party in Nigeria, and is the political party that sponsored the 2<sup>nd</sup> Respondent as its candidate at the said election.
8. The Petitioners and the Respondents hereinabove specified are the parties interested in this Petition.

**(B). HOLDING OF THE ELECTION, SCORES OF CANDIDATES, PERSON RETURNED**

9. The Petitioners state that the election to the office of President of Nigeria took place on **Saturday, 23<sup>rd</sup> February 2019**, having been postponed from the earlier scheduled date of 16<sup>th</sup> February 2019.
10. Four days after the election, specifically on Wednesday 27<sup>th</sup> February 2019, the 1<sup>st</sup> Respondent announced and declared the following as scores of the candidates, namely:-

S/No.	CANDIDATE	PARTY	SCORES
1.	OSITELU ISAAC BABATUNDE	A	19,219
2.	ABDULRASHID HASSAN BABA	AA	14,380
3.	OMOYELE SOWORE	AAC	33,953
4.	CHIKE UKAEGBU	AAP	8,902
5.	SHIPI MOSES GODIA	ABP	4,523
6.	NWOKEAFOR I. NDUBUISI	ACD	11,325
7.	EZEKWESILI OBIAGELI K.	ACPN	7,223
8.	MAILAFIA OBADIAH	ADC	97,874
9.	YABAGI SANI YUSUF	ADP	54,930
10.	NWACHUKWU C. NWABUIKWU	AGA	4,689
11.	CHIEF UMENWA GODWIN	AGAP	3,071
12.	OBAJE YUSUFU AMEH	ANDP	3,104
13.	DUROTOYE A. OLUFELA	ANN	16,779
14.	SHITTU MOSHOOD ASIWAJU	ANP	3,586
15.	FASUA TOPE KOLADE	ANRP	4,340
16.	IBRAHIM ALIYU HASSAN	APA	36,866
17.	BUHARI MUHAMMADU	APC	15,191,847
18.	SHITU MOHAMMED KABIR	APDA	26,558
19.	GBOR JOHN WILSON TERWASE	APGA	66,851
20.	YUSUF MAMMAN DANTALLE	APM	26,039
21.	OBINNA UCHECHUKWU I.	APP	3,585
22.	DARA JOHN	ASD	2,146
23.	ANGELA JOHNSON	AUN	1,092
24.	DAVID ESOSA IZE-IYAMU	BNPP	1,649
25.	ABAH LEWIS ELAIGWU	CAP	1,111
26.	OJINIKA GEFF CHIZEE	CC	2,391
27.	ETIM EMMANUEL ISHIE	CNP	1,874
28.	UKONGA FRANK	DA	2,769
29.	AWOSOLA WILLIAMS OLUSOLA	DPC	5,242
30.	OSAKWE FELIX JOHNSON	DPP	14,483
31.	OKOTIE CHRISTOPHER O.	FRESH	4,554
32.	REV (DR) ONWUBUYA	FJP	4,174
33.	AKHIMIEN DAVIDSON ISIBOR	GDPN	41,852
34.	EKE SAMUEL CHUKWUMA	GPN	4,924

35.	ALBERT OWURU AMBROSE	HDP	1,663
36.	MADU NNAMDI EDOZIE	ID	1,845
37.	CHUKWU-EGUZOLUGO SUNDAY	JMPP	1,853
38.	FAGBENRO-BYRON SAMUEL	KP	1,911
39.	KRIZ DAVID	LM	1,438
40.	MUHAMMED USMAN ZAKI	LP	5,074
41.	ADESANYA-DAVIES MERCY	MAJA	2,651
42.	BASHAYI ISA DANSARKI	MMN	14,540
43.	SANTURAKI HAMISU	MPN	2,752
44.	RABIA YASAI HASSAN CENGIZ	NAC	2,279
45.	ADEMOLA BABATUNDE ABIDEMI	NCMP	1,378
46.	SALISU YUNUSA TANKO	NCP	3,799
47.	A. EDOSOMWAN JOHNSON	NDCP	1,192
48.	AKPUA ROBINSON	NDLP	1,588
49.	COM. ISHAKA PAUL OFEMILE	NEPP	1,524
50.	DR. ASUKWO M. ARCHIBONG	NFD	4,096
51.	ATUEJIDE EUNICE UCHE	NIP	2,248
52.	IKE KEKE	NNPP	6,111
53.	MAINA MAIMUNA KYARI	NPC	10,081
54.	IBRAHIM USMAN ALHAJI	NRM	6,229
55.	MOSES AYIBIOWU	NUP	5,323
56.	FELIX NICHOLAS	PCP	110,196
57.	ABUBAKAR ATIKU	PDP	11,262,978
58.	AMEH PETER OJONUGWA	PPA	21,822
59.	VICTOR OKHAI	PPC	8,979
60.	MAJOR HAMZA AL-MUSTAFA	PPN	4,622
61.	GBENGA OLAWEPO-HASHIM	PT	2,613
62.	ISRAEL NONYEREM DAVIDSON	RAP	2,972
63.	OSUALA CHUKWUDI J.K.	RBNP	1,792
64.	NSEHE NSEOBONG	RP	2,388
65.	DONALD DUKE	SDP	34,746
66.	DA-SILVA THOMAS AYO	SNC	28,680
67.	AHMED BUHARI	SNP	3,941
68.	BALOGUN ISIAKA ISHOLA	UDP	3,170
69.	MARK EMMANUEL AUDU	UP	1,561

70.	INWA AHMED SAKIL	UPN	1,631
71.	NWANGWU UCHENNA PETER	WTPN	732
72.	ALI SOYODE M.	YES	2,394
73.	MOGHALU KINGSLEY	YPP	21,886

11. The Petitioners state that the 1<sup>st</sup> Respondent returned the 2<sup>nd</sup> Respondent as the winner of the election.
12. The 1<sup>st</sup> Respondent also declared the following as part of its summary of the results:

A.	TOTAL NUMBER OF REGISTERED VOTERS	84,004,084
B.	TOTAL NUMBER OF REGISTERED VOTERS (AS COLLATED)	82,344,107
C.	TOTAL NUMBER OF ACCREDITED VOTERS (AS COLLATED)	29,364,209
D.	TOTAL NUMBER OF VALID VOTES (AS COLLATED)	27,324,581
E.	TOTAL NUMBER OF REJECTED VOTES (AS COLLATED)	1,289,607
F.	TOTAL NUMBER OF VOTES CAST (AS COLLATED)	28,614,188
G.	PERCENTAGE TURN OUT (AS COLLATED)	35.66

13. The Petitioners hereby plead and shall rely on **Form EC8D(A)** (being the summary of collation of results) and **Form EC8E** series (being the declaration of result) issued by the 1<sup>st</sup> Respondent, not only to show the recorded scores but to show the invalidity of the scores as recorded thereon. It is further pleaded that on the face of Form EC8D(A), there are calculation errors as shown and contained in the Report of the Statisticians which the Petitioners rely upon, as herein pleaded.
14. The Petitioners plead and shall also rely on the Reports and evidence by their Experts, including Statisticians, Forensic Examiners and other Experts pursuant to the Orders for inspection and production of election materials granted to the Petitioners by this Honourable Court.

(C).  **GROUNDS OF THE PETITION:**

15. The Petitioners state that the Grounds upon which this Petition is based are as follows:
- (a). The 2<sup>nd</sup> Respondent was not duly elected by majority of lawful votes cast at the election.
  - (b). The election of the 2<sup>nd</sup> Respondent is invalid by reason of corrupt practices.
  - (c). The election of the 2<sup>nd</sup> Respondent is invalid by reason of non-compliance with the provisions of the Electoral Act, 2010 (as amended).
  - (d). The 2<sup>nd</sup> Respondent was at the time of the election not qualified to contest the said election.
  - (e). The 2<sup>nd</sup> Respondent submitted to the 1<sup>st</sup> Respondent an affidavit containing false information of a fundamental nature in aid of his qualification for the said election.

(D).  **FACTS OF THE PETITION:**

**GROUND 1: THE 2<sup>ND</sup> RESPONDENT WAS NOT DULY ELECTED BY MAJORITY OF LAWFUL VOTES CAST AT THE ELECTION**

16. The Petitioners state that the 2<sup>nd</sup> Respondent was not duly elected by a majority of the lawful votes cast at the said presidential election and did not score one-quarter of the lawful votes cast at the election in each of at least two-thirds of all the States in the Federation and the Federal Capital Territory, Abuja.
17. The Petitioners state that contrary to the result declared by the 1<sup>st</sup> Respondent, it was the 1<sup>st</sup> Petitioner who indeed won majority of lawful votes cast and

satisfied the mandatory constitutional threshold and spread across the Federation and ought to have been declared winner and returned as duly elected President of Nigeria at the said election to the office of President which held on 23<sup>rd</sup> February 2019.

18. The 1<sup>st</sup> Respondent wrongly and unlawfully credited the 2<sup>nd</sup> Respondent with votes which were not valid or lawful votes at various stages of the election, namely, at the polling units, the ward collating centres, local government collating centres and the State collating centres, with the result that the 2<sup>nd</sup> Respondent was wrongly returned when the said 2<sup>nd</sup> Respondent did not score majority of lawful votes.
19. The Petitioners shall lead oral and documentary evidence at the trial to show that the results of the election as announced by the 1<sup>st</sup> Respondent and especially the votes credited to the 2<sup>nd</sup> Respondent do not represent the lawful valid votes cast. Lawful votes were deducted from the 1<sup>st</sup> Petitioner's scores by the 1<sup>st</sup> Respondent in order to return the 2<sup>nd</sup> Respondent.
20. The Petitioners shall also call evidence of statisticians, forensic examiners and finger-print experts at the hearing of the Petition to establish that the scores credited the 2<sup>nd</sup> Respondent were not the product of actual votes validly cast at the polling units. The Petitioners plead and shall rely on electronic video recordings, newspaper reports, photographs and photographic images of several infractions of the electoral process by the Respondents.
21. The Petitioners plead, state and contend that from the data in the 1<sup>st</sup> Respondent's Server, as between the 1<sup>st</sup> Petitioner and the 2<sup>nd</sup> Respondent, the true, actual and correct results upon a State to State computation are as reflected under the scores of the 1<sup>st</sup> Petitioner and the 2<sup>nd</sup> Respondent, hereunder in the Table following:



State	Registered Voters	Accredited Voters (Actual)	Atiku Abubakar	Muhammad Buhari
ABIA	1,932,892	853,050	664,659	198,391
ADAMAWA	1,973,083	815,680	646,080	169,600
AKWA IBOM	2,119,727	925,370	587,431	337,939
ANAMBRA	2,447,996	1,157,378	823,668	333,710
BAUCHI	2,462,843	1,041,418	187,668	854,037
BAYELSA	923,182	466,264	332,618	133,646
BENUE	2,480,131	670,252	529,970	140,282
BORNO	2,315,956	1,131,496	281,897	849,599
CROSS RIVER	1,527,289	690,890	572,970	118,670
DELTA	2,845,274	877,572	778,369	99,203
EBONYI	1,459,933	857,608	565,762	291,846
EDO	2,210,534	1,212,781	677,937	534,844
EKITI	909,967	373,263	154,032	219,231
ENUGU	1,944,016	965,940	698,119	267,821
FCT	1,344,856	786,151	419,724	366,427
GOMBE	1,394,393	799,302	684,077	115,225
IMO	2,272,293	909,428	485,627	423,801
JIGAWA	2,111,106	1,084,753	539,522	545,231
KADUNA	3,932,492	1,430,145	961,143	469,002
KANO	5,457,747	2,068,140	522,889	1,545,251
KATSINA	3,230,230	1,715,836	160,203	1,555,633
KEBBI	1,806,231	1,074,456	493,341	581,115
KOGI	1,646,350	935,787	504,308	431,479
KWARA	1,406,457	732,816	353,173	379,643
LAGOS	6,570,291	2,526,203	1,103,297	1,422,906
NASARAWA	1,617,786	726,691	344,421	382,270
NIGER	2,390,035	1,080,526	576,308	504,218
OGUN	2,375,003	920,198	438,099	482,099
ONDO	1,822,346	818,215	451,779	366,436
OSUN	1,680,498	685,033	337,359	347,674
OYO	2,934,107	1,000,608	527,873	472,735
PLATEAU	2,480,455	421,299	273,031	148,268
RIVERS	3,215,273	*****	*****	*****

SOKOTO	1,903,166	1,169,303	<b>552,172</b>	<b>617,131</b>
TARABA	1,777,105	630,769	<b>442,380</b>	<b>188,389</b>
YOBE	1,365,913	750,745	<b>306,841</b>	<b>443,904</b>
ZAMFARA	1,717,128	792,796	<b>379,022</b>	<b>413,774</b>
<b>TOTAL</b>	<b>84,004,084</b>	<b>35,098,162</b>	<b>18,356,732</b>	<b>16,741,430</b>

\*\*\*\*\* No report on server as at 25/2/2019 for this State.

22. The Petitioners shall give evidence to show the results as declared by the 1<sup>st</sup> Respondent in respect of each State of the Federation, including Federal Capital Territory, the details of which are contained in the Table following:

State	Registered Voters	Accredited Voters (INEC)	Atiku Abubakar (INEC)	Muhammad Buhari (INEC)
ABIA	1,932,892	361,561	<b>219,698</b>	<b>85,058</b>
ADAMAWA	1,973,083	874,920	<b>410,266</b>	<b>378,078</b>
AKWA IBOM	2,119,727	695,677	<b>395,832</b>	<b>175,429</b>
ANAMBRA	2,447,996	675,677	<b>524,738</b>	<b>33,298</b>
BAUCHI	2,462,843	1,075,330	<b>209,313</b>	<b>798,428</b>
BAYELSA	923,182	344,237	<b>197,833</b>	<b>118,821</b>
BENUE	2,480,131	786,069	<b>356,817</b>	<b>347,668</b>
BORNO	2,315,956	987,290	<b>71,788</b>	<b>836,496</b>
CROSS RIVER	1,527,289	461,033	<b>295,737</b>	<b>117,302</b>
DELTA	2,845,274	891,647	<b>594,068</b>	<b>221,291</b>
EBONYI	1,459,933	391,747	<b>258,573</b>	<b>90,726</b>
EDO	2,210,534	604,915	<b>275,691</b>	<b>267,842</b>
EKITI	909,967	395,741	<b>154,032</b>	<b>219,231</b>
ENUGU	1,944,016	452,765	<b>355,553</b>	<b>152,224</b>
FCT	1,344,856	467,784	<b>259,997</b>	<b>152,224</b>
GOMBE	1,394,393	604,240	<b>138,484</b>	<b>402,961</b>
IMO	2,272,293	585,741	<b>334,923</b>	<b>140,463</b>
JIGAWA	2,111,106	1,171,801	<b>289,895</b>	<b>794,738</b>
KADUNA	3,932,492	1,757,868	<b>949,612</b>	<b>993,445</b>
KANO	5,457,747	2,006,430	<b>391,593</b>	<b>1,464,768</b>

KATSINA	3,230,230	1,628,865	<b>308,056</b>	<b>1,232,133</b>
KEBBI	1,806,231	835,238	<b>154,282</b>	<b>581,552</b>
KOGI	1,646,350	570,773	<b>218,207</b>	<b>285,894</b>
KWARA	1,406,457	489,482	<b>138,184</b>	<b>308,984</b>
LAGOS	6,570,291	1,196,490	<b>448,015</b>	<b>580,825</b>
NASARAWA	1,617,786	613,720	<b>283,847</b>	<b>289,903</b>
NIGER	2,390,035	911,964	<b>218,052</b>	<b>612,371</b>
OGUN	2,375,003	613,397	<b>194,655</b>	<b>281,762</b>
ONDO	1,822,346	598,586	<b>275,901</b>	<b>241,769</b>
OSUN	1,680,498	732,984	<b>337,377</b>	<b>347,634</b>
OYO	2,934,107	905,007	<b>366,690</b>	<b>365,229</b>
PLATEAU	2,480,455	1,074,042	<b>548,665</b>	<b>468,555</b>
RIVERS	3,215,273	678,167	<b>473,971</b>	<b>150,710</b>
SOKOTO	1,903,166	950,107	<b>361,604</b>	<b>490,333</b>
TARABA	1,777,105	756,111	<b>374,743</b>	<b>324,906</b>
YOBE	1,365,913	601,059	<b>50,763</b>	<b>497,914</b>
ZAMFARA	1,717,128	616,168	<b>125,423</b>	<b>438,682</b>
<b>TOTAL</b>	<b>84,004,084</b>	<b>29,364,209</b>	<b>11,262,978</b>	<b>15,191,847</b>

23. The Petitioners shall rely on the evidence of Statisticians, Forensic Examiners and other Experts, detailing the data analysis on the votes at all levels of collation, from the polling units to the final return.
24. Thus upon a proper collation and summation, the correct and proper scores of the candidates are, and they are pleaded herewith by the Petitioners in the table below:-

S/No.	CANDIDATE	PARTY	SCORES
1.	OSITELU ISAAC BABATUNDE	A	19,219
2.	ABDULRASHID HASSAN BABA	AA	14,380
3.	OMOYELE SOWORE	AAC	33,953
4.	CHIKE UKAEGBU	AAP	8,902
5.	SHIPI MOSES GODIA	ABP	4,523
6.	NWOKEAFOR I. NDUBUISI	ACD	11,325
7.	EZEKWESILI OBIAGELI K.	ACPN	7,223
8.	MAILAFIA OBADIAH	ADC	97,874

9.	YABAGI SANI YUSUF	ADP	54,030
10.	NWACHUKWU C. NWABUIKWU	AGA	4,689
11.	CHIEF UMENWA GODWIN	AGAP	3,071
12.	OBAJE YUSUFU AMEH	ANDP	3,104
13.	DUROTOYE A. OLUFELA	ANN	16,779
14.	SHITTU MOSHOOD ASIWAJU	ANP	3,586
15.	FASUA TOPE KOLADE	ANRP	4,340
16.	IBRAHIM ALIYU HASSAN	APA	36,866
17.	<b>BUHARI MUHAMMADU</b>	<b>APC</b>	<b>16,741,430</b>
18.	SHITU MOHAMMED KABIR	APDA	26,558
19.	GBOR JOHN WILSON TERWASE	APGA	66,851
20.	YUSUF MAMMAN DANTALLE	APM	26,039
21.	OBINNA UCHECHUKWU I.	APP	3,585
22.	DARA JOHN	ASD	2,146
23.	ANGELA JOHNSON	AUN	1,092
24.	DAVID ESOSA IZE-IYAMU	BNPP	1,649
25.	ABAH LEWIS ELAIGWU	CAP	1,111
26.	OJINIKA GEFF CHIZEE	CC	2,391
27.	ETIM EMMANUEL ISHIE	CNP	1,874
28.	UKONGA FRANK	DA	2,769
29.	AWOSOLA WILLIAMS OLUSOLA	DPC	5,242
30.	OSAKWE FELIX JOHNSON	DPP	14,483
31.	OKOTIE CHRISTOPHER O.	FRESH	4,554
32.	REV (DR) ONWUBUYA	FJP	4,174
33.	AKHIMIEN DAVIDSON ISIBOR	GDPN	41,852
34.	EKE SAMUEL CHUKWUMA	GPN	4,924
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37.	CHUKWU-EGUZOLUGO SUNDAY	JMPP	1,853
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39.	KRIZ DAVID	LM	1,438
40.	MUHAMMED USMAN ZAKI	LP	5,074
41.	ADESANYA-DAVIES MERCY	MAJA	2,651
42.	BASHAYI ISA DANSARKI	MMN	14,540
43.	SANTURAKI HAMISU	MPN	2,752

44.	RABIA YASAI HASSAN CENGIZ	NAC	2,279
45.	ADEMOLA BABATUNDE ABIDEMI	NCMP	1,378
46.	SALISU YUNUSA TANKO	NCP	3,799
47.	A. EDOSOMWAN JOHNSON	NDCP	1,192
48.	AKPUA ROBINSON	NDLP	1,588
49.	COM. ISHAKA PAUL OFEMILE	NEPP	1,524
50.	DR. ASUKWO M. ARCHIBONG	NFD	4,096
51.	ATUEJIDE EUNICE UCHE	NIP	2,248
52.	IKE KEKE	NNPP	6,111
53.	MAINA MAIMUNA KYARI	NPC	10,081
54.	IBRAHIM USMAN ALHAJI	NRM	6,229
55.	MOSES AYIBIOWU	NUP	5,323
56.	FELIX NICHOLAS	PCP	110,196
57.	<b>ABUBAKAR ATIKU</b>	<b>PDP</b>	<b>18,356,732</b>
58.	AMEH PETER OJONUGWA	PPA	21,822
59.	VICTOR OKHAI	PPC	8,979
60.	MAJOR HAMZA AL-MUSTAFA	PPN	4,622
61.	GBENGA OLAWEPO-HASHIM	PT	2,613
62.	ISRAEL NONYEREM DAVIDSON	RAP	2,972
63.	OSUALA CHUKWUDI J.K.	RBNP	1,792
64.	NSEHE NSEOBONG	RP	2,388
65.	DONALD DUKE	SDP	34,746
66.	DA-SILVA THOMAS AYO	SNC	28,680
67.	AHMED BUHARI	SNP	3,941
68.	BALOGUN ISIAKA ISHOLA	UDP	3,170
69.	MARK EMMANUEL AUDU	UP	1,561
70.	INWA AHMED SAKIL	UPN	1,631
71.	NWANGWU UCHENNA PETER	WTPN	732
72.	ALI SOYODE M.	YES	2,394
73.	MOGHALU KINGSLEY	YPP	21,886

25. The constituency in this election consists of 36 States and the Federal Capital Territory, and the 1<sup>st</sup> Respondent officially had 119,973 polling units.

26. The Petitioners state that Smart Card Readers

deployed by the 1<sup>st</sup> Respondent, in addition to accreditation, equally transmitted electronically the results of voting from polling units directly to the server of the 1<sup>st</sup> Respondent. The Presiding Officers of the 1<sup>st</sup> Respondent directly inputted the results from the polling units at the end of voting and transmitted directly to the server, in addition to manually taking the Form EC8As to the Wards for collation. The 1<sup>st</sup> Respondent is hereby given notice to produce the records of results from each polling unit uploaded and transmitted electronically by officials of the 1<sup>st</sup> Respondent through smart card readers to the 1<sup>st</sup> Respondent's Servers.

27. The Petitioners plead and rely on the 1<sup>st</sup> Respondent's Manual Technologies 2019, and notice is hereby given to the 1<sup>st</sup> Respondent to produce same at the trial. The 1<sup>st</sup> Respondent's agents at the polling units used the Smart Card Reader for electronic collation and transmission of results. The Petitioners plead and shall rely on and play at the trial, the video demonstration by the 1<sup>st</sup> Respondent of the deployment of Smart Card Reader for authentication of accreditation and for transmission of data.
28. The Petitioners hereby plead and rely upon the extract of data as contained on the 1<sup>st</sup> Respondent's servers as at 25<sup>th</sup> February 2019, notice to produce whereof is hereby given to the 1<sup>st</sup> Respondent. The Petitioners also will rely on the data on the 1<sup>st</sup> Respondent's central server between 25<sup>th</sup> February 2019 and 8<sup>th</sup> March 2019 and hereby also give notice to produce same before this Honourable Court.
29. The Petitioners hereby plead the electronic data on the servers of the 1<sup>st</sup> Respondent and shall at the trial give evidence of the source of the data analysis and data material, including the website: [www.factsdontlieng.com](http://www.factsdontlieng.com).

30. The 1<sup>st</sup> Respondent had on the day of election published the total number of registered voters in the entire Country as **84,004,084**. Subsequently, the same 1<sup>st</sup> Respondent published a different figure of **82,344,107** as registered voters, leading to an unexplained difference of **1,659,977** registered voters. The 1<sup>st</sup> Respondent equally published the number of permanent voter's cards (PVC) collected for the purpose of the presidential election as 72,775,502.
31. The Petitioners state that whereas the actual number of voters accredited at the election was **35,098,162**, the 1<sup>st</sup> Respondent wrongly suppressed and/or reduced the number of accredited voters to **29,394,209** to the detriment of the Petitioners.
32. The 1<sup>st</sup> Respondent had by its Regulations and Guidelines for the Conduct of Elections, 2019 made pursuant to the Electoral Act, 2010 (as amended) provided for the mandatory use of card readers for the said election. The 1<sup>st</sup> Respondent by its press release on smart card readers issued in February 2019 and signed by its National Commissioner, Barrister Festus Okoye, emphasised and reiterated that "The use of the Smart Card Reader is **NOT ONLY MANDATORY** but its deliberate non-use attracts the sanction of possible prosecution of erring officials in accordance with the INEC Regulations and Guidelines for the conduct of elections. This is in addition to the **voiding of any result emanating from such units or areas as was done in the Presidential and National Assembly elections of February 23, 2019.**" By this stated position of the 1<sup>st</sup> Respondent, all accreditation not done by smart card reader in the presidential election was and remain void.
33. The Petitioners state and contend that the 2<sup>nd</sup> Respondent was not duly elected by majority of lawful

votes cast at the election; and that from the data on each State of the Federation and the Federal Capital Territory, Abuja, in the 1<sup>st</sup> Respondent's server, the 1<sup>st</sup> Petitioner, as opposed to the 2<sup>nd</sup> Respondent, scored majority of lawful votes cast at the election, as particularised hereunder:

**ABIA STATE:**

34. The Petitioners contend that in the case of Abia State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 219,698 votes, as against the lawful votes of 664,659 electronically collated thereby depleting the Petitioners' votes by 444,691 votes in order to unduly return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
35. The 1<sup>st</sup> Respondent had earlier published the figure of 1,932,892 as registered voters in Abia State but in its Form EC8D (A), recorded 1,793,861 as the number of registered voters. The Petitioners aver that the actual number of accredited voters in Abia State for the election was 853,050, but the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 361,561 in order to suppress the Petitioners' lawful votes.

**ADAMA WA STATE:**

36. The Petitioners contend that in the case of Adamawa State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 410,266 votes, as against the lawful votes of 646,080 electronically collated thereby depleting the Petitioners' votes by 235,814 votes in order to unduly return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.

**AKWA IBOM STATE:**



37. The Petitioners contend that in the case of Akwa Ibom State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 395,832 votes, as against the lawful votes of 587,431 electronically collated thereby depleting the Petitioners' votes by 191,599 votes in order to unduly return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
38. The Petitioners aver that the actual number of accredited voters in Akwa Ibom State for the election was 925,370 but the 1<sup>st</sup> Respondent in its said Form EC8D (A), published the number of accredited voters as 695,677 in order to suppress the Petitioners' lawful votes.

**ANAMBRA STATE:**

39. The Petitioners contend that in the case of Anambra State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 524,738 votes, as against the lawful votes of 823,668 electronically collated thereby depleting the Petitioners' votes by 298,930 votes in order to unduly return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
40. The 1<sup>st</sup> Respondent had earlier published the figure of 2,447,996 as registered voters in Anambra State but in its Form EC8D (A), recorded 2,389,332 as the number of registered voters. The Petitioners aver that the actual number of accredited voters in Anambra State for the election was 1,157,378 but the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 675,273 in order to suppress the Petitioners' lawful votes.

**BAUCHI STATE:**

41. The 1<sup>st</sup> Respondent had earlier published figure of 2,462,843 as registered voters in Bauchi State but in its

Form EC8D (A), recorded 2,453,512 as the number of registered voters. The Petitioners aver that the actual number of accredited voters in Bauchi State for the election was 1,410,418 but the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 1,075,330.

**BAYELSA STATE:**

42. The Petitioners contend that in the case of Bayelsa State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 197,933 votes, as against the lawful votes of 332,618 electronically collated thereby depleting the Petitioners' votes by 134,685 votes in order to unduly return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
43. The Petitioners aver that the actual number of accredited voters in Bayelsa State for the election was 466,264 but the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 344,237 in order to suppress the Petitioners' lawful votes.

**BENUE STATE:**

44. The Petitioners contend that in the case of Benue State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 356,817 votes, as against the lawful votes of 529,970 electronically collated thereby depleting the Petitioners' votes by 173,153 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
45. The 1<sup>st</sup> Respondent had earlier published the figure of 2,480,131 as registered voters in Benue State but in its Form EC8D (A), recorded 2,391,276 as the number of registered voters. Whereas the actual number of accredited voters in Benue State for the election was

670,252, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 344,237 in order to suppress the Petitioners' lawful votes.

**BORNO STATE:**

46. The Petitioners contend that in the case of Borno State, the 1<sup>st</sup> Respondent wrongly credited to the Petitioners with 71,788 votes, as against the lawful votes of 281,897 electronically collated thereby depleting the Petitioners' votes by 210,109 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
47. The 1<sup>st</sup> Respondent had earlier published the figure of 2,315,956 as registered voters in Borno State but in its Form EC8D (A), recorded 2,319,434 as the number of registered voters. Whereas the actual number of accredited voters in Borno State for the election was 1,131,496, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 987,290 in order to suppress the Petitioners' lawful votes.

**CROSS RIVER STATE:**

48. The Petitioners contend that in the case of Cross River State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 295,737 votes, as against the lawful votes of 572,220 electronically collated thereby depleting the Petitioners' votes by 276,483 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
49. The 1<sup>st</sup> Respondent had earlier published the figure of 1,527,289 as registered voters in Cross River State but in its Form EC8D (A), recorded 1,512,915 as the number of registered voters. Whereas the actual number of accredited voters in Cross River State for the election was 690,890, the 1<sup>st</sup> Respondent in its said

Form EC8D(A), published the number of accredited voters as 461,033 in order to suppress the Petitioners' lawful votes.

**DELTA STATE:**

50. The Petitioners contend that in the case of Delta State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 594,068 votes, as against the lawful votes of 778,369 electronically collated thereby depleting the Petitioners' votes by 184,301 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
51. The 1<sup>st</sup> Respondent had earlier published the figure of 2,845,274 as registered voters in Delta State but in its Form EC8D (A), recorded 2,719,313 as the number of registered voters. Whereas the actual number of accredited voters in Delta State for the election was 877,572, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 891,647 in order to suppress the Petitioners' lawful votes.

**EBONYI STATE:**

52. The Petitioners contend that in the case of Ebonyi State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 258,573 votes, as against the lawful votes of 565,762 electronically collated thereby depleting the Petitioners' votes by 307,189 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
53. The 1<sup>st</sup> Respondent had earlier published the figure of 1,459,933 as registered voters in Ebonyi State but in its Form EC8D(A), recorded 1,392,931 as the number of registered voters. Whereas the actual number of

accredited voters in Ebonyi State for the election was 857,608, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 391,747 in order to suppress the Petitioners' lawful votes.

**EDO STATE:**

54. The Petitioners contend that in the case of Edo State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 275, 691 votes, as against the lawful votes of 677,937 electronically collated thereby depleting the Petitioners' votes by 402,246 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
55. The 1<sup>st</sup> Respondent had earlier published the figure of 2,210,534 as registered voters in Edo State but in its Form EC8D (A), recorded 2,150,127 as the number of registered voters. Whereas the actual number of accredited voters in Edo State for the election was 1,212, 781, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 604,915 in order to suppress the Petitioners' lawful votes.

**EKITI STATE:**

56. The 1<sup>st</sup> Respondent had earlier published the figure of 909,967 as registered voters in Ekiti State but in its Form EC8D (A), recorded 899,919 as the number of registered voters. Whereas the actual number of accredited voters in Ekiti State for the election was 373,263, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 395,741.

**ENUGU STATE:**

57. The Petitioners contend that in the case of Enugu State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 355,553 votes, as against the lawful votes of 698,119 electronically collated thereby depleting the Petitioners' votes by 342,566 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
58. The 1<sup>st</sup> Respondent had earlier published the figure of 1,944,016 as registered voters in Enugu State but in its Form EC8D (A), recorded 1,935,168 as the number of registered voters. Whereas the actual number of accredited voters in Enugu State for the election was 965,940, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 452,765 in order to suppress the Petitioners' lawful votes.

**FEDERAL CAPITAL TERRITORY, ABUJA:**

59. The Petitioners contend that in the case of Federal Capital Territory, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 259,997 votes, as against the lawful votes of 419,724 electronically collated thereby depleting the Petitioners' votes by 159,727 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
60. The 1<sup>st</sup> Respondent had earlier published the figure of 1,344,856 as registered voters in Federal Capital Territory but in its Form EC8D (A), recorded 1,335,015 as the number of registered voters. Whereas the actual number of accredited voters in Federal Capital Territory for the election was 768,151, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 467,784 in order to suppress the Petitioners' lawful votes.

**GOMBE STATE:**

61. The Petitioners contend that in the case of Gombe State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 138,484 votes, as against the lawful votes of 684,077 electronically collated thereby depleting the Petitioners' votes by 545,593 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
62. The 1<sup>st</sup> Respondent had earlier published the figure of 1,394,393 as registered voters in Gombe State but in its Form EC8D (A), recorded 1,385,191 as the number of registered voters. Whereas the actual number of accredited voters in Gombe State for the election was 799,302, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 604,240 in order to suppress the Petitioners' lawful votes.

**IMO STATE:**

63. The Petitioners contend that in the case of Imo State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 334,923 votes, as against the lawful votes of 485,627 electronically collated thereby depleting the Petitioners' votes by 150,704 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
64. The 1<sup>st</sup> Respondent had earlier published the figure of 2,272,293 as registered voters in Imo State but in its Form EC8D (A), recorded 2,037,569 as the number of registered voters. Whereas the actual number of accredited voters in Imo State for the election was 909,428, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 585,741 in order to suppress the Petitioners' lawful votes.

**JIGAWA STATE:**

65. The Petitioners contend that in the case of Jigawa

State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 289,895 votes, as against the lawful votes of 539,522 electronically collated thereby depleting the Petitioners' votes by 249,627 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.

66. The 1<sup>st</sup> Respondent had earlier published the figure of 2,111,106 as registered voters in Jigawa State but in its Form EC8D (A), recorded 2,104,889 as the number of registered voters. Whereas the actual number of accredited voters in Jigawa State for the election was 1,084,753, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 1,171,801 in order to suppress the Petitioners' lawful votes.

**KADUNA STATE:**

67. The Petitioners contend that in the case of Kaduna State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 649,612 votes, as against the lawful votes of 961,143 electronically collated thereby depleting the Petitioners' votes by 311,531 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
68. The 1<sup>st</sup> Respondent had earlier published the figure of 3,932,492 as registered voters in Kaduna State but in its Form EC8D (A), recorded 3,861,033 as the number of registered voters. Whereas the actual number of accredited voters in Kaduna State for the election was 1,430,145, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 1,757,868 in order to suppress the Petitioners' lawful votes.

**KANO STATE:**



69. The Petitioners contend that in the case of Kano State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 391,593 votes, as against the lawful votes of 522,889 electronically collated thereby depleting the Petitioners' votes by 131,296 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
70. The 1<sup>st</sup> Respondent had earlier published the figure of 5,457,747 as registered voters in Kano State but in its Form EC8D (A), recorded 5,391,581 as the number of registered voters. Whereas the actual number of accredited voters in Kano State for the election was 2,068,140 the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 2,006,418 in order to suppress the Petitioners' lawful votes.

**KATSINA STATE:**

71. The Petitioners as recorded on the 1<sup>st</sup> Respondent's servers is 160,203.
72. The 1<sup>st</sup> Respondent had earlier published the figure of 3,230,230 as registered voters in Katsina State but in its Form EC8D (A), recorded 3,210,422 as the number of registered voters. Whereas the actual number of accredited voters in Katsina State for the election was 1,715,836 the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 1,628,865.

**KEBBI STATE:**

73. The Petitioners contend that in the case of Kebbi State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 154,282 votes, as against the lawful votes of 493,341 electronically collated thereby depleting the Petitioners' votes by 339,059 votes in order to

unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.

74. The 1<sup>st</sup> Respondent had earlier published the figure of 1,806,231 as registered voters in Kebbi State but in its Form EC8D (A), recorded 1,802,697 as the number of registered voters. Whereas the actual number of accredited voters in Kebbi State for the election was 1,074,456, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 835,238 in order to suppress the Petitioners' lawful votes.

**KOGI STATE:**

75. The Petitioners contend that in the case of Kogi State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 218, 207 votes, as against the lawful votes of 504,308 electronically collated thereby depleting the Petitioners' votes by 286,101 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
76. The 1<sup>st</sup> Respondent had earlier published the figure of 1,646,350 as registered voters in Kogi State but in its Form EC8D (A), recorded 1,640,449 as the number of registered voters. Whereas the actual number of accredited voters in Kogi State for the election was 935,787, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 570,773 in order to suppress the Petitioners' lawful votes.

**KWARA STATE:**

77. The Petitioners contend that in the case of Kwara State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 138,184 votes, as against the lawful votes of 353,173 electronically collated thereby depleting the Petitioners' votes by 214,989 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as

winners of the election.

78. The 1<sup>st</sup> Respondent had earlier published the figure of 1,406,457 as registered voters in Kwara State but in its Form EC8D (A), recorded 1,401,895 as the number of registered voters. Whereas the actual number of accredited voters in Kwara State for the election was 732,816, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 489,482 in order to suppress the Petitioners' lawful votes.

**LAGOS STATE:**

79. The Petitioners contend that in the case of Lagos State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 448,015 votes, as against the lawful votes of 1,103,297 electronically collated thereby depleting the Petitioners' votes by 655,282 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
80. The 1<sup>st</sup> Respondent had earlier published the figure of 6,570,291 as registered voters in Lagos State but in its Form EC8D (A), recorded 6,313,507 as the number of registered voters. Whereas the actual number of accredited voters in Lagos State for the election was 2,526,203, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 1,196,490 in order to suppress the Petitioners' lawful votes.

**NASARAWA STATE:**

81. The Petitioners contend that in the case of Nasarawa State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 283,847 votes, as against the lawful votes of 344,421 electronically collated thereby depleting the Petitioners' votes by 60,574 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents

as winners of the election.

82. The 1<sup>st</sup> Respondent had earlier published the figure of 1,617,786 as registered voters in Nasarawa State but in its Form EC8D (A), recorded 1,509,481 as the number of registered voters. Whereas the actual number of accredited voters in Nasarawa State for the election was 726,691, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 613,720 in order to suppress the Petitioners' lawful votes.

**NIGER:**

83. The Petitioners contend that in the case of Niger State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 218,052 votes, as against the lawful votes of 576,308 electronically collated thereby depleting the Petitioners' votes by 358,256 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
84. The 1<sup>st</sup> Respondent had earlier published the figure of 2,390,035 as registered voters in Niger State but in its Form EC8D (A), recorded 2,375,568 as the number of registered voters. Whereas the actual number of accredited voters in Niger State for the election was 1,080,526, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 911,964, in order to suppress the Petitioners' lawful votes.

**OGUN STATE:**

85. The Petitioners contend that in the case of Ogun State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 194,655 votes, as against the lawful votes of 438,099 electronically collated thereby depleting the Petitioners' votes by 234,444 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as

winners of the election.

86. The 1<sup>st</sup> Respondent had earlier published figure of 2,375,003 as registered voters in Ogun State but in its Form EC8D (A), recorded 2,336,887 as the number of registered voters. Whereas the actual number of accredited voters in Ogun State for the election was 920,198, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 613,397 in order to suppress the Petitioners' lawful votes.

**ONDO STATE:**

87. The Petitioners contend that in the case of Ondo State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 275,901 votes, as against the lawful votes of 451,779 electronically collated thereby depleting the Petitioners' votes by 175,878 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
88. The 1<sup>st</sup> Respondent had earlier published the figure of 1,822,346 as registered voters in Ondo State but in its Form EC8D (A), recorded 1,812,567 as the number of registered voters. Whereas the actual number of accredited voters in Ondo State for the election was 818,215, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 598,586 in order to suppress the Petitioners' lawful votes.

**OSUN STATE:**

89. The Petitioners contend that in the case of Osun State, the 1<sup>st</sup> Respondent wrongly credited to the Petitioners with 337,377 votes, as against the votes of 337,359 electronically collated.
90. The 1<sup>st</sup> Respondent had earlier published the figure of 1,680,498 as registered voters in Osun State but in its

Form EC8D (A), recorded 1,674,729 as the number of registered voters. Whereas the actual number of accredited voters in Osun State for the election was 685,033, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 732,984.

**OYO STATE:**

91. The Petitioners contend that in the case of Oyo State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 366,690 votes, as against the lawful votes of 527,873 electronically collated thereby depleting the Petitioners' votes by 161,183 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
92. The 1<sup>st</sup> Respondent had earlier published figure of 2,934,107 as registered voters in Oyo State but in its Form EC8D (A), recorded 2,796,542 as the number of registered voters. Whereas the actual number of accredited voters in Oyo State for the election was 1,000,608 the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 905,007 in order to suppress the Petitioners' lawful votes.

**PLATEAU STATE:**

93. The Petitioners contend that in the case of Plateau State, the 1<sup>st</sup> Respondent credited the Petitioners with 548,665 votes, as against the votes of 273,031 electronically collated. The 2<sup>nd</sup> Respondent was in like manner credited with 468,555 votes as against 148,268 electronically collated.
94. The 1<sup>st</sup> Respondent had earlier published the figure of 2,480,455 as registered voters in Plateau State but in its Form EC8D (A), recorded 2,423,381 as the number of registered voters. Whereas the actual number of accredited voters in Plateau State for the election was

421,299, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 1,074,042 in order to suppress the Petitioners' lawful votes.

**RIVERS STATE:**

95. The Petitioners contend that in the case of Rivers State, the 1<sup>st</sup> Respondent credited to the Petitioners with 473,971 votes, and the Petitioners aver further that as at 25<sup>th</sup> February 2019, the electronically collated results of the parties were not yet on the central server of the 1<sup>st</sup> Respondent. The Petitioners have applied to the 1<sup>st</sup> Respondent for the data with respect to this State on the material date, and hereby give the 1<sup>st</sup> Respondent notice to produce same at the trial.

**SOKOTO STATE:**

96. The Petitioners contend that in the case of Sokoto State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 361,604 votes, as against the lawful votes of 552,172 electronically collated thereby depleting the Petitioners' votes by 190,568 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.
97. The 1<sup>st</sup> Respondent had earlier published the figure of 1,903,166 as registered voters in Sokoto State but in its Form EC8D(A), recorded 1,895,266 as the number of registered voters. Whereas the actual number of accredited voters in Sokoto State for the election was 1,169,303, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 950,107 in order to suppress the Petitioners' lawful votes.

**TARABA STATE:**

98. The Petitioners contend that in the case of Taraba

State, the 1<sup>st</sup> Respondent wrongly credited to the Petitioners with 374,743 votes, as against the lawful votes of 442,380 electronically collated thereby depleting the Petitioners' votes by 67,637 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.

99. Whereas the actual number of accredited voters in Taraba State for the election was 603,769, the 1<sup>st</sup> Respondent in its said Form EC8D (A), published the number of accredited voters as 756,111 in order to suppress the Petitioners' lawful votes.

**YOBE STATE:**

100. The Petitioners contend that in the case of Yobe State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 50,763 votes, as against the lawful votes of 306,841 electronically collated thereby depleting the Petitioners' votes by 256,078 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.

101. Whereas the actual number of accredited voters in Yobe State for the election was 750,745, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 601,059 in order to suppress the Petitioners' lawful votes.

**ZAMFARA STATE:**

102. The Petitioners contend that in the case of Zamfara State, the 1<sup>st</sup> Respondent wrongly credited the Petitioners with 125,123 votes, as against the lawful votes of 379,022 electronically collated thereby depleting the Petitioners' votes by 253,599 votes in order to unlawfully return the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as winners of the election.



103. Whereas the actual number of accredited voters in Zamfara State for the election was 792,796, the 1<sup>st</sup> Respondent in its said Form EC8D(A), published the number of accredited voters as 616,168 in order to suppress the Petitioners' lawful votes.
104. The Petitioners aver that from the above, therefore, the Petitioners scored the highest lawful votes of **18,356,732** (as against **11,262, 978** votes wrongly credited to the 1<sup>st</sup> Petitioner by the 1<sup>st</sup> Respondent. On the other hand, the 2<sup>nd</sup> Respondent scored **16,741,430** lawful votes (as against **15,191,847** votes wrongly credited to the 2<sup>nd</sup> Respondent by the 1<sup>st</sup> Respondent).
105. In respect of manual collation of results, the Petitioners contend that the 1<sup>st</sup> Respondent through its officials and agents did not correctly collate votes from the polling units in all the aforementioned States, and shall rely of the reports and evidence of their Statisticians and the election results and materials herein pleaded.
106. It is the case of the Petitioners, therefore, that having scored the highest number of lawful votes and having also scored not less than one-quarter of the votes cast at the said election in each of at least two-thirds of all the States in the Federation and the Federal Capital Territory, Abuja, the 1<sup>st</sup> Petitioner should be returned as the duly elected President of the Federal Republic Nigeria.

**GROUND 2: NON-COMPLIANCE WITH THE PROVISIONS OF THE ELECTORAL ACT 2010 (AS AMENDED)**

**(1). Non-Holding Of Elections And Cancellation Of Results:**

107. The Petitioners state that election was cancelled in many polling units in the Country, and by the admission

of the 1<sup>st</sup> Respondent, the said polling units were **4,171** in number out of the 119,973 polling units in the country. The Petitioners aver that the cancelled election covered **2,906,384 registered voters**. The Petitioners hereby plead and shall rely on the electronic evidence where the Chairman of the 1<sup>st</sup> Respondent, Professor Mahmud Yakubu, during the national collation of the results, announced areas where election was cancelled with the registered number of voters and the total number of 2,906,384 registered voters were unable to vote.

108. The 1<sup>st</sup> Respondent, in obvious admission that election did not take place as prescribed by law, ordered supplementary elections in **14 States** of the Federation, namely, Abia (192 polling units); Akwa Ibom (45 polling units); Anambra (42 polling units); Bauchi (5 polling units); Benue (50 polling units); Imo (604 polling units); Kaduna (17 polling units); Kogi (156 polling units); Lagos (97 polling units); Ondo (56 polling units); Oyo (6 polling units); Plateau (106 polling units); Rivers (956 polling units) and Sokoto (9 polling units), summing to 2,341 polling, covering 2,698, 773 registered voters. The Petitioners shall rely on 1<sup>st</sup> Respondent's press releases and newspaper/electronic reports to prove this at the hearing.
109. The Petitioners contend that if 2,906,384 cancelled votes are added to 2,698,773 voters who did not vote, the figure will stand at 5,605,157, which will exceed the figure of 3,928,869, which was the difference in the votes the 1<sup>st</sup> Respondent as announced between the scores of the 2<sup>nd</sup> Respondent and the 1<sup>st</sup> Petitioner, hence the 1<sup>st</sup> Respondent ought to have declared the February 23, 2019 Presidential election inconclusive, as it did in several other elections, including Senatorial elections conducted on the same day.

110. The Petitioners further aver that the Presidential and

the National Assembly elections were held simultaneously on the 23<sup>rd</sup> of February, 2019 and whatever affected either election affected the other and vice versa.

111. The Petitioners further aver that a computation of number of accredited voters and total votes cast at the said election shows that **750,019** are unaccounted for in the results declared by the 1<sup>st</sup> Respondent from the 36 States of the Federation and the Federal Capital Territory, Abuja.

(2). **Wrong and Deliberate Entry of Wrong Results:**

112. The Petitioners aver that there were discrepancies on very large scales at the various levels of recording and collation of the results, particularly between the polling units level and the Ward Collations level.

113. The Petitioners aver that the 1<sup>st</sup> Respondent and its agents **wrongly and deliberately entered wrong results** in the under-listed eleven (11) States, namely:

- (a). Borno
- (b). Yobe
- (c). Bauchi
- (d). Gombe
- (e). Jigawa
- (f). Kaduna
- (g). Kano
- (h). Katsina
- (i). Kebbi
- (j). Niger
- (k). Zamfara.

(A). **BORNO STATE:**

114. In Borno, there are wrong entries and returns in the under-listed 26 Local Government Areas, namely,

Abadam, Askira/Uba, Bama, Bayo, Biu, Chibok, Damboa, Dikwa, Gubio, Guzamala, Gwoza, Hawul, Jere, Kaga, Kala/Balge, Konduga, Kukawa, Kwaya Kusar, Mafa, Magumeri, Maiduguri, Marte, Mobbar, Monguno, Ngala, Nganzai, Shani

115. Out of 3,933 polling units in the State, there were wrong entries and returns in a total number of 1,952 polling units across the 26 Local Government Areas within the State in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 1941 polling units within the 26 Local Government Areas, the 1<sup>st</sup> Respondent in 200 polling units, returned nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Non-Authentication:**

The Petitioners shall contend that out of 1,941 polling units within the 26 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 1589 polling units in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

**(3). Over-Voting:**

The Petitioners shall contend that out of 1941 polling units in the affected 26 Local Government Areas in the State, the 1<sup>st</sup> Respondent in respect of 490 polling units reflected results showing that the number of votes

returned exceeds the number of accredited voters. The Petitioners shall rely on the Statisticians Report at the trial.

**(4). Inflating and Deflating of Votes:**

The Petitioners shall contend that the 1<sup>st</sup> Respondent wrongfully entered incorrect results for the Petitioners in Borno State by wrongly crediting Petitioners with 71,788 votes as against 281,897 votes actually scored by the Petitioners, thereby deflating the Petitioners' votes by 210,109 votes. The 2<sup>nd</sup> Respondent's votes were nominally adjusted 1<sup>st</sup> Respondent by way of deduction of 13,103 votes and thereby crediting the 2<sup>nd</sup> Respondent with 863,496 votes as against 849,599 as reflected in the results as electronically collated. The Petitioners shall rely on the Statisticians Report at the trial.

**(5). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 1,030 polling units of the 1941 polling units across the 26 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

116. The Petitioners will at the trial rely on Form EC8As from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support of the above averments for Borno State.

117. The Petitioners contend that most parts of Borno State have been under the siege of Boko Haram insurgency, war-torn and general security threats. It is a notorious fact and generally reported that there were sporadic

bomb blasts and gun attacks on the day of the election. The Petitioners shall place reliance on electronic and print media reports. These events generally affected the voter turn-out. The 1<sup>st</sup> Respondent wrongly credited the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents with non-existent votes.

**(B). YOBE STATE:**

118. In Yobe State, there are wrong entries and returns in the under-listed 17 Local Government Areas, namely, Bade, Bursari, Damaturu, Fika, Fune, Geidam, Gujba, Gulani, Jakuso, Karasuwa, Karawa, Machina, Nangere, Nguru Potiskum, Tarmua, Yunusari, Yusufari.
119. Out of 1714 polling units in the State, there were wrong entries and returns in a total number of 660 polling units across the 14 Local Government Areas within the State.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 660 polling units within the 14 Local Government Areas, the 1<sup>st</sup> Respondent in 22 polling units, returned nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Non-Authentication:**

The Petitioners shall contend that out of 1,714 polling units within the 14 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 543 polling units in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

### **(3). Inflating and Deflating of Votes:**

The Petitioners shall contend that the 1<sup>st</sup> Respondent wrongfully entered incorrect results for the Petitioners in Yobe State by wrongly crediting Petitioners with 50,763 votes as against 306,841 votes actually scored by the Petitioners, thereby deflating the Petitioners' votes by 256,078 votes. The 2<sup>nd</sup> Respondent's votes were inflated by 1<sup>st</sup> Respondent with 54,010 votes by crediting the 2<sup>nd</sup> Respondent with 497,914 votes as against 443,904 as reflected in the results as electronically collated.

### **(4). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 273 polling units of the 660 polling units across the 14 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

120. The Petitioners will at the trial rely on Form EC8As from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support of the above averments for Yobe State.
121. The Petitioners contend that most parts of Yobe State have been under the siege of Boko Haram insurgency, war-torn and general security threats. It is a notorious fact and generally reported that there were sporadic bomb blasts and gun attacks on the day of the election. It was so severe that even the State Governor was deterred from casting his vote on the election day. The Petitioners shall place reliance on electronic and print media reports. These events generally affected the

voter turn-out. The 1<sup>st</sup> Respondent wrongly credited the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents with non-existent votes.

**(C). ZAMFARA:**

122. In Zamfara State, there are wrong entries and returns in the under-listed 14 Local Government Areas, namely, Anka, Bakura, Birnin Magaji, Bukkuyum, Bungudu, Gummi, Gusau, Kaura, Namoda, Maradun, Maru, Shinkafi, Talata Mafara, Tsafe, Zurmi.
123. Out of 2,516 polling units in the State, there were wrong entries and returns in a total number of 843 polling units across the 14 Local Government Areas within the State.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 843 polling units within the 14 Local Government Areas, the 1<sup>st</sup> Respondent in 102 polling units, returned nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Non-Authentication:**

The Petitioners shall contend that out of 843 polling units within the 14 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 111 polling units in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

**(3). Inflating and Deflating of Votes:**

The Petitioners shall contend that the 1<sup>st</sup> Respondent



wrongfully entered incorrect results for the Petitioners in Zamfara State by wrongly crediting the Petitioners with 125,423 votes as against 379,002 votes actually scored by the Petitioners, thereby deflating the Petitioners' votes by 253,599 votes. The 2<sup>nd</sup> Respondent's votes were inflated 1<sup>st</sup> Respondent by 24,908 votes and thereby crediting the 2<sup>nd</sup> Respondent with 438,682 votes as against 413,774 as reflected in the results as electronically collated.

**(4). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 76 polling units of the 843 polling units across the 14 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

124. The Petitioners will at the trial rely on Form EC8As from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support of the above averments for Zamfara State.

**(D). NIGER STATE:**

125. In Niger, there are wrong entries and returns in 15 out of the under-listed 25 Local Government Areas, namely, Agaie, Agwara, Bida, Borgu, Bosso, Chanchaga, Edati, Gbako, Gurara, Katcha, Kontagora, Lapai, Lavun, Magama, Mariga, Mashegu, Mokwa, Muya, Paikoro, Rafi, Rijau, Shiroro, Suleja, Tafa, Wushishi.
126. Out of 3,185 polling units in the State, there were wrong entries and returns in a total number of 1,028 polling units across the above 15 Local Government Areas within the State.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 1028 polling units within the said 15 Local Government Areas, the 1<sup>st</sup> Respondent in 85 polling units, returned nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Non-Authentication:**

The Petitioners shall contend that out of 1,028 polling units within the above 15 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 900 polling units in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

**(3). Inflating and Deflating of Votes:**

The Petitioners shall contend that the 1<sup>st</sup> Respondent wrongfully entered incorrect results for the Petitioners in Niger State by wrongly crediting Petitioners with 218,052 votes as against 576,308 votes actually scored by the Petitioners, thereby deflating the Petitioners' votes by 358,256 votes. The 2<sup>nd</sup> Respondent's votes were inflated by 108,153 votes by crediting the 2<sup>nd</sup> Respondent with 612,371 votes as against the electronically collated votes of 504,218.

**(4). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 1,028 polling units of the 3,185 polling units across the said 15 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully

made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

127. The Petitioners will at the trial rely on Form EC8As from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support of the above averments for Niger State.

**(E). KATSINA STATE:**

128. In Katsina State, there are wrong entries and returns in the 34 under-listed Local Government Areas, namely, Bakori, Batagarawa, Batsari, Baure, Bindawa, Charanchi, Dandume, Danja, Dan Musa, Daura, Dutsi, Dutsin-ma, Faskari, Funtua, Ingawa, Jibia, Kafur, Kaita, Kankara, Kankia, Katsina, Kurfi, Kusada, Mai'Adua, Malumfashi, Mani, Mashi, Matazuu, Musawa, Rimi, Sabuwa, Safana, Sandamu, Zango.
129. Out of 4903 polling units in the State, there were wrong entries and returns in a total number of 2,155 polling units across the 34 Local Government Areas within the State.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 2155 polling units within the 30 Local Government Areas, the 1<sup>st</sup> Respondent in 98 polling units, returned nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Non-Authentication:**

The Petitioners shall contend that out of 2155 polling units within the 30 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 2081 polling units in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

**(3). Inflating and Deflating of Votes:**

The Petitioners shall contend that the 1<sup>st</sup> Respondent wrongfully entered incorrect results for the Petitioners in Katsina State by crediting Petitioners with 308,056 votes as against 106,203 votes actually scored by the Petitioners. The 2<sup>nd</sup> Respondent's votes were deflated by 323,500 votes by crediting the 2<sup>nd</sup> Respondent with 1,232,133 votes as against the electronically collated votes of 1,555,633.

**(4). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 1321 polling units of the 2155 polling units across the 30 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

**(F). BAUCHI STATE:**

130. In Bauchi State, there are wrong entries and returns in the under-listed 20 Local Government Areas, namely, Alkaleri, Bauchi, Bogoro, Dambam, Darazo, Dass, Gamawa, Giade, Itas/Gadaw, Jama'are, Katagum, Kirfi, Misau, Ningi, Shira, Tafawa-Balewa, Toro, Warji, Zaki.

131. Out of 4074 polling units in the State, there were wrong

entries and returns in a total number of 1,864 polling units across the above 20 Local Government Areas within the State.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 1864 polling units within the said 20 Local Government Areas, the 1<sup>st</sup> Respondent in 116 polling units, returned nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Non-Authentication:**

The Petitioners shall contend that out of 1864 polling units within the above 20 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 1,615 polling units in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

**(3). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 1,604 polling units of the 1,864 polling units across the said 20 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

132. The Petitioners will at the trial rely on Form EC8As from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support

of the above averments for Bauchi State.

**(G). JIGAWA STATE:**

133. In Jigawa, there are wrong entries and returns in the under-listed 26 Local Government Areas, namely, Auyo, Babura, Birnin Kudu, Biriniwa, Buji, Dutse, Gagarawa, Garki, Gumel, Guri, Gwaram, Gwiwa, Hadejia, Jahun, Kafin Hausa, Kaugama, Kazaure, Kiri Kasamma, Kiyawa, Maigatari, Malam Madori, Miga, Ringim, Romi, Sule-Tankarkar, Taura, Yankwashi.
134. Out of 3528 polling units in the State, there were wrong entries and returns in a total number of 2,266 polling units across the 26 Local Government Areas within the State.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 2,266 polling units within the 26 Local Government Areas, the 1<sup>st</sup> Respondent in 116 polling units, returned nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Non-Authentication:**

The Petitioners shall contend that out of 2,266 polling units within the 26 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 1,919 polling units in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

### **(3). Inflating and Deflating of Votes:**

The Petitioners shall contend that the 1<sup>st</sup> Respondent wrongfully entered incorrect results for the Petitioners in Jigawa State by wrongly crediting Petitioners with 289,895 votes as against 539,522 votes actually scored by the Petitioners, thereby deflating the Petitioners' votes by 249,627 votes. The 2<sup>nd</sup> Respondent's votes were adjusted by of inflation of 249,507 votes thereby crediting the 2<sup>nd</sup> Respondent with 794,738, votes as against the electronically collated votes of 545,231.

### **(4). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 1,102 polling units of the 2,266 polling units across the 26 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

135. The Petitioners will at the trial rely on Form EC8As from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support of the above averments for Jigawa State.

### **(H). KADUNA STATE:**

136. In Kaduna State, there are wrong entries and returns in the under-listed 23 Local Government Areas, namely, Birnin-Gwari, Chikun, Giwa, Igabi, Ikara, Jaba, Jema'a, Kachia, Kaduna North, Kaduna South, Kagarko, Kajuru, Kuara, Kauru, Kubau, Kudan, Lere, Markarfi, Sabon-Gari, Sanga, Soba, Zango-Kataf, Zaria.

137. Out of 5,108 polling units in the State, there were

wrong entries and returns in a total number of 1,452 polling units in the 23 Local Government Areas in the State.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 1452 polling units within the 16 Local Government Areas, the 1<sup>st</sup> Respondent in 101 polling units, returned nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Non-Authentication:**

The Petitioners shall contend that out of 1,452 polling units within the 16 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 1,207 polling units in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

**(3). Inflating and Deflating of Votes:**

The Petitioners shall contend that the 1<sup>st</sup> Respondent wrongfully entered incorrect results for the Petitioners in Kaduna State by wrongly crediting Petitioners with 649,612 votes as against 961,143 votes actually scored by the Petitioners, thereby deflating the Petitioners' votes by 331,531 votes. The 2<sup>nd</sup> Respondent's votes were adjusted by inflation of 524,443 votes thereby crediting the 2<sup>nd</sup> Respondent with 993,445, votes as against the electronically collated votes of 496,002. The Petitioners shall rely on the Statisticians Report at the trial.



**(4). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 217 polling units of the 1,452 polling units across the 16 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

138. The Petitioners will at the trial rely on Form EC8As from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support of the above averments for Kaduna State.

**(I). KANO STATE:**

139. In Kano State, there are wrong entries and returns in the under-listed 144 Local Government Areas, namely, Ajingi, Albasu, Bagwai, Bebeji, Bichi, Bunkure, Dala, Dambatta, Dawakin Kudu, Dawakin Tofa, Doguwa, Fagge, Gabasawa, Garko, Garum Mallam, Gaya, Gezawa, Gwale, Gwarzo, Kabo, Kano Municipal, Karaye, Kibiya, Kiru, Kumbotso, Kunchi, Kura, Madobi, Makoda, Minjibir, Nasarawa, Rano, Rimin Gado, Rogo, Shanono, Sumaila, Takai, Tarauni, Tofa, Tsanyawa, Tudun Wada, Ungogo, Warawa, Wudil.
140. Out of 8,074 polling units in the State, there were wrong entries and returns in a total number of 1,466 polling units across the said 44 Local Government Areas in the State.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 1,466 polling units within the 44 Local Government Areas, the 1<sup>st</sup> Respondent in 77 polling units, returned

nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Authentication:**

The Petitioners shall contend that out of 1,466 polling units within the 44 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 1,229 polling units in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

**(3). Inflating and Deflating of Votes:**

The Petitioners shall contend that the 1<sup>st</sup> Respondent wrongfully entered incorrect results for the Petitioners in Kaduna State by wrongly crediting Petitioners with 391,593 votes as against 522,889 votes actually scored by the Petitioners, thereby deflating the Petitioners' votes by 131,296 votes. The 2<sup>nd</sup> Respondent's votes were nominally adjusted by 80,483 votes thereby crediting the 2<sup>nd</sup> Respondent with 1,464,768 votes as against the electronically collated votes of 1,545,251. The Petitioners shall rely on the Statisticians Report at the trial.

**(4). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 791 polling units of the 1,466 polling units across the 19 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

141. The Petitioners will at the trial rely on Form EC8As from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support of the above averments for Kano State.

**(J). GOMBE STATE:**

142. In Gombe State, there are wrong entries and returns in the under-listed 11 Local Government Areas, namely, Akko, Balanga, Billiri, Dukku, Funakaye, Gombe, Kaltungo, Kwami, Nafada, Shomgom, Yamaltu/Deba.

143. Out of 2,218 polling units in the State, there were wrong entries and returns in a total number of 696 polling units across the said 11 Local Government Areas in the State.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 696 polling units within the 11 Local Government Areas, the 1<sup>st</sup> Respondent in 40 polling units, returned nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Non-Authentication:**

The Petitioners shall contend that out of 696 polling units within the 11 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 617 polling units in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

**(3). Inflating and Deflating of Votes:**

The Petitioners shall contend that the 1<sup>st</sup> Respondent wrongfully entered incorrect results for the Petitioners in Gombe State by wrongly crediting Petitioners with 138,484 votes as against 684,077 votes actually scored by the Petitioners, thereby deflating the Petitioners' votes by 545,593 votes. The 2<sup>nd</sup> Respondent's votes were inflated by 287,736 votes thereby crediting the 2<sup>nd</sup> Respondent with 402,961 votes as against the electronically collated votes of 115,225.

**(4). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 696 polling units of the 2,218 polling units across the 9 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

144. The Petitioners will at the trial rely on Form EC8As from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support of the above averments for Gombe State.

**(K). KEBBI STATE:**

145. In Kebbi State, there are wrong entries and returns in the under-listed 21 Local Government Areas, namely, Aleiro, Arewa-Dandi, Argungu, Augie, Bagudo, Birnin Kebbi, Bunza, Dandi, Fakai, Gwandu, Jega, Kalgo, Koko/Besse, Maiyama, Ngaski, Sakaba, Shanga, Suru, Wasagu/Danko, Yauri, and Zuru.

146. Out of 4,796 polling units in the State, there were wrong entries and returns in a total number of 979

polling units across the said 21 Local Government Areas in the State.

**(1). Accreditation:**

The Petitioners shall contend, at the trial, that out of 979 polling units within the 21 Local Government Areas, the 1<sup>st</sup> Respondent in 55 polling units, returned nil accreditation in the said polling units, that is, no voter was accredited, yet returns were made. The Petitioners shall rely on the Statisticians Report at the trial.

**(2). Non-Authentication:**

The Petitioners shall contend that out of 979 polling units within the 17 Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes from 121 polling units in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication or authorship of any Presiding Officer in respect of these polling units. The Petitioners shall rely on the Statisticians Report at the trial.

**(3). Inflating and Deflating of Votes:**

The Petitioners shall contend that the 1<sup>st</sup> Respondent wrongfully entered incorrect results for the Petitioners in Kebbi State by wrongly crediting Petitioners with 154,282 votes as against 493,341 votes actually scored by the Petitioners, thereby deflating the Petitioners' votes by 339,059 votes. The 2<sup>nd</sup> Respondent's votes were marginally inflated by crediting the 2<sup>nd</sup> Respondent with 581,552 votes as against the electronically collated votes of 581,115. The Petitioners shall rely on the Statisticians Report at the trial.

**(4). Wrong Entries on Form EC8As:**

The Petitioners contend that in respect of 502 polling units of the 979 polling units across the 17 Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units which votes are liable to be voided. The Petitioners shall rely on the Statisticians Report at the trial.

147. The Petitioners will at the trial rely on Form EC8As from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support of the above averments for Kebbi State.

**(3). Other Acts of Non-Compliance:**

148. The conduct of the election by the 1<sup>st</sup> Respondent in some States, Local Governments, Wards and Polling Units of the Federal Republic of Nigeria, including the FCT Abuja was in breach of/non-compliance with the Electoral Act 2010 (as amended) and the Regulations and Guidelines for the Conduct of Elections, 2019, which substantially affected the outcome of the disputed election. Particulars of these breaches are as pleaded/particularised hereunder on a State by State basis.

149. The 1<sup>st</sup> Respondent's officials also either encouraged, connived with or tolerated the acts of the agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents and armed personnel of the security forces of Nigeria to disrupt the disputed elections and/or undertake steps that undermined its fairness and integrity, as also pleaded/particularised hereunder on a State by State basis.

150. In the full glare and at times with the active support/participation of the 1<sup>st</sup> Respondent and personnel of the armed forces of Nigeria, massive corrupt practices were carried out by agents of the 2<sup>nd</sup>

and 3<sup>rd</sup> Respondents during the disputed election, thereby also undermining grossly its integrity. Underage voting in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents was also permitted by the 1<sup>st</sup> Respondent, while in some cases, traditional rulers were also mobilised by the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents to compel voters to vote for them. Particulars of such are also pleaded hereunder on a State by State basis.

151. The 1<sup>st</sup> Respondents on the election day, wrongfully created polling units unknown at the time to the Petitioners and the general public, from where votes were generated and added to the total results in favour of the 1<sup>st</sup> and 2<sup>nd</sup> Respondents. Some of such polling units were set up by the 1<sup>st</sup> Respondent in the above-mentioned States, particularly, Katsina, Borno, Zamfara, Yobe, and Jigawa. The Petitioners shall at the trial give evidence of the identities of such polling units later discovered.
152. The Petitioners aver that there were discrepancies on very large scales at the various levels of recording and collation of the results, particularly between the polling units level and the Ward Collations level.
153. The Petitioners aver that at the respective Polling Units in which election was conducted, the 2<sup>nd</sup> & 3<sup>rd</sup> Respondents in connivance with the 1<sup>st</sup> Respondent engaged in multiple thumb printing of the ballot papers.
154. The petitioners further aver that the 1<sup>st</sup> Respondent allowed the Polling Agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents to thumb print multiple ballot papers and hereby generated votes which cannot be justified with the actual votes cast in the said election.
155. The 1<sup>st</sup> Respondent equally indiscriminately produced the Form EC8A for the polling Units and generated scores which do not reflect the votes cast at the

respective Polling Units.

156. The Petitioners will at the trial apply to the Tribunal for an order that the Ballot papers for each of the Polling Units be produced before the Tribunal and be recounted and the figures be submitted in evidence. The Petitioners shall show and demonstrate that the ballots do not reflect the results of the respective polling units.
157. The Petitioner aver that after the declaration of the results at the polling units and the pink copies thereof released to agents of various Parties, the Respondents engaged in process of unlawfully and wrongfully amending, altering, over-writing, substitution of figures and results with a view to assisting the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents in obtaining favourable figures in the entries in the Election Result Sheets.
158. Petitioners shall rely on the duplicate originals otherwise called Pink Copies of the Election Result Sheets issued to the Polling Agents at the Polling Units to prove the unlawful and wrongful acts of alteration, amendment, over-writing and adjustment of Election Result Sheets by the Respondents.
159. The Petitioner shall contend at the hearing of this Petition that the respondents manipulated the card reader accreditation data at collations at the Local government Area levels in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> respondents.
160. In further manipulation of the Smart card reader, the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents show the capacity to mislead the Tribunal to invalidate votes in some Polling Units and Local Governments across Nigeria. The Petitioners shall at the hearing of this petition lead evidence to show that the Respondents have been altering the lawful figures, results sheets, card reader



authentication reports, collated results across Nigeria in respect of the Presidential Election of February 23<sup>rd</sup>, 2019.

161. The Petitioners shall rely on the Card Reader Data to show that votes recorded by the 1<sup>st</sup> Respondent do not reflect valid accreditation of voters in each of the Challenged Polling units.
162. The Petitioners aver that the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents used voters who were not registered in Polling Units to vote during the said election of February 23<sup>rd</sup> 2019.

**PARTICULARS OF BREACHES/NON-COMPLIANCE/  
CORRUPT PRACTICES ON A STATE BY STATE BASIS**

**BORNO STATE**

163. The 2<sup>nd</sup> Petitioner's State Collation Agent noticed the following/did the following, while carrying out his agency or official functions for the said 2<sup>nd</sup> Petitioner, namely:
  - (a) On Forms EC8A, which are the Polling Unit results, cases of over-voting in the sense of total votes cast overshooting the accredited voters, were made. This is further pleaded/particularised hereunder.
  - (b) On Forms EC8B, the figures entered thereon in most cases, as further pleaded/particularised in other portions of this Petition, did not tally with the corresponding figures from the EC8As, that was supposed to be the Primary Result.
  - (c) The entries on Form EC8C being the Local Government results were a continuation of the errors contained on the Form EC8B from the Ward.

- (d) Over 90% (percent) of the Local Government results brought to the collation Centre were mutilated with lots of uninitiated alterations. Further particulars are pleaded in other portions of this Petition.
- (e) It was right at the Collation Centre that the State Returning Officer of the 1<sup>st</sup> Respondent asked the Local Government Returning Officers to start appending their initials to the several alterations.
- (f) The total number of accredited voters across Borno State on the face of the Form EC8A was 383, 229.
- (g) The total votes cast in Borno State was 372, 3347.
- (h) Most surprisingly the official result declared by INEC was 919,786 which was well over the total number of accredited voters.
- (i) Over 200 Polling Units across Borno State has "0" accredited voters, even when results were declared for the Units. Further particulars are supplied hereunder.
- (j) Over-voting incidence occurred in over 490 Polling Units across Borno State. Further particulars are supplied hereunder.
- (k) In the course of transferring figures from the Local Government result sheet into the State result sheet, wrong figures were being entered by the State Collation Officer of the 1<sup>st</sup> Respondent, and he kept telling the Returning Officers to go back and amend the result sheet to ensure that they tally before returning them.

- (l) The Petitioners' State Agent promptly protested the entry of wrong figures by the official of the 1<sup>st</sup> Respondent and rejected the results but was instead asked the agent to go to court. The said Agent waited until the completion of the collation exercise and obtained a copy of the result which he personally submitted to his Party's National Collation Agent.
- (m) The votes ascribed to the 1st Petitioner as his scores in the Presidential Election in Borno State was/is not a true reflection of the votes truly cast for the 1<sup>st</sup> Petitioner.
- (n) The Chairman of the 2<sup>nd</sup> Petitioner wrote an official Protest Letter to the 1<sup>st</sup> Respondent.

**MOBBAR LOCAL GOVERNMENT AREA OF BORNO STATE**

- 164. This Local Government comprises of 10 Wards with 71 Polling Units; and there were election malpractices in 2 Wards of Mobbar Local Government, which are Kareto Ward and Laye Ward. Kareto Ward has 7 Polling Units while Laye Ward has 5 Polling Units.
- 165. Due to the Boko Haram insurgency in the area, Kareto Ward and Laye Ward were joined together for the purpose of the 2019 election and voting for the 2 Wards were done at Kareto Ward. Also, due to the insurgency in the area, the Kareto Ward was fenced and under the control of the Military Men.
- 166. On the day of election, armed Military men, Immigration and men of the Nigerian Police Force detained the Petitioners' Local Government Collation Agent and all the other PDP agents for the Kareto and Laye Ward at the entrance of Kareto Ward for 3 hours,

from 9:00 am to 11:00 am.

167. Upon his release, he went into Kareto Ward to carry out his electoral duties but found out that agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents were thumb printing ballot papers in the house of the District Head of Kareto Ward, without conducting election in the 2 Wards. The Local Government Agent of the Petitioners quickly reached out to the Military Commander in charge of Kareto to report the abnormality but he refused to intervene on the basis that it is not within his powers to do anything.
168. The total number of registered voters for Kareto Ward and Laye Ward is 3,603., while the total vote 'cast' for Kareto and Layer Wards at the said Presidential election was 6,834.

#### **KONDUGA LOCAL GOVERNMENT AREA OF BORNO STATE**

169. Before the commencement of the elections, the 2nd Petitioner's Local Government Officials/Agents sent their subordinates or lower cadre agents to their respective duty posts and they were asked to go back by the Military.
170. When this was brought to the notice of the 2nd Petitioner's Local Government Agent, he reported to the DPO of Jankana Division who asked the agents to go to their respective posts, claiming that nothing will happen. However, personnel of the military stopped the PDP agents from doing their work and the elections were carried out without the involvement of the PDP agents.
171. When the PDP Local Government Agents or officials complained to the 1st Respondent's Returning officer, he told them that he was going to compile whatever results that were brought to him.

172. Because of these malpractices, the PDP agents refused to sign all the election Results Sheets for the presidential election in Konduga Local government. These malpractices committed by the 3<sup>rd</sup> Respondent in conjunction with the Military made the 3<sup>rd</sup> Respondent to win the presidential elections in Konduga local government area.
173. The election in Konduga local government was marred by malpractices, irregularities and harassments of the electorates during the elections.

#### **GWOZA LOCAL GOVERNMENT AREA OF BORNO STATE**

174. All the results in Forms EC8A and Form EC8B for Gwoza Local Government Area showed widespread over-voting (having regard to the number of accredited voters on the Forms EC8A and votes returned and/or the number of voters on the Voters Register), improper accreditation, lack of accreditation with the use of Voters' Register, irreconcilable entries in the Form EC8As, inaccurate ballot paper account, failure to complete entries in Form EC8A, EC8B and EC8C as mandatorily stipulated by law, unlawful cancellation of votes especially in places where the Petitioners scored the majority of the lawful votes cast, differential between entry of votes in the counterpart original of result forms issued to the Petitioners' agent and certified true copies of same results issued by the 1<sup>st</sup> Respondent, such that the votes credited to the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents are vitiated by substantial non-compliance with the Law and Guidelines guiding the conduct of the election.
175. Even though Forms EC8B series were computed from Forms EC8A, yet entries of votes scored by the Petitioners were degraded during entries into Forms EC8B.

176. In the course of transferring figures from the aforesaid Forms, wrong entries were made, reducing the Petitioners' votes.
177. The Petitioners' Local Government Agent promptly protested the entry of wrong figures by the official of the 1<sup>st</sup> Respondent but the Presiding Officer refused to budge.
178. The votes ascribed to the 1<sup>st</sup> Petitioner as his scores in the Presidential Election in Gwoza Local Government was not a true reflection of the votes truly cast for the Petitioners and the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.

#### **CHIBOK LOCAL GOVERNMENT OF BORNO STATE**

179. There were lots of anomalies and infractions in this Local Government during the said Presidential Elections held on the 23<sup>rd</sup> February, 2019, as particularised below:
- (a). The distribution of electoral materials to the following polling units, Lawanti Unit 001, Garu 005, Gary 006, Garu CBS 003 were unduly delayed, such that by 1:30 pm, election was yet to commence.
  - (b). There were card reader failures in several polling units – as shown hereunder.
  - (c). Voting did not start in Garu 005 until 1:45 pm, Garu 006 until 2:23pm.
  - (d). In Garu CBS 003 where PDP was leading in the total votes cast, the collation officer cancelled all the votes without any justifiable reason.
  - (e). In 8 polling units in Koronglun Ward (001 –

008) where Card Reader result did not tally with the votes cast, there was no cancellation of the election, rather, the collation officer allocated Zero to PDP, whilst allocating all the votes to APC.

- (f). In Mboa Kura Ward, Units 001, 002, 003, 004, 005, 006, 007, the card reader was not used and there was no election, rather, the ballot papers were thumb printed and PDP was allocated Zero.
- (g). In the 4 polling units in Ukama ward, the total number of votes cast were far above the number of voters accredited and that PDP Agents in protest refused to sign the result sheets.
- (h). There was no election in Shikarkir Unit 004, as PDP Agents were harassed and two booklets of ballot papers were thumb printed and stuffed into the ballot boxes by the agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents with the connivance of the presiding officer and other officials of the 1<sup>st</sup> Respondent.
- (i). In Kautikari ward, while collation was on-going, there were sporadic gunshots in the air at the ward collation centre which made the people to run away from the centre and results were unilaterally written for Units 001, 002, 009, 010.
- (j). The elections in the entire Chibok Local Government Area of Borno State at the Presidential Election of 23<sup>rd</sup> February, 2019 was not free and fair.

**KUKAWA LOCAL GOVERNMENT AREA OF BRONO STATE**

180. The entire Kukawa Local Government voted within the premises of Government College, Maiduguri, having been sacked from their Villages by insurgents. The said Government College has for many years been an Internally Displaced (I.D.P.) Camp.
181. Due to paucity of voters, the actual voting in the Local Government ended by 2:00 pm; but at the conclusion of voting, the officials of the 1<sup>st</sup> Respondent refused to count as required by the law establishing the 1<sup>st</sup> Respondent, they having realised that the Petitioners had upper hand.
182. All entreaties to make the 1<sup>st</sup> Respondent's Officials to count the votes proved abortive. Rather than count the votes, the 1<sup>st</sup> Respondent's officials in connivance with the agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents chased away the Agents of the Petitioners and entered arbitrary figures to the Parties as the results of the Local Government. The result arbitrarily awarded to APC was 11, 225 whereas 377 was credited to the PDP.
183. Even though Forms EC8B series were computed from Forms EC8A, yet entries of votes scored by the Petitioners were degraded during entries into Forms EC8B. In the course of transferring figures from the aforesaid Forms, wrong entries were made, reducing the Petitioners' votes.
184. The Petitioners' Local Government Agent promptly protested the entry of wrong figures by the official of the 1<sup>st</sup> Respondent but the Presiding Officer refused to budge, but the Petitioners' Agent waited and collected a copy of the result, which he submitted to his State Collation Agent at the State Collation Centre. The votes ascribed to the 1st Petitioner as his score in the Presidential Election in Kukawa Local Government is not a true reflection of the votes truly cast for the 1<sup>st</sup> Petitioner.



**MONGUNO LOCAL GOVERNMENT AREA OF**  
**BORNO STATE**

185. The entire Monguno Local Government which comprises of 12 Wards voted within the premises of Monguno Local Government Secretariat. In all the Polling Units in this Local Government there was no proper accreditation of voters because PVCs had been procured by the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents before the date of the Election especially.
186. The PVCs procured by the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents were distributed on the Election day to their supporters who came to the various Polling Units and used the strange PVCs to vote with the connivance of the Agents of the 1<sup>st</sup> Respondent. Even where the Card Reader rejected the thumbprints of the said strange voters the presiding Officers still allowed them to vote. Because all the Polling Units are located in the same place the Petitioners' Local Government Agent was able to observe, monitor and witness all the aforesaid infractions personally and he promptly protested to the Electoral Officer and the Security Men on duty against the use of strange PVCs by strange people with the knowledge of the Presiding Officer and his team but his protest was ignored.
187. All the results from the 73 Units are not true results of election by properly accredited voters. After the election the Petitioners' Local Government Agent purposely refused to collect and sign the results because the Election was not free and fair; and he also instructed PDP Agents at the Ward and the Units to do same. The votes ascribed to the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents as their scores in the Presidential Election in Monguno Local Government were/are not a true reflection of votes truly cast.

**BOLORI WARD, MAIDUGURI METROPOLITAN  
COUNCIL LOCAL GOVERNMENT AREA, BORNO  
STATE**

188. On the election day, being 23<sup>rd</sup> February, 2019, by 8:30am, the Petitioners' Ward Collation Agent went to the Ward Collation Centre to make sure that election materials were distributed to the polling units under his supervision but was informed by the INEC officials that the materials were not sufficient to go round the polling units. The said Ward Agent insisted that the election would not go on except sufficient materials are distributed to all the polling units; but the Electoral Officer informed me that the shortage was the fault of the 1<sup>st</sup> Respondent but assured him that everything will be sorted out and materials brought before the end of the election.
189. After 9:00 am when the election exercise started, the Petitioners' Ward Agent went to his Polling Unit, Goni Dijani 2, to cast his vote and there he observed that card readers were not being used but ballot papers were being torn and put in the ballot boxes. In a nutshell, there was no accreditation in the polling unit at all. The officers of the 1<sup>st</sup> Respondent connived with agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents to thumb print multiple ballot papers in favour of the 3<sup>rd</sup> Respondent without going through the accreditation process.
190. Agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents were using Permanent Voters Cards that were not theirs to vote at the said election to the extent that men were using Permanent Voters Card with women's details and vice versa. The Ward Agent approached the officer of the 1<sup>st</sup> Respondent in the polling unit complaining of the situation but instead of the officer to correct the situation, she called the Police and ordered his arrest. He was arrested and detained by men of the Nigerian Police Force and was not released until on Monday 25<sup>th</sup>

February 2019.

**POLLING UNIT 004, MIDIRI WARD, JERE LOCAL  
GOVERNMENT AREA, BORNO STATE**

191. The Petitioners' Polling Agent arrived at the polling unit before the officials of the Independent National Electoral Commission (INEC) (1<sup>ST</sup> Respondent). There was no accreditation in the polling unit. The total number of votes returned for the parties in Unit Polling 004 were devoid of accreditation through the card reader or through any other source but were derived from free voting by all comers who were able to produce PVCs.
192. At the end of the purported Election, the Petitioners' polling agent examined critically the result in Form EC8A for the Unit and also found that there was over voting, and irreconcilable entries on the form.

**POLLING UNIT 007 MAIRI PALACE HOTEL, MAIRI  
WARD BORNO STATE**

193. Accreditation and distribution of ballot papers to voters were done simultaneously. The total accreditation as evidenced on the Voters Register was 160. Surprisingly, when the pink copy of the Form EC8A was given to the PDP polling agent, it was discovered that the total votes cast recorded was 480.
194. The number of votes returned therefore did not reflect the number of accredited voters in Mairi Unit 007.

**YOBE STATE**

195. In Yobe State, the Petitioners state that the Presidential Election in Yobe State was marked by

widespread intimidation and harassment of Agent of the Petitioners and voters in various polling units especially in Gujba, Tarmuwa, Potiskum, Geidam, Gulani and Yunusari Local Government Areas by thugs procured by the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents. Thugs procured by the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents attacked, assaulted and chased away agents of the Petitioners and voters especially in polling units in Gujba, Tarmuwa, Potiskum, Geidam, Gulani and Yanusari Local Government Areas. Formal reports of these incidents were made by officials and agents of the petitioners to the Police, Department of State Security and 1<sup>st</sup> Respondent. The said letters of protest/complaints are hereby pleaded.

196. In some polling units where election held, the result sheets contain mutilated and or altered figures/scores and these scores/figures were accepted despite protestation by officials and agents of the Petitioners especially in Gujba, Tarmuwa, Potiskum, Geidam, Gulani and Yunusari Local Government Areas. Further particulars in this regard are as pleaded hereunder.
197. The Petitioners further state that the scores/figures credited to the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents at the wards and Local Government collation levels in the State are not a true reflection of the polling unit results. The collation of results of the election as contained in forms EC8B and forms EC8C (i.e. wards and Local Government Areas collated results) were not based on the scores of the candidates at the polling units in the state. Indeed the number of votes from the polling units do no tally with the entries in the form EC8B and EC8C. Further particulars in this regard are as pleaded hereunder.
198. The collation officer at the wards and Local Government Areas in the State in connivance with the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents skewed the arithmetic

computation of the results against the Petitioners and in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents whose scores were inflated. The collated results in the wards and Local Government Areas in the State are totally and completely at variance with the actual votes cast and recorded at the various polling units in the State and this substantially affected the result of the election. Further particulars in this regard are as pleaded hereunder.

199. The collation officer at the wards and Local Government Areas in the State in connivance with the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents skewed the arithmetic computation of the results against the Petitioners and in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents whose scores were inflated. Further particulars in this regard are as pleaded hereunder.

200. The collated results in the wards and Local Government Areas in the State are totally and completely at variance with the actual votes cast and recorded at the various polling units in the State and this substantially affected the result of the election. Further particulars in this regard are as pleaded hereunder.

### **PARTICULARS OF INFRACTIONS**

#### **GUJBA LOCAL GOVERNMENT AREA OF YOBE STATE**

201. Election was not allowed by the Respondents to be conducted by INEC within Gujba LGA as it was held outside the LGA and at the State Capital. From Gujba to Damaturu, the State Capital is a distance of about 54 kilometres. It was thus difficult to relocate most of the voters to the State Capital at the rather short notice given to the agents at less than 48 hours.

202. The collation of results started about 9. 30 pm on the

said election day. The Petitioners' local government collation agent was at the Local Government Collation Centre and witnessed the collation of results of Polling Units in Gujba LGA of Yobe State, and he observed that there were incorrect figures which did not tally. The figures in the Forms EC8A, did not properly tally with the figures entered into the Forms EC8B and consequently with the EC8C.

203. The said agent also observed that many of the result sheets contained mutilated figures and alterations, which could not be properly accounted for by the INEC Ward Collation Officers. He orally protested these anomalies and irregularities to the INEC officials at the Local Government Collation Centre, who ignored his protestations.
204. The agent initially refused to sign the result collated in Form EC8C but was coerced to collect same as the INEC officials refused to release same to him unless he signed the said Form. He thus signed for and collected the said result sheet (pink copy) in his capacity as the Local Collation Agent of the PDP.
205. The result as contained in the said Form EC8C does not correctly represent the actual votes cast at the said election in Gujba Local Government Area of Yobe State.

#### **JAKUSKO LOCAL GOVERNMENT AREA OF YOBE STATE**

206. This Local Government Area has 10 wards and the Local Government Agent of the Petitioners visited 5 wards, namely, Wards 01, 02, 03, 05 and 07. The said agent also visited many Polling Units in those wards. In Muguram Ward, specifically in Garin-tsaha Polling Unit, where the card reader supplied to this unit was not for this unit. This caused a delay of the election from 8am to 12 noon. Then people started voting without

accreditation.

207. In Nasarin Polling Unit, the APC agent was collecting ballot papers from voters and casting it for them. The PDP agents raised an alarm to the Presiding Officer and security agents. The said agents also made this report at the Ward Collation Centre as a result of this, there were instances of violence. In spite of the above, INEC officials still used the invalid votes to add to the scores of the APC.
208. In Lafia Bakin-kasuwa Polling Unit 001, the APC agent was voting on behalf of voters, so the PDP agents reported to the security personnel attached to the polling unit. The security personnel attempted to stop the APC agent from voting for the voters, the APC Ward Councilor brought more than 10 armed thugs to harass PDP agents and supporters.
209. In Polling Unit 012, the INEC officials went with both the originals and the duplicates of the results, they didn't give copies to the Petitioners' agents and did not later come to the Ward Collation Centre. The PDP agents went to Jakusko Local Government Headquarters to wait for the INEC official they waited for almost three hours before they arrived. On their arrival, it was only the Presiding Officer and his Assistant that arrived without the person who operated the card reader.
210. At the Ward Collation Centre, the results announced by INEC in favour of the APC did not tally with the results collected from the ward agents.

**LAFIA LOI-LOI WARD, JAKUSKO LOCAL  
GOVERNMENT AREA OF YOBE**

211. In this Ward, the following breaches and irregularities occurred, namely:

- (a) In Lafia Bakin-kasuwa Polling Unit 001, the APC agent was voting on behalf of voters, so the PDP agents reported to the security personnel attached to the polling unit. The security men attached to the said polling unit attempted to stop the APC agent from voting for the voters, to no avail.
- (b) In Ngulgiye-Kofar Lamido, Polling Unit 012, the INEC officials went with both the originals and the duplicates of the results, they didn't give copies to the PDP agents and did not come to the Ward Collation Centre. The PDP agents went to Jakusko Local Government Headquarters to wait for them and they waited for almost three hours before they arrived.
- (c) Upon their arrival, it was only the Presiding Officer and his Assistant that arrived without the person who operated the card reader. When the card reader operator eventually arrived, he observed that the total votes did not tally with the accredited number of votes. They now changed APC votes from 105 to 115 votes. The PDP agents objected to this change of votes to the INEC Returning officer who ignored them.
- (d) At the Ward Collation Centre, the results of 11 (eleven) polling units, were collated but the INEC Returning Officer merely wrote the results in a rough sheet without entering them into the original INEC result sheets.

### **GUYA WARD IN YUSUFAYARI LOCAL GOVERNMENT**

#### **AREA OF YOBE STATE**

212. There are 10 Polling Units in Guya Ward; and the 2<sup>nd</sup> Petitioners' ward collation agent visited 5 out the 10 polling Units namely Nganawa Polling Unit, Bula-dawu Polling Unit, Kaluwa Polling Unit and Guya Polling Unit 1 & Polling Unit 2.



213. The 2<sup>nd</sup> Petitioner's ward collation agent received a report from a polling unit agent in Nganawa polling Unit that the Card reader in baby voting point of Nganawa polling unit was not working and the card reader taken to Yusufayari local Government by the INEC Presiding Officer and as a result of this election did not go on at that voting point until 4pm.
214. As a result, the APC Agents directed the INEC Assistant Presiding Officer of the voting point of Nganawa polling unit to continue without the card reader. Consequently, the Assistant presiding officer of voting point of Nganawa checked voters name on the register and asked them to thumb print across their names and issued them with ballot paper.

**BOLEWA 'B' WARD, POTISKUM LOCAL GOVERNMENT AREA, YOBE STATE**

215. During the visit, as part of his duties, of the Local Government Collation Agent of the 2<sup>nd</sup> Petitioner to Polling unit 015 T-Junction A, polling unit 016 T-Junction B, Polling Unit 008 Kwata Primary School A, Polling Unit 009 Kwata Primary School B, Polling Unit 014 Dauda Mai Kaji, Polling Unit 004 Dogan Zare, Polling Unit 011 Saban Layi Primary School A, Polling Unit 012 Saban Layi Primary School B, Polling Unit 003 Dahiru Lanzai at Bolewa 'B' Ward Potiskum Local Government Area, he discovered a lot of irregularities at the polling units, including:

(a) The fact that many underage voters voted at those polling units;

(b) The fact that there was vote buying by the agents and members of the APC including use of Permanent Voters Card by people who were not the owners of the Permanent Voters Card. These

were done in the full glare and knowledge of the INEC officials, who were compromised financially by the agents of APC;

(c) The fact that Card readers were not working, and as such the voters were not verified or authenticated, but the INEC officials went ahead to issue ballot papers to voters without proper verification or authentication.

216. Collation at the Ward level started at about 6.30 pm at Kwata Primary School, Bolewa 'B' Ward Potiskum Local Government Area of Yobe State. While the collation was going on at the ward, the INEC officials did not allow PDP agents to participate in the collation process and only made them to sign the result sheet.

217. The result sheets were manifestly incorrect and did not reflect the votes cast in the ward. It was at the ward level that the staff of the Independent National Electoral Commission (INEC) that conducted the election manipulated the results against the Peoples' Democratic Party and in favour of the All Progressives Congress.

218. The results declared by the Independent National Electoral Commission (INEC) in respect of the election conducted at Bolewa 'B' Ward Potiskum Local Government Area of Yobe State are fake and manipulated and do not reflect the authentic results that were signed by the polling unit agents of the Petitioners.

**NGELZAMA WARD 'A' FUNE LOCAL GOVERNMENT  
AREA OF YOBE STATE**

219. In Ngelzarma Ward, Fune Local Government Area of Yobe State, there were additional 6 polling Units because in the initial 16 Polling Units, there were over 500 registered voters resulting in the creation of the 6

other Polling Units.

220. From the reports received by the 2<sup>nd</sup> Petitioner's Polling Unit Agents in the Ward, there were several incidents of vote buying by officials of the APC; the Security Agents at the various polling units harassed both the voters and the Petitioners' polling unit agents; the Traditional Rulers who were loyal to the APC threatened to withdraw the lands and houses of any person who would vote the Peoples' Democratic Party (PDP) if they emerge winners in the Local Government, and there were several incidences of over voting in two Polling Units namely, Lili (C) Polling Unit 012 and Bulama Mustapha (B) Polling Unit 005.
221. The officials of INEC allowed several incidences of voting by voters who had voters card not meant for Bulama Mustapha B Polling Unit 005 of Fune Local Government, Yobe State. The collation at the Ward level started at about 4.00pm pm at Ngelzarma Central Primary School, Fune Local Government Area of Yobe State. After the counting of votes of the polling units at the Ward Collation centre, PDP agents were given copies of results sheets and they left with their copies; but it was noticed that the presiding officer made corrections on his copy of the result sheets for Lili (C) Polling unit 012, which corrections were not made on the copies already given to the polling agents that left. These corrections made by increasing figures on the result sheet for Lili C polling Unit were particularly ascribed to the 3<sup>rd</sup> Respondent before the Returning Officer accepted them.
222. The staff of the Independent National Electoral Commission (INEC) that conducted the election severally manipulated the results against the Peoples' Democratic Party and in favour of the All Progressives Congress. The ward agent raised an alarm over what he noticed with respect to the figures being ascribed to

the 3<sup>rd</sup> Respondent, but the Independent National Electoral Commission (INEC) officials refused to listen to him.

223. The results declared by the Independent National Electoral Commission (INEC) in respect of the election conducted at Fune Local Government Area of Yobe State do not reflect the authentic result that were signed by the polling unit agents of the 2<sup>nd</sup> Petitioner.

**POLLING UNIT AT BINDIGARI PAWARI POLLING UNIT 010 IN FRONT OF FEDERAL MINISTRY OF WORKS, DAMATURU LGA, YOBE STATE**

224. At this Polling Unit, the APC agents were freely buying votes. They were paying the voters on the queue the sum of N1, 000. The Petitioners' polling unit agent complained to the INEC officials but they ignored his complaints.
225. Despite that, votes were counted and announced and PDP won with 215 votes, and APC had 195 votes. However, upon receipt of the result sheet, the INEC officials in connivance with the agents of the 3<sup>rd</sup> Respondent altered the result in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents. They allocated to APC 215 votes and PDP 195 votes.
226. The said polling agent still complained to the INEC officials and one female Police officer but they ignored his complaints. He was forced by the police officer together with the INEC officials to sign and collect a copy of the result.

**KHALEGA POLLING UNIT 003, BADE LGA OF YOBE STATE**

227. At this polling unit, some members of the All Progressives Congress (APC) were stationed at the

polling point to Identify supporters of the People Democratic Party At the said polling unit, the men of the Nigeria Police Force in connivance with the Agents of the APC harassed and intimidated anyone identified as a supporter of Peoples Democratic Party. The Police men chased away and did not allow any person identified as members/ supporters of Peoples Democratic Party (PDP) from casting their votes.

228. The PDP polling agent reported the incident to the INEC officials at the polling Point but they did nothing about it. The said polling agent was forced by the men of the Nigerian Police Force at the polling Point to sign Forms EC8A.
229. The result as contained in the said Form EC8A does not correctly represent the actual votes cast at the said election in polling point 003 Khalege Bade Local Government Area of Yobe State.

**KEBBI STATEKOKO/BESSE LOCAL GOVERNMENT  
AREA OF KEBBI STATE**

230. From the INEC Forms made available to the Petitioners' Agents, the Petitioners won the election in Koko/Besse Local Government Area but at the ward collation and local government collection centres, the results were changed and the Petitioners were surprised to hear announcements that the results were now in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents. These results forms received by the Petitioners' agents are hereby pleaded and will be relied upon.
231. In some cases as pleaded/particularised hereunder, there was massive rigging carried out by the APC in connivance with the Police and Military, ballot stuffing using the police and the Military, Multiple ballot papers given to a voter to vote without following the electoral procedures. In most cases, as also

pleaded/particularized in the Petition, PDP Agents were intimidated before voting commenced, making them to leave the polling unit for safety reasons. Elections were carried in out in the Local Government without any form of regard to the electoral procedures.

**MAGAJI WARD, KOKO/BESSE LOCAL GOVERNMENT AREA, KEBBI STATE**

232. The Petitioners plead that they would have won the election in Magaji Ward in Koko/Besse Local Government but for the massive rigging carried out by the APC in connivance with the Police and Military, ballot stuffing using the police and the Military, Multiple ballot papers given to a voter to vote without following the electoral procedures. The Petitioners' Agents were intimidated before voting commenced making them to leave the polling unit for safety reasons.
233. Election was carried in out in the Ward without any form of regards to the electoral procedures. The election was conducted using the police and the Military to intimidate voters in smooth connivance with INEC officials.

**BESSE WARD, KOKO/BESSE LOCAL GOVERNMENT AREA, KEBBI STATE**

234. The Petitioners plead that in Besse Ward in Koko/Besse Local Government, there was massive rigging carried out by the APC in connivance with the Police and Military, ballot stuffing using the police and the Military, Multiple ballot papers given to a voter to vote without following the electoral procedures. The Ward Agent of the Petitioners was grabbed on the neck by an agent of the 3<sup>rd</sup> Respondent, with the Police and the Military watching without any form of intervention, thereby scaring him to leave the Ward headquarters for

his safety.

235. The Petitioners' Agents were intimidated before voting commenced making them to leave the polling unit for safety reasons. Elections are carried in out in this Ward without any form of regards to the electoral procedures.

**DADA/ALELU WARD, KOKO/BESSE LOCAL GOVERNMENT AREA, KEBBI STATE**

236. In Dada/Alelu Ward in Koko/Besse Local Government, which ward is a stronghold of the Petitioners, yet there was massive rigging carried out by the Respondents in connivance with the Police and Military, ballot stuffing using the police and the Military, Multiple ballot papers given to a voter to vote without following the electoral procedures. The PDP Agents were intimidated before voting commenced making them to leave the polling unit for safety reasons.

**SHANGA LOCAL GOVERNMENT AREA OF KEBBI STATE**

237. The election process in this Local Government was marred by serious irregularities, as there was high rate of intimidation of agents of the Petitioners by thugs sent by the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents in the following polling units, namely, Ngamdu Primary School, Benzheikh Adam Mustapha Primary School and Guwo Lawanti.
238. There was very high rate of vote-buying by the 2<sup>nd</sup> and 3<sup>rd</sup> Respondent in this Local Government. Also, agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents collaborated with the officials of the 1<sup>st</sup> Respondent to distribute uncollected PVC to their supporters who were not registered to vote, leading to a very high rate of impersonation and the Petitioners shall give evidence

to show that not less than 8000 voters cards were used in the said manner.

239. The officials of the 1<sup>st</sup> Respondent all through the electoral process in the local government tirelessly worked in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.

### **KADUNA STATE**

240. The Petitioners aver that the Presidential election held on 23rd February, 2019 in Kaduna State was fraught with gross irregularities and non-compliance with the provisions of the Electoral Act, 2010 as amended and the Guidelines for the conduct of the said election, particulars of which are as pleaded hereunder.

### **SANDA LOCAL GOVERNMENT AREA OF KADUNA STATE**

241. The Petitioners aver that SANDA Local Government Area of Kaduna State has 11 Wards and 131 Polling Units and that the election results of 42 Polling units out of 131 Polling Units were cancelled across 8 wards by 1st Respondent.
242. The Petitioners aver further that the 17 polling unit results of Arak Ward Code 010 which are PDP strongholds and where the Petitioners had the highest votes cast, were unlawfully cancelled by the 1<sup>st</sup> Respondent on the ground of alleged over voting, with the sole aim of giving the 2nd and 3rd Respondents undue advantage over the Petitioners.
243. The Petitioners aver further that in Bokana Ward Code 06 which has 10 Polling Units, the result of 3 polling units where the Petitioners had high votes were unlawfully cancelled and they are: i. Sansani Polling Unit code 010 ii. Ungwan Mada Code 005 iii. Mantur Polling Unit code 004.



244. The Petitioners state that contrariwise, the remaining 7 Polling units of Bokana Ward Code 06 where card readers were not used and where massive over-voting was recorded were not cancelled by the 1st Respondent because the 2nd and 3rd Respondent had the highest unlawful votes thereat. They are: i. Ammantu I code 001 ii. Ammantu II Code 009 iii. Fadan Ayu I code 002 iv. Fadan Ayu II code 003; v. Ungwan Nungu code 007 vi. Ungwan Taninmu code 006 and vii Ungwan Madaki code 006.
245. The Petitioners aver further that Gwantu Ward code 001 has 12 Polling Units but the election results of 3 Polling Units were unlawfully cancelled by the 1st Respondent because the Petitioner had the highest votes cast therein and they are i. Gwantu Kurmi 005 ii. Ungwan Galadima 010 and iii. ERCC (Gwantu III) 003.
246. The Petitioners also aver that Nandu Ward code 011 has 13 Polling Units and in 7 Polling Units election results where PDP was leading were cancelled on the unfounded ground of over-voting and they are: i. Numbu 003 ii. Gani Madaki 006 iii. Agom 008 iv. Ungwan Maikaho 009 v. Wanbe 010 vi. Numbu Dakachi 012 vii. Ungwan Sarki Nandu 013.
247. The Petitioners state that Ninzo North Ward code 04 has 10 Polling Units but the election results of 2 Polling Units where the petitioners had the highest valid votes cast were cancelled by the 1st Respondent to favour the 2nd and 3rd Respondent in the election and they are: i. Ungwan Kaura I code 010 and ii. Kwasu II code 004.
248. The Petitioners state further that Ninzo West Ward code 08 has 15 Polling units and the result in 1 Polling Unit in Tattaura was canceled by the 1st Respondent for an unfounded, alleged over voting, to reduce the

votes of the Petitioner as they had the highest valid votes cast at the said Polling unit.

249. The Petitioners aver that Wasa Station ward code 09 has 10 Polling Units but the result of 3 Polling Units where the Petitioners were leading were cancelled by the 1st Respondent on the unfounded ground of alleged over voting and they are: i. Anji 001 ii. Ungwan Musulmi 008 and iii. Wuro Andaha 002, just to give the 2nd and 3rd Respondent an advantage in the election.

#### **KADUNA SOUTH LGA OF KADUNA STATE**

250. The Petitioners aver that PDP members/voters were intimidated by the members of the 3rd Respondent by the use of security agents/government officials at Polling Unit 011, KW 12, Alkalawa road and Polling Unit 015, No. G2, Ibrahim Taiwo road and that gave them the opportunity to rig the election.
251. The Petitioners aver further that the members of the 3rd Respondent used money to buy votes and they induced the INEC official at the Polling units. Card readers were not used in most of the Polling Units but because the 2nd and 3rd respondents were ascribed high unlawful votes, only about two polling units out of many were cancelled upon complaints of the Petitioners' Agents.
252. The Petitioners aver that under Barnawa Ward II, there are 32 Polling units and the election results of 5 Polling units were cancelled and they are: 1. LEA Primary School Barnawa 002 ii. Old Village head 012 iii. Challawa Crescent 014 iv. Zambia road 024 were all cancelled for the unfounded allegation of over-voting, but the reason was that the polling units are PDP strongholds. In another PDP stronghold at Rada road Polling Unit code 032, the presiding officer ran away and left the materials at the polling unit just to reduce

the vote of the Petitioner to favour the 2nd and 3rd Respondents.

## **ZARIA LGA**

253. The Petitioners aver that the 2nd and 3rd Respondents used buses and Government vehicles to convey voters from one Polling unit to another to be voting outside where they registered and with the connivance of 1st Respondent (INEC staff), they succeeded in voting in many Polling units but PDP members were able to chase some of them away and the Polling units are 5: i. LEA Primary School Jushi Code 006 ii. Kofar Gidan Mai Ungwa Jushi code 007 iii. Quarters, Banzazzau code 008 iv. Kofar Gidan Mai- Ungwan Banzazzau 009 v. LEA primary school Banzazzau code 010.
254. The Petitioners aver that Card readers were not used in almost all the polling units that the APC won. The results of Petitioners were switched to or recorded for the APC (2nd and 3rd Respondents) at the Ward levels and Local Government Levels. There were cases of unlawful alteration of result sheets by the 1<sup>st</sup> Respondent to favour of the 2nd and 3rd Respondents
255. The Petitioners aver that members of the 3<sup>rd</sup> Respondents were seen buying votes and they also gave money to the INEC staff at Polling Unit 016 Dan-Kambari, Limanchi Kona Ward, Zaria LGA and the protest of the PDP Agent was disregarded by the security personnel present.

## **KATSINA STATE**

### **FASKARI LOCAL GOVERNMENT AREA, KATSINA STATE**

256. The Local Government Collation Agent of the 2<sup>nd</sup> petitioner received reports/results from all the wards

and polling units' agents under the Faskari Local Government Area of Katsina State.

257. The said Local Government Collation agent observed that there were instances where the use of card readers for accreditation of voters was jettisoned, for instance, in Sabon Layi Galadima Ward, Polling Unit 013, Polling Unit 020 and Faskari ward, Polling Unit 008, thus the 2<sup>nd</sup> Petitioners' Party's Agents of the above stated Polling Units did not sign the result sheets because of irregularities and malpractices by the Agents of 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.
258. The PDP Local Government Collation Agent also observed that there were cases of over voting in Yankara Ward, Polling Unit 008. The number of accredited voters was 411 while the number of votes cast were 539, thus the difference was 128, however, rather than cancelling the result of the said Polling Unit because of over voting, the presiding officer of the 1<sup>st</sup> Respondent subtracted 128 from the APC result which was 445 and thus making it 317, while that of PDP and PPA were maintained at 93 and 1 respectively.
259. The said Local Government Collation Agent equally received report from the Polling Unit collation Agent for polling unit 008 Sabon Layin Yamma, Kofar Gidan Maiunguwa Ruwan Ciwo, Yankara ward 01 of incidences of underage voting in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.

**KABAMO WARD NO. 06 IN BAKORI LOCAL GOVERNMENT AREA OF KATSINA STATE**

260. There was accreditation and election took place. However, the Petitioners' Agent observed that there was underage voting and the said underage voters voted for the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.

261. The said Agent also bore witness to voters' inducement, especially Government Workers, who were induced by the Agents of 2<sup>nd</sup> and 3<sup>rd</sup> Respondents, who made several promises to voters to cast their votes in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.

**TUMBURKAI WARD A, DANDUME LOCAL GOVERNMENT AREA, KATSINA STATE**

262. That the collation of results at the ward commenced at around 5: 00 pm. After the exercise in their various polling units, the remaining ballot papers were carted away and thumb printed by agents of the 3<sup>rd</sup> Respondent.

263. The Petitioners' Ward Collation Agent registered his complaint of incessant thumb printing of the remaining ballot papers by the agents of the 3<sup>rd</sup> Respondent at the ward collation Centre to the INEC Electoral Officer with the view of having his complaint forwarded to the Local Government Collation Centre, to no avail.

264. The elections at the entire ward, particularly Kaura Katuka Gari Sabon Gida 002, and Shaltali Arawa 004 were not conducted in line with the prescriptions of the Electoral Act, 2010 as amended.

265. The election was marred with over voting and other electoral irregularities.

**Polling Unit 003, Bakori ward 'A' 001, Katsina State**

266. The presidential election conducted on the 23<sup>rd</sup> day of February, 2019 in this Unit was marred with irregularities, as follows:

- (a) The Petitioners' Polling Unit Agent was denied access into the polling unit by agents of the 3<sup>rd</sup> Respondent working in collaboration with

the security agencies, immediately after casting his vote. He was violently chased away by the security agents.

- (b) The said Agent vehemently protested the action of the security agents to the INEC Presiding Officer to no avail. He therefore could not even sign the result sheet presented after the election at the said polling unit.
- (c) The said Agent conveyed his observations and complaint to the 2<sup>nd</sup> Petitioner's ward Collation agent who thereafter forwarded the complaint to the 1<sup>st</sup> Respondent ward Collation Officer with the view of having the complaint recorded all to no avail.
- (d) Elections did not hold at Bakori polling Unit 003 as electorates loyal to the 2<sup>nd</sup> Petitioner were intimidated by the security agents and excluded from exercising their franchise.

**Tumburkai polling unit No. 003, Dandume Local Government of Kastina State**

267. The Petitioners' Agent witnessed on the 23<sup>rd</sup> February, 2019, at Tumburkai village, Polling unit 003, Dandume Local Government Area of Kastina State, as the security agents attached to the polling unit forcefully sent all the Agents away, thus making it impossible for the said Agent to know what transpired afterwards. The said harassment of the Security Agents was done openly. As a result of the above incidence, the Petitioners' Agent could not sign the Polling Unit Result Sheet.

**Polling unit 008, Sabon Layin Yamma, Kofar Gidan, Mai Ungua, Ruwan Ciwo, Yankara ward, Faskari Local Government of Kastina State:**

268. The Presidential Election Conducted on the 23<sup>rd</sup> day of February, 2019 was marred with several irregularities.

269. The 2<sup>nd</sup> Petitioner's polling unit Agent for unit 008, Sabon Layin Yamma, Kofar Gidan, Mai Ungua, Ruwan Ciwo, Yankara ward, Faskari Local Government of Kastina State observed that the card reader was not used for accreditation of voters at all. The figures were fabricated by the INEC Officers in collaboration with agents of the 3<sup>rd</sup> Respondent. The election was marred with over voting and other electoral irregularities.
270. At the end of the exercise, the 2<sup>nd</sup> Petitioner's polling unit collation agent declined to sign the result sheet due to the manifest irregularities in the said polling unit. The INEC Presiding Officer went ahead to record and announce results in spite of the obvious irregularities and the said Agent's protest to the conduct of the elections.
271. The election at the said polling unit was not conducted in line with the prescriptions of the Electoral Act, 2010 as amended.

## **JIGAWA STATE**

### **Sankara Ward of Ringim Local Government Area of Jigawa State**

272. There were a lot of anomalies and infractions during the collation of results of the election of the said Presidential Election from the Polling Units to the ward in Sankara. The collation and declaration of the results in Sankara Ward were irregular as results were declared by INEC before the Polling Agents of PDP presented their result. The figures presented by the Presiding Officer were highly falsified. Consequent upon the events stated in above, the PDP Agents refused to sign collation sheets or were forced to sign them. The collation of results of the said election was fraught with irregularities and manipulation.

**Kadage Polling Unit of Ringim Ward in Ringim Local Government Area of Jigawa State**

273. The distribution of election materials to this Polling Unit did not arrive on time and such voting did not start anywhere until 1:00pm. The card readers and the voters' registers were not used at all with the result that ballot papers were randomly issued to known supporters of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents who thumb printed them leading to the allocation of zero vote to the Petitioners.
274. The harassment and intimidation of agents and members of the PDP took place with the active connivance of the Presiding Officers and security personnel, which situation made it impossible for proper monitoring of the conduct of the election and prevented voting by some members of the PDP.
275. The election in Kadage Polling Unit was characterized by vote buying by APC Agents who came to the Polling Unit and were offering money to voters openly. The protests of the Petitioners' Polling Agent to the security personnel was rebuffed as no action was taken to correct the infractions and anomalies of the electoral process. The election in the polling Unit under reference was characterised with irregularities, infractions and falsification of result.

**Dadama Fada Polling Unit of Kwandiko Ward of Gwaram Local Government Area of Jigawa State**

276. There were irregularities in the election processes and the Card Readers and Voter Registers were not used to accredit voters. The non-accreditation of voters aided multiple voting by under aged and other related infractions in the election process. Eventually APC thugs disrupted the voting and they allocated 322 APC and PDP 20. The Petitioners' Polling Agent did not sign the statement of result sheets.



**Bago Polling Unit, Ringim Local Government Area of Jigawa State**

277. This Polling unit is a PDP strong hold having so many of its supporters residing in this community. While accreditation and voting were going on APC thugs led by one Alhaji Isa Gerawa swamped on the unit with dangerous weapons to disperse the voters with the active connivance of the security Agents. The total number of accredited voters was 327. There was over voting with a total votes cast being 346. The Petitioners' Polling Agent did not sign the statement of result sheets as a result of the over voting which was in favour of APC.

**Kwarko Unguwa Gabas Polling Unit of Fagan Ward in Gwaram Local Government Area of Jigawa State**

278. The distribution of election materials to this Polling Units did not arrive early and voting did not start until 1:00pm. The card reader and the voters Register were not used in the above-mentioned Polling Unit for the purpose of accreditation. There were variations in the number of votes cast as against the accredited voters. The number of accredited voters was 456, while total votes cast was 493. Of the 493 total votes, APC was allocated 339 and PDP 103. Protests to the Electoral Officers and security personnel on the infractions and anomalies of the electoral process at this Polling Unit was rebuffed. Based on the over voting at this polling unit, the Petitioners' Polling Agent refused to sign the results sheet.

**Madoba, In Tofa Ward of Ringim Local Government Area of Jigawa State**

279. There was no accreditation of voters with either the Card Reader or the voters register. Election did not take

place in Madoba Tofa polling Unit of Tofa Ward in Ringim Local Government Area of Jigawa State. One APC Leader in the Local Government, Alhaji Issa Garewa, went about with armed security personnel in a State Police Hilux Vehicle to intimidate and terrorize PDP supporters; and with the aid of armed security personnel he carted away voting materials and electoral Personnel.

280. As a result of this infraction the Petitioners' agent refused to sign the collation results sheets. There was no election at all in the polling Unit under reference and as such the results declared were false.

**Bora Gora-Arewa –Kudu Polling Unit of Chaichai Ward of Ringim Local Government Area of Jigawa State**

281. The Card Reader and Voter Registers were not used in the election. There was no election result declared at the Polling Unit. In spite of this, election results were declared at the Ward level. PDP Party Agents were forced to sign the result sheets under protest.

**Sankara Gabas A in Sankara Ward of Ringim Local Government Area of Jigawa State**

282. The Petitioners aver that 739 voters were accredited and in the INEC FORM EC 8A that the Petitioners' Polling Agent was coerced to sign after collation at the Polling Unit, APC scored 374, while PDP scored 63. This was result wrongly calculated, as APC was later allotted 648 and PDP 80. The election in the Polling Unit was not free and fair.

**Kadage Polling Unit of Ringim Ward in Ringim Local Government Area of Jigawa State**

283. The distribution of election Materials to this Polling Unit was deliberately delayed such that voting did not

start anywhere until 1:00pm. The card Readers and the Voters Registers were deliberately not used at all with the result that ballot papers were randomly issued to supporters of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents who thumb printed them, leading to the allocation of zero votes to the Petitioners.

284. There was harassment and intimidated of Agents and members of the PDP with the active connivance of the Presiding Officers and security personnel which situation made it impossible for proper monitoring of the conduct of the election and prevented voting by some members of the PDP.

285. The election in Kadage Polling Unit was characterized by Vote buying by APC Agents who came to the Polling Unit and were offering money to voters openly. Protests to the security personnel were rebuffed as no action was taken to correct the infractions and anomalies of the electoral process.

**Dubau Polling Unit of Sara Ward in Gwaram Local Government Area of Jigawa State**

286. The Petitioners aver that this Polling Unit is a PDP strong hold having so many of its supporters from this community. While accreditation and voting were going on, APC thugs swamped on the unit with dangerous weapons to disperse the voters and this election could not take place, yet INEC claimed to have declared a result.

**Birnin Kirya Polling Unit 012 of Farin Dutse Ward of Gwaram Local Government Area of Jigawa State**

287. There were irregularities in accreditation processes, Card Reader and Voter Registers were not used in the Unit. APC thugs disrupted the entire electoral process. The said APC thugs carted away the Ballot papers and

thumb printed them. The Petitioners' Polling Unit Agent did not to sign any statement of result sheets.

**Galambi Fada 009 Polling Unit of Farin Dutse Ward in Gwaram Local Government Area of Jigawa State**

288. This is a PDP strong hold having so many of its supporters from this community. While accreditation and voting were going on, APC thugs swamped on the unit with dangerous weapons to disperse the voters with the active connivance of the security Agents. Election materials were carted away and thumb printed for APC. The Petitioners' Polling consequently did not to sign the statement of result sheets.

**KEBBI STATE:**

289. In Kebbi State, there are wrong entries and return in the 21 Local Government Areas of Kebbi State. Out of 4796 polling units in the State, there were wrong entries and returns in a total number of 979 polling units across 21 Local Government Areas in the State. Also, even when nil accreditation was entered on the Form EC8A in 55 polling units, votes were alleged to have been cast and results declared in those units. The number of unlawful votes credited by the 1<sup>st</sup> Respondent to the Petitioners and the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents are as follows:

- (a) The Petitioners: **2,622 votes**
- (b) The 2<sup>nd</sup> and 3<sup>rd</sup> Respondents **9,186 votes**

290. The Petitioner also contends that in 121 Polling Units within the Local Government Areas of Kebbi State, the 1<sup>st</sup> Respondent wrongfully posted votes in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication of any Presiding Officers in respect of those polling units. The total number of votes posted in these polling units, from the Forms EC8As, are as

follows:

(a) The Petitioners: **7,326 votes**

(b) The 2<sup>nd</sup> and 3<sup>rd</sup> Respondents: **29,287**

291. The Petitioners further contend that in respect of 696 polling units of the 2,218 polling units across the Local Government Areas, the 1<sup>st</sup> Respondent wrongfully made various unlawful entries and inscriptions not being record of lawful votes cast at the polling units.
292. The Petitioners shall at the trial rely on forms EC8A series from the polling units and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their Statistician's Report in support of the above averments for Kebbi State.

#### **BAUCHI STATE:**

293. The Petitioners aver that elections in polling units across Bauchi state particularly in the local government areas identified was a sham in the sense that it was marred by irregularities, violence, harassment and intimidation of the Petitioner's agents by police men and military men aided by the Respondents.
294. There was substantial non-compliance with the Electoral Act and INEC Regulations and Guidelines and non-usage of card readers at some polling units, irreconcilable entries in the result sheets in FORMS EC8A, EC8B, EC8C and EC8D in some LGAs, unlawful cancellation of votes particularly in areas where the Petitioners gathered majority of lawful votes. Particulars of all these infractions are as pleaded under the various Local Governments, Wards and Polling Units of the State, hereunder.
295. The Petitioners further aver that there were discrepancies and irregularities in polling units on the following basis:

- a. 116 Polling Units had "0" accreditation.
- b. In 1,615 Polling Units, the Result Sheets reflected non-authentication by the INEC Presiding Officers.
- c. The information recorded in Form EC8 A obtained from INEC was/is different from the entries in the duplicate original in 1,604 Polling Units.
- d. Analysis of the results for all the votes cast, ballot papers issued, used, unused and spoilt revealed discrepancies in the entries in 347 Polling Units.

### **JAMA'ARE LOCAL GOVERNMENT**

296. The Petitioners aver that in all the Polling units which make up the wards of Jama'are LGA, the election was vitiated and flawed by the following actions:

- (a). Voting did not start at the scheduled time of 8:00 am and the 1<sup>st</sup> Respondent's officers did not give reasons for the delay.
- (b). As voting was about to commence, security officers came in and disrupted the process by chasing voters away.
- (c). The 2<sup>nd</sup> and 3<sup>rd</sup> Respondents' agents in collaboration with the 1<sup>st</sup> Respondent's officers and security officers took all the ballot papers to a nearby primary school where they thumb printed the entire ballot papers and took them to the collation centre.
- (d). Notwithstanding that election did not hold in Yangamai polling unit, results were returned wherein the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents were alleged to have won.
- (e). In Galadimari Ward, despite that election was conducted here in a compliance with the law, the result of all the polling units of this ward were

unlawfully cancelled, the 1<sup>st</sup> Respondent's officials having discovered that the Petitioners were leading in the number of lawful votes cast.

#### **WARJI LOCAL GOVERNMENT**

297. The Petitioners aver that election in this Local Government area was substantially flawed and vitiated owing to the following:

- (a). Party Agents were not allowed to inspect the election materials before commencement of the election and after.
- (b). In polling unit 009, Tudun Wada ward, polling unit 0008 Yayari 1 ward, polling unit 001 ungwa Audu ward and polling 002 Ungwa Indi Ward, votes were cancelled unlawfully with no reason other than the fact that the Petitioners had the upper hand in those areas.
- (c). In polling unit 002 (Tuya Primary School) in Ranga ward, votes were cancelled by the presiding officers in connivance with agents of the 2<sup>nd</sup> & 3<sup>rd</sup> Respondents for no reason other than the fact that the Petitioner won in that polling unit.
- (d). In polling units across Gabanga ward, the total votes cast were in excess of the total accredited voters and the results were recorded in spite of protests by the agents of the Petitioners who refused to sign most of the result sheets.

#### **ITAS/GADAU LOCAL GOVERNMENT**

298. The Petitioners aver that the election in this local government was marred and vitiated by substantial non-compliance as follows:

- (a). Agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents actively and openly participated in vote buying to the knowledge of the 1<sup>st</sup> Respondent's officer who

did nothing to stop them despite complaints from the Petitioners' agents.

- (b). In all the wards in this local government, Smart Card Readers were deliberately not used. Manual voting was used instead which resulted into issuing ballot papers randomly to the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents' agents who thumb printed them, leading ultimately to severe irregularities and over voting and the allocation of undue votes to the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.
- (c). In all the units in most of the wards of this local government, the total votes cast were in excess of the total accredited voters.
- (d). Despite protests by the Petitioners' agents all over this local government, results were recorded in these areas by the 1<sup>st</sup> Respondent's officers and majority votes were unduly credited to the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.

#### **GAMAWA LOCAL GOVERNMENT:**

299. The Petitioners aver that election in this local government were vitiated and flawed by the following actions and inactions among others:

- (a). The Petitioners' agents were unduly harassed and intimidated by security men.
- (b). The election process was unduly militarised, voters were prevented from going to cast their votes for their preferred candidates through threats of violence from the military.
- (c). Several supporters of the Petitioners were disenfranchised by the actions of the military and 'security personnel'.



- (d). At polling unit 009, Ballot papers were stolen just as voting was about to commence. Though the ballot papers were later recovered, the Petitioners' agents were not given an opportunity to inspect same to verify that they were still in order despite calling the attention of the 1<sup>st</sup> Respondent's officers to this.
- (e). At the local government collation centre in Gamawa, the collation officers disappeared to an unknown place for over an hour with the election materials and gave no reason for their disappearance despite being asked repeatedly by the Petitioners' agents.
- (f). This act of disappearance led to the ballot papers being tampered with and the 2<sup>nd</sup> & 3<sup>rd</sup> Respondents credited with majority votes in the election.

#### **ZAKI LOCAL GOVERNMENT:**

300. The Petitioners aver that elections conducted here were marred by substantial non-compliance which vitiated the election as follows:

- (a). In Maiwa ward, Smart Card Readers were not used at all; instead the elections were conducted by the 1<sup>st</sup> Respondent using manual voting.
- (b). Ballot papers were randomly given to agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents who thumb printed as they wished.
- (c). The total number of vote cast as a result of the above far exceeded the total number of accredited voters in the register of voters.

- (d). The Petitioners' agents complained to the 1<sup>st</sup> Respondents when they noticed the discrepancies in the results of the entire Maiwo ward.
- (e). Instead of the Petitioner to cancel all the results of the ward and conduct fresh election, they cancelled the result of only two polling units 4037 and 4049 in the ward and recorded undue majority votes to the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents in all the remaining polling units in this ward.

**NINGI LOCAL GOVERNMENT AREA:**

301. The Petitioners aver that elections conducted here were marred by substantial non-compliance which vitiated the election as follows:

- (a). In Tiffi/Gudda Ward, the INEC officials did not allow PDP agents to inspect the voting materials before commencement of voting in two polling units. The two polling units are Unit No. 05/15/102/014 and 05/5/07/009. At the end of voting and after counting of results, it was discovered that there was over voting in the sense that the total number of the accredited voters was less than the total number of votes cast.
- (b). Also, in Balma Ward, the INEC officials did not allow PDP agents to inspect the voting materials before commencement of voting in polling units 05/15/05/001. At the end of voting and after counting of results, it was discovered that there was over voting in the sense that the total number of the accredited voters was less than the total number of votes cast.
- (c). In Nasaru Ward, INEC officials did not allow PDP

agents to inspect the voting material before commencement of voting in polling units No. 05/15/03/030. At the end of voting and after counting of results, it was discovered that there was over voting in the sense that the total number of the accredited voters was less than the total number of votes cast.

#### **MISAU LOCAL GOVERNMENT AREA:**

302. The Petitioners aver that election in this local government was vitiated and flawed by the following actions and inactions among others:

- (a). The Petitioners' agents were unduly harassed and intimidated by security men.
- (b). The election process was unduly militarised, as voters were prevented from going to cast their votes for their preferred candidates through threats of violence from the military.
- (c). Several supporters of the Petitioners were disenfranchised by the actions of the military and 'security personnel'.

#### **GANJUWA LOCAL GOVERNMENT AREA**

303. The Petitioners aver that election in this local government was vitiated and flawed by the following actions and inactions among others:

- (a). The Petitioners' agents were unduly harassed and intimidated by security men.
- (b). The election process was unduly militarised, as voters were prevented from going to cast their votes for their preferred candidates through threats of violence from the military.

- (c). Several supporters of the Petitioners were disenfranchised by the actions of the military and 'security personnel'.
- (d). At Damun polling unit 003, card reader was dispensed with; and at the end of voting and after sorting and counting of votes, total votes cast was higher than the number of accredited voters. The result was recorded at the collation centre despite the over voting and non - usage of card reader in that particular polling unit.

**KOGI STATE:**

- 304. The Petitioners aver that Dekina Local Government Area is the largest Local Government Area in Nigeria with 162, 292 Registered voters. The Petitioners state that Dekina Local Government Area of Kogi State comprises of 12 Wards, namely, Egume Ward, Ojikpadala Ward, Ogbabebe Ward, Abocho Ward, Odu Ward 1, Odu Ward 2, Iyale Ward, Emewe Ward, Ogane-Inugu Ward, Okura Ward and Anyigba Ward.
- 305. The Petitioners aver that no real voting or election took place in Dekina Local Government Area of Kogi State during the Presidential and National Assembly Elections. The Petitioners aver that the nearest semblance of election only occurred in the 4 (four) wards of Odu Ward, Emewe Ward, Okura Ward and Ogane-Inugu wards.
- 306. The Petitioners aver that hardly had election started when heavily armed thugs and fake policemen sponsored by the 3rd Respondent began to invade several Polling Units and carting away electoral materials, burning of electoral materials like ballot papers and result sheets.
  - (a). The Petitioners aver that the incidences of

violence and voter intimidation were highest in mostly PDP strongholds leading to vote suppression against the PDP.

- (b). The Petitioners aver that there were incidences of violence and voter intimidation evident in Egume Ward where PDP won in 10 out of the 14 Polling Units but the thugs of the 3rd Respondent destroyed all the electoral materials and result sheets in the 10 Units PDP won. Egume Ward has 15,078 registered voters.
- (c). The Petitioners aver that in the entire Anyigba Ward, with the largest Ward in Dekina LGA with 27 Polling Units and a total voters' registration of 72,325, due to heavy violence, burning of electoral materials and loss of lives, the entire election in the ward was cancelled.
- (d). The Petitioners aver that Anyigba Ward scenario even attracted National attention as burning of INEC materials was relayed live on AIT television and others. The Petitioners shall found on the pictorial and documentary evidence at the trial.
- (e). The Petitioners aver that despite a letter from the 1st Respondent's Supervisory Presiding Officer (SPO) cancelling Anyigba Ward election, surprisingly, the 1st Respondent acting in connivance with the Dekina LGA Electoral Officer (E.O.) and Collation Officer, Dr. Abraham, results from all Anyigba units (26 No) except 1 Polling unit were collated on the pretext that election held. The Petitioners shall found on the form EC 40 G (1) for Dekina LGA and a copy of the letter of SPO Anyigba Ward to DEKINA LGA Electoral Officer (E.O.) at the trial. Notice to produce is hereby given to the 1<sup>st</sup> Respondent.

- (f). The Petitioners aver that in Abocho Ward of Dekina LGA, two Polling Units had their Presiding Officers abducted to unknown destinations, leading to cancellation of election in the two (2) Polling Units with registered voters of 1,522 (One Thousand Five Hundred and Twenty-Two).
- (g). The Petitioners aver that despite the position stated by the 1st Respondents (INEC) in their Document Detailing the Summary of Areas Where Elections did not hold or were cancelled disclosed that only one (1) Polling Unit in Abocho Ward with registered voters of 656 (Six Hundred and Fifty-six) was cancelled instead of the 2 Polling Units having 1,522 registered voters. The Petitioners shall find on the 1<sup>st</sup> Respondent's document titled 'Summary of the Areas Where Election was cancelled or did not take place in Kogi State'. Notice to produce is hereby given to the 1<sup>st</sup> Respondent.
- (h). The Petitioners aver that manual accreditation was used at Ago Motors Park II Polling Unit 028 in Bariki Ward in Okene Local Government Area of Kogi State, which led to the cancellation of election in that Unit.
- (i). The Petitioners aver that the total affected registered voters in Polling Unit 028 are 476 (Four Hundred and Seventy-Six).
- (j). The Petitioners aver that despite the cancellation of Ago Motors Park II Polling Unit 028 in Bariki Ward in Okene Local Government Area of Kogi State, the 1st Respondent Collation's Officer for Okene LGA admitted and collated the result of Ago Motors Park Polling Unit 028 in Bariki Ward which was collated into the Okene LGA overall result. The Petitioners shall find on the original

protest letter of the Presiding Officer at Ago Motors Park to the Electoral Officer (EO) of Okene LGA. Notice to produce is hereby given to the 1<sup>st</sup> Respondent.

**ZAMFARA STATE:**

307. The Petitioners aver that Zamfara State has fourteen Local Governments Areas, namely Anka, Bakura, Bukkuyum, Birnin Magaji, Gusau, Talata Mafara, Tsafe, Bungudu, Birnin Magaji, Kaura Namoda, Maradun, Gummi, Shinkafi and Zurmi.
308. The Petitioners aver that elections in polling units across Zamfara State particularly in the local government areas identified was a sham in the sense that it was marred by irregularities, violence, harassment and intimidation of the Petitioner's agents by police men and military men aided by the Respondents. There was substantial non-compliance with the Electoral Act and INEC Regulations and Guidelines and non-usage of card readers at some polling units, irreconcilable entries in the result sheets in FORMS EC8A, EC8B, EC8C and EC8D in some LGAs, unlawful cancellation of votes particularly in areas where the Petitioners gathered majority of lawful votes. Particulars of all these infractions are as pleaded under the various Local Governments, Wards and Polling Units of the State, hereunder:

**ANKA LOCAL GOVERNMENT AREA OF ZAMFARA STATE.**

309. In Anka Local Government, on the day of election when the election was about to start one Army Officer, by name L. Idris ordered the arrest of most of PDP agents in the Local Government in Bagega Ward and were taken to an unknown destination, while APC supporters were allowed and aided to thumb print the ballot

papers for their parties. All the PDP supporters were scared away from the polling units, while most of their agents were released after the election had been concluded.

310. At Birnin Tudu and Moda, also in Anka Local Government, a team of Nigerian soldiers came to their polling units and started to fire gunshots in the air; hence PDP supporters could not exercise their civic rights.

**GUMMI LOCAL GOVERNMENT AREA OF ZAMFARA STATE:**

311. In Gummi Local Government, INEC disbursed 110,457 ballot papers for the Local Government in the Presidential Election. Birnin Magaji Ward received 5,667 ballot papers; Birnin Tudu Ward received 10,505 ballot papers; Gyalange Ward received 7,090 ballot papers; Illela Auwal Ward received 7,210 ballot papers; Bardoki Ward received 10,560 ballot papers; Falale Ward received 5,303; Gamo Ward received 5,275; Gayari Ward received 8,556; Magaji Ward received 18,873; Ubandawaki Ward received 9,849 and Rafi Ward received 7,876.
312. Out of 110,457 ballot papers that were allocated to Gummi Local Government, 13,693 ballot papers were missing and surprisingly when the final result was compiled, 13,693 votes resurfaced after the INEC/the supporters of APC claimed those ballot papers were missing. The total number of ballot paper distributed was 96,764; hence the missing 13,693 ballot papers were used and thumb printed to the advantage of APC.
313. In Yar Gijiya Polling Unit, there was over voting of 55 votes; in Kantudu Polling unit there was over voting of 68 votes; in Danfako there was over voting of 168 votes; in Bakin Kasuwa polling unit there was over



voting of 70 and in Dada there was no accreditation of voters and other polling units and men of Nigerian Army were used to chase the supporters of PDP away in all the polling units.

### GUSAU LOCAL GOVERNMENT AREA OF ZAMFARA STATE

314. In Gusau Local Government, there were incidents of over voting, snatching of ballot papers most especially in Magami Ward that has 30 polling units and 1 voting point. Voting did not take place at all, as APC supporters took the ballot papers to different destinations. For instance, the ballot papers for Kabasa polling unit (018) were taken to a place called Cassava Farm; those for Sabon Gida (023) were taken to a place called Gidan Mamaye; those for Zonai (010) were taken to a place called Gidan Man Dogon Koli; those for Kunkelai (027) were taken to a place called Gonar Dan Kwari; those for Mai Tusshi (025) were taken to a place called Gonar Dan Kwari; those for Yar Doka (030) were taken to an unknown place; those for Madaba (019) were taken to unknown place; those for Karmanje I (016) were taken to unknown place; those for Fasawa (028) were taken to one house behind Magami Hospital.
315. In all these polling units, ballot papers were thumb printed for APC and there is video evidence showing the supporters of APC thumb printing for the APC.
316. In all the remaining polling units in this ward, card readers were not used and security agents were used to scare and chase away the supporters of PDP in the ward. That was the reason why the agents, supervisors and collation officers did not sign the results of INEC FORM EC8A (1).
317. Complaints were lodged by APC supporters to the

Division Police Officer of the area; but no action was taken. The Police and Soldiers were in support of the APC supporters to deny the PDP supporters from exercising their civic rights.

318. In Madawaki Ward, particularly in Gidan Kambari polling unit 004, which has 738 registered voters, voting was going smoothly; but on realizing that more people were voting for the PDP, supporters of the APC started threatening the lives of PDP supporters and proceeded to the Presiding Officer's table and grabbed the ballot papers and instantly tore all of them, thereby denying the PDP of votes. The PDP agent was not allowed to endorse the result; and the final result was not declared by INEC because it was at variance with what was recorded and endorsed at the Ward Collation Centre.
319. In Mayana Ward, in Dan Galadiman Waziri Unit 028, one Rufa'i Tambari who is a strong supporter of the APC mobilized thugs and hoodlums who chased out all the supporters of the PDP from exercising their civic responsibility. By the time the invaders came to the polling unit, the teaming supporters of PDP had cast 700 votes in favour the PDP. As a result of this successes recorded by the PDP, Rufa'i Tambari and his members mobilized and chased out all the PDP supporters, including those that were yet to vote. Since inception of PDP as a political party in Nigeria, no any political party has ever won this polling unit that was the reason why the PDP supporters were threatened and not allowed to exercise their civic responsibility.
320. In Mahaukacin Gida Area polling unit 002 of Mayana Ward, while voting was going on, ballot papers of another polling unit called Fanfon Maishanu unit 001 were brought and dumped into the ballot box of 002 to give additional advantage to the APC, since it was clear that the PDP has majority of supporter at the said

polling unit. The said polling unit has up to 857 registered voters. There was of over-voting at this polling unit and violence orchestrated by one Matutu, who chased away the PDP supporters from casting their votes, thus paving way for him to use the opportunity to drop a ballot paper of another unit 001 into the ballot box of unit 002 Mahaukacin Gida. There was no accreditation and people who were not even on the voters' register voted. At the end of 'poll,' the PDP polled a total of 140 votes out of the total 857 votes cast in the polling unit. The total number of votes scored by the PDP and the other parties were recorded in the INEC FORM EC8A and was 'endorsed' by all the agents of the parties.

321. In Sabon Gari Ward, in the Social Welfare Polling Unit (002) , the voting process had started at about 9:30am; but surprisingly at about 11:30am, APC supporters stormed the said polling unit and took away the ballot boxes and ballot papers and went away with them to an unknown destination and after 4 hours they returned the ballot boxes and forcefully started counting against the will of PDP agents and later declared APC as the winner in that polling unit. 325 votes were recorded for the APC, while 61 votes were recorded for the PDP.
322. In Dan Dutsin Gabas polling unit 014 of Sabon Garin Ward, voting had started at about 12:00 noon; but one hour into the voting, a team of Police Men came in a Toyota Hilux vehicle, stopped the voting and took away the ballot box and the ballot papers to an unknown destination for not more than 30 minutes. When the ballot box was brought back, it contained already thumb printed ballot papers and thereafter the APC was declared winner in the said Polling unit with 209 while 26 votes were recorded for PDP. Also, the total number of votes recorded for APC was not the same as the total number of people accredited. There was

over voting in favour of APC in Dan Dutsin Gabas Polling Unit of Sabon Ward in Gusau Local Government of Zamfara State.

### **BUNGUDU LOCAL GOVERNMENT AREA OF ZAMFARA STATE**

323. In Bungudu Local Government there were cases of over voting, snatching of ballot papers, and use of Police and Soldiers to assist the supporters of APC against the PDP.

### **BAKURA LOCAL GOVERNMENT AREA OF ZAMFARA STATE**

324. In Bakura Local Government, one APC supporter called Muttaka Rini in company of Police and Nigerian Army invaded most of the polling units and took the ballot box to unknown destination and later took the result to the collation centre.

### **TSAFE LOCAL GOVERNMENT AREA OF ZAMFARA STATE**

325. In Tsafe local government, the election was marred by irregularities, over-voting, specifically in Chediya, Tsafe Town and other places in Tsafe Local Government, as shown hereunder:

- (a) In Dauki Ward, election materials meant for polling unit numbers 003 and 004 were diverted to an unknown, only for 'results' to have been declared and APC said to have 'won,' even when election did not even take place in these polling units. In Tsafe Town, three of the polling units, namely Liman Dan Bawa, Sabon Fege/Mani Soja and Rakyabu there was massive over-voting. Also, while the voting was in progress, the Executive Chairman of Tsafe Local Government Alh. Aliyu Abubakar M.C. came in

company of Nigerian Army personnel and a truckload of police men and intercepted the election and there after chased away all the PDP supporters, knowing that those polling units had/have the highest number of PDP supporters. This resulted in cancellation of the election in those polling units.

- (b) In Biyaki Polling Unit of Yandoton Daji Ward, there was no election; but surprisingly, 'result' was declared and the APC was said to have 'won.'
- (c) In Keta ward, card readers were not used in the seven polling units of the Ward, naely 1. Keta Asibiti, 2. Kunuku, 3. Yar Zaiga, 4. Kizara, 5. Sabon Gari Dutsin Kura, 6. Kekawa and 7. Unguwar Gyauro. PDP has the majority there; and there was over voting. Also, the ballot papers meant for other polling units were forcefully put into the ballot boxes of these units.
- (d) In Doka polling unit in Chediya Ward, while the voting was in progress INEC officials were threatening voters with offensive weapons. This also happened in Bamamu Polling Unit, Unguwar Sarkin Fawa, and Chediya A
- (e) In 'Yan Waren Daji Ward, in Fegin Dafai, Marke, Sudu and Asaula polling units, the ballot papers brought had already been thumb printed in favor of the APC.
- (f) In Bilbis ward, there was over-voting precisely in Hayin Sauka and Wanzamai Primary Units.
- (g) In Dan Jibga/Kuncin Kalgo Ward, INEC officials were intimidated.

**SHINKAFI LOCAL GOVERNMENT AREA OF ZAMFARA STATE**

326. The Petitioners aver that In Shinkafi Local Government most especially at Magaji Dango Primary School which has four polling units, namely 006,007, 008 and 00, one Yusuf Wadatau popularly known and called Danmaliki who double as a Personal Assistant to Hon. Abubakar Hussaini Moriki, current member of the House of Representatives (APC, representing Shinkafi and Zurmi Constituency) was caught thumb printing for APC 4 booklets of ballot papers in the house of one Ummaru Jakali. Supporters of the PDP arrested him and handed him over to the security agents but on that same day he was released and those ballot papers were counted for APC.
327. In Shinkafi South a village called Maberaya has two polling units, 009 and 010. The Supervisory Presiding Officer (SPO) and a Staff of INEC by name Ubale was handed 1,200 ballot papers for these polling units; but surprisingly only 200 ballot papers were brought for the two polling units. INEC staff used the remaining 1,000 ballot papers to the advantage of APC.
328. In Galadi Ward, the PDP agent who was in charge of Batamna polling unit (No. 012) was arrested and detained throughout the election by the Nigerian Army and was released after the completion of the election.
329. In Jangeru Ward, with 18 polling units, when the voting started the Nigerian Army came into the polling units and started firing guns in the air, to scare the supporters of the PDP; because in that ward, the PDP has the highest number of supporters.
330. In the whole of Shinkafi Local Government, which has 123 polling units and 50 voting points, card readers were not used; people were not duly accredited and there was over-voting and indiscriminate thumb printing of ballot papers in favor of the PDP. Also, results were not counted in all the polling units.

## **KAURA LOCAL GOVERNMENT AREA OF ZAMFARA STATE**

331. In Kaura Local Government, card readers were not used and there was over voting, especially in Dangaladima Ward. Officials of INEC also offered themselves to support the cause of the APC supporters. In Dogon Kade Dispensary polling unit (No. 022) of the Ward, the number of the votes cast was higher than the number of accredited voters.
332. In Dan Isa Ward, which has 23 polling units, results in 14 of the units were cancelled for no reason, simply because the PDP has the highest number of supporters in those units. Also, the votes cast were not counted at the polling units.

## **BUKKUYUM LOCAL GOVERNMENT AREA OF ZAMFARA STATE**

333. In Bukkuyum Ward, at Shiyar Magaji II Polling Unit of Bukkuyum Ward, military men forcefully interrupted and disrupted the voting process of this polling unit there by breaking the hand of one of the female voters. This act of military men cast fear into the mind of PDP supporters thereby depriving the victims and many other of PDP supporters from voting. At the Garkar Hakimi Polling Unit, people who voted were higher than the people accredited.
334. In Ruwan Jema Ward, at the Shiyar Ubandawaki Polling Unit (012) one male voter was voting for women, by thumb printing the ballot papers on behalf of the female voters in favour of the APC. The PDP agent instantly asked him to stop and the same time complained to the Army officers around, but there was no action. This act of illegal voting on behalf of female voters made the APC to have higher votes than the

PDP. At Kurfar Magaji Polling Unit (005) of the Ward the Village Heads of Kurfar Magaji threatened and intimidated the voters, to vote for the APC or else they would bear the consequences. This act also happened at Gemawan Dikko Polling Unit (006) where the village head of Gemawan Dikko intimidated people to vote for the APC. The same thing happened at Tudun Tudu Polling Unit (015) and Gyado Polling Unit (009).

335. In Zarummai Ward, most of the card readers were not functional; voters were not accredited but were allowed to vote indiscriminately. PDP supporters were not allowed to cast their votes and their supporters were intimidated at Dargaje II Chediya (020). Election generally was marred by irregularities and intimidation of APC supporters. At Dan Gurumfa II (012) PDP supporters were beaten by the Police and soldiers, which created fear in the minds of PDP supporters, forcing them to leave the polling unit. At Mafarar Garangi (014) Policemen were seen thumb printing ballot papers for the APC.
336. In Nasarawa Burkullu Ward, at Tabalaya Polling Unit (004), the Bukkuyum Local Government Chairman brought out three thumb printed bunches of ballot papers for Presidential, Senate and House of Representatives, each containing 100 pieces and gave them to the presiding officer, who inserted same into various ballot boxes. This was done after using soldiers to disperse all the voters around. The Local Government Chairman, the Police and INEC officials did the same thing at Shiyar Zango polling unit (005).

### **NASARAWA STATE**

337. In Nasarawa State, the results in the 13 Local Government Areas reveal irregularities in the total number of accredited voters, as has been particularized below.



338. The Petitioners shall contend at the trial that out of 1,496 polling units that make up the Local Government Areas of the State, the 1<sup>st</sup> Respondent in 68 polling units returned nil accreditation, that is no voter was accredited in those polling units, yet returns were made.
339. The Petitioners shall contend that in over 670 polling units within the Local Government Areas of the State, the 1<sup>st</sup> Respondent wrongfully posted votes in favour of the Petitioners and 2<sup>nd</sup> and 3<sup>rd</sup> Respondents without any authentication by the 1<sup>st</sup> Respondent's Presiding Officers in respect of those Polling Units.
340. The Petitioners shall contend that in 735 polling units across the Local Government Areas of the State, the Forms EC8A series reveal that the 1<sup>st</sup> Respondents wrongfully made various improper entries and inscriptions not being record of lawful votes cast at the polling units, which votes are liable to be voided.
341. The Petitioners will at the trial rely on Forms EC8A series from the polling units/voting points and other returns from the Wards, Local Government Areas and State Collation Centres, as well as their statistician's Report in support of the above averments for Nasarawa State.
342. The Petitioners shall further contend that the statistical analysis of the results for all votes cast in the Local Government Areas of the State reveal the total ballot papers issued, used, unused and spoilt will show serious discrepancies in 220 Polling Units.

**GOMBE STATE:**

343. The Petitioners aver that election in all polling units across Gombe and particularly in the identified Local Governments, wards and polling units hereunder was

characterized and bedeviled by substantial non-compliance with the Electoral Act and the Guidelines issued by the 1<sup>st</sup> Respondent, typified by inaccurate ballot paper account, over-voting (in the sense of votes cast being in excess of accredited voter), improper and/or lack of accreditation, irreconcilable entries in the Form EC8A,EC8B,EC8C AND EC8D) series, and in the number of accredited voters, unlawful cancellation of votes, especially in the places where the petitioners scored the majority of lawful votes cast, differentials in entries of votes in the counterpart original of result forms issued to the Petitioners' agents and Certified True Copies of the same results, such that the votes credited to the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents are vitiated; harassment and intimidation of agents of the Petitioners, violence, failure to take electoral materials to some Wards and polling units – yet declaration of results thereat, deliberate delay in commencing the voting process, and other breaches, disenfranchisement of voters, illegal thumb printing, etc, all of which are particularized hereunder.

**344. BILLIRI LOCAL GOVERNMENT**

345. The Petitioners aver that in all the polling units comprising the 10 Wards of this Local Government, the election was vitiated and flawed, in that:

(a). Election Official/Materials were not brought to Ayabu, Banjanje, Tangale, Kalmai, Lamugu, Pokulu and kulkul Wards, even though the Polling Units in those wards are easily accessible by road without difficulties.

(b). No insurgency or other security threatening incidence has been reported in the communities in the two years, contrary to the 1<sup>st</sup> Respondent's false claim.

- (c). Notwithstanding that there were no elections in the Polling Units including but not limited to Polling Units 001, 002, 004, 005, 007, 008, 013, 014, 015 and 016 of Wards, results were returned, wherein the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents were alleged to have won.
- (d). Even though election was not conducted in the Polling Units of the Local Government including but not limited to polling Units 008, 009 of Laberpit, Sansani and Todu Wards but the 1<sup>st</sup> Respondents donated the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents with purported majority votes.
- (e). The Election result announced at the various polling units of the above Wards were changed at the 1<sup>st</sup> Respondent's Office whereas the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents were unduly credited with majority of votes.
- (f). The agents of the Petitioners at the aforementioned wards and of the Local Government were harassed and intimidated with the active connivance of the Presiding Officers of the 1<sup>st</sup> Respondent which situation made it impossible for the Petitioner's Agents to monitor the conduct of the election or obtain copies of the result which in itself is not a product of a valid election.

#### **KALTUNGO LOCAL GOVERNMENT**

346. The Petitioners aver that the Presidential Election of 23<sup>rd</sup> February, 2019 in the entire Kaltungo Local Government was a charade in that same was substantially vitiated and flawed by the following actions and inactions amongst others:

- (a). The distribution of election Materials to Bajoga, Abuku, Baba Zur, Bodoli, Bulabirim, Busum,

Damawake and Damishi Wards and Polling Units were deliberately delayed such that voting did not start anywhere until 1:00pm.

- (b). In Polling Units 005 and 006 of Dinjaya, Gadakka, Galgaidu and Ganjiro, there was card reader failure which was not fixed until 1:45pm which led to the disenfranchisement of several supporters of the Petitioners.
- (c). In CBS 003 of Jajiri and Koni Wards, election was cancelled by the presiding officer for no justifiable reason other than the perception that the Petitioners were having the upper hand.
- (d). In polling Units 001, 002, 003, 004, 005, 06, 007 and 008 of Ribadu, Saleri and Ashaka, where the Petitioners have candidates contesting for other elections, the officials of the 1<sup>st</sup> Respondent allocated Zero votes to the Petitioners.
- (e). In Units 001, 002, 003, 004, 005, 006 and 007, of Zadawa, Yayaru and Lambo Dashi, the Card Reader were deliberately not used at all with the result that ballot papers were randomly issued to supporters of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents who thumb printed them leading to the allocation of zero votes to the Petitioners.
- (f). In all the wards, the total vote cast were in excess of the total accredited voters and the result were recorded in spite of protests by the agents of the petitioners who refused to sign most if the result Sheets.
- (g). In Munda Ward, particularly Unit 004 two booklets of ballot papers were released by the Presiding Officer to APC supporters who sat inside a car and thumb printed the ballot papers

in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.

- (h). In Badadi Ward, especially in Polling Units 00, 008, 009 and 010 results were merely written by the agents of the 1<sup>st</sup> Respondent as voters had earlier been scared away from the Polling Units through sporadic gunshots.

**NIGER STATE:**

347. The Petitioners plead that the February 23, 2019 Presidential election in Niger State was vitiated on account of non-compliance with the provisions of the Electoral Act, 2010 as amended and the Guidelines of the 1<sup>st</sup> Respondent for the conduct of the said election, arbitrary arrest of PDP supporters and officials, etc, details of which are hereunder particularized.

**Intimidation of voters and arbitrary arrest of PDP stalwart**

348. The Deputy Governor of Niger State, Alhaji Mohammed Ketso, and the Attorney-General of Niger State went round polling units in Mokwa LGA and other places which are PDP strongholds, intimidating voters and ordering thugs to disrupt voting in such Polling Units where PDP was leading.
349. In Lapai Local Government Area, a Niger State Government functionary, Hon. Ibrahim Ebbo, harassed and ordered the arrest of a PDP stalwart because PDP was on the lead in the Local Government. Till the time of filing this Petition, he is still in police custody in Abuja.
350. In Ebbo/Gbachinko Ward of Lapai Local Government, thugs acting for the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents were moving around freely with dangerous weapons like guns, cutlasses and go-to-hells, intimidating and

chasing away voters from the Polling Units. They subsequently hijacked the ballot boxes and thumb-printed for the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents.

351. Official complaints lodged by PDP supporters with the officials of the 1<sup>st</sup> Respondent, against these acts of intimidation, were not attended to.
352. Also, in Kuchi Primary School (PU) under Ebbo/Gbachinko Ward of Lapai Local Government, Niger State Government functionary Hon. Ibrahim Ebbo harassed and ordered the Police to arrest a PDP stalwart because PDP was on the lead at the polling unit. Till the time of filing this Petition, he was still in police custody in Abuja.

**Tanko Kuta 1 Polling Unit, Code No. 009 Nassawa "B" Ward of Chanchaga Local Government Area of Niger State:**

353. There was malfunctioning of the Card Reader in this Polling Unit, and the Presiding Officer gave a directive to switch to manual voting. Thus, the entire exercise was conducted manually in the said polling unit and this fact was reported by the PDP agent to the Ward collation agent at the Ward Collation Centre.

**Kofar Baba Abuja Code 006 of Sabon Gari, Chanchaga Local Government Area of Niger State:**

354. The result declared at this polling unit showed that the number of valid votes cast exceeded the number of accredited voters and the result sheet contained cancellations and alterations by the Presiding Officer. The PDP agent reported these anomalies to the 2<sup>nd</sup> Petitioner's Ward Returning Officer/Collation Agent at the Ward Collation Centre.

**Ipanda Polling Unit, Muburya Ward, Mariga Local Government Area of Niger State**

355. Before accreditation and voting could even commence at this polling unit, the ballot box was already filled up with thumb printed ballot papers in favour of the APC.

### **JIGAWA STATE**

356. The Petitioners aver that elections in all the Polling Units in the length and breadth of Jigawa State and more particularly in the identified Polling Units, Wards and Local Government hereunder were fraught and characterized by substantial non-compliance represented by absence of election, over-voting, multiple voting, falsification of results, unlawful cancellation, irreconcilable entries in the collation results sheets / forms EC8A, EC8B, EC8C, and EC8D series; wrong entries of votes in the results forms issued to the Petitioners' agents such that the votes credited to the 3<sup>rd</sup> and 2<sup>nd</sup> Respondents are improper and vitiated, etc, particulars of which are pleaded hereunder.

### **GWARAM LOCAL GOVERNMENT:**

357. The Petitioners aver that in the Polling Units comprising the various Wards of this Local Government, the election was flawed and vitiated, in that:

(a). Election Official/Materials were not brought notwithstanding the fact that the Polling Units are not inaccessible by roads devoid of difficulties.

(b). The communities have enjoyed a very peaceful atmosphere without any case of insurgency or other security challenge whatsoever.

(c). In spite of the fact that there were no elections in Polling Units including but not limited to Dubau, Bango Auyakawa, and Farin Dutse Polling Units results were returned wherein the 2<sup>nd</sup> and 3<sup>rd</sup>

- Respondents were declared winner.
- (d). Even though election was not conducted in the Polling Units of Sara Ward of Gwaram Local Government including but not limited to Dubau Polling Units, the 1<sup>st</sup> Respondent's Officials went ahead to credit the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents with purported majority votes.
  - (e). The election results announced at the various Polling Units of Sara Ward were changed at the 1<sup>st</sup> Respondent's Office, whereat the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents were unduly credited with majority of votes.
  - (f). The Agents of the Petitioners at Sara ward of Gwaram Local Government were harassed, coerced and intimidated with the active connivance of the Presiding Officers and security agents which situation made it impossible for the Petitioners' agents to monitor the conduct of the election or obtain copies of the result sheets.

#### **RINGIM LOCAL GOVERNMENT:**

358. The Petitioners aver that the Presidential Election of 23<sup>rd</sup> February, 2019 in the entire Ringim Local Government Area of Jigawa State was a charade in that same was substantially vitiated and flawed by the following actions and inactions amongst others.

- (a). The distribution of election Materials to Wards and Polling Units was deliberately delayed such that voting did not start anywhere until 1:00pm.
- (b). In Sankara ward, registers were not brought for accreditation; and coupled with the failure of card readers which were not fixed until about 1.00pm, several supporters of the Petitioners were disenfranchised.
- (c). Furthermore, in Sankara Gabas Polling Unit, there



was falsification of results wherein the original score of the APC which was 374 votes was changed to 648 votes. On the other hand, while the original votes of the PDP were 63 votes, this figure was marginally increased to 80 votes.

- (4). In Gidan Kutumbi Damina and Algama Polling Units, despite the fact that elections did not take place, there was arbitrary award of votes to the parties in order to give it some measure of legitimacy but with majority of votes credited to the APC.
- (e). In Madoba and Jankawa Polling Units located in Tofa ward, the security Agencies including the Police aided one Alhaji Isa Garewa of the APC to intimidate and harass voters and to cart away with voting materials in a marked Police Hilux van, which resulted in thumb printing of ballot papers in favour of the APC.
- (f). Furthermore, the same Alh. Isa Garewa stormed Bago Polling Unit with thugs with the active connivance of security personnel to unleash mayhem and he carted away with ballot boxes and voting materials. This lawlessness and impunity which has not been investigated by the necessary agencies of the state resulted in over voting in favour of the APC.

#### **JAHUN LOCAL GOVERNMENT**

359. The Petitioners aver that in all the Polling Units comprising the Gunka and Jabanwi Wards of this Local Government, the election was flawed and vitiated in that:

- (a). Election Officials/Materials were not brought notwithstanding the fact that the Polling Units

- are accessible by road, devoid of difficulties.
- (b). The communities have for a long time enjoyed a very peaceful atmosphere without any case of insurgency or other security challenge whatsoever.
  - (c). With violence and mayhem unleashed on the communities in this ward, and particularly in Tantsar Polling unit, voters were not allowed to exercise their legitimate right to vote and results were still returned wherein the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents were declared winners.
  - (d). Even though elections were conducted in Tantsal and Jama'a Polling Units of Gunka Ward of Jahun Local Government after a long delay of many hours, the 1<sup>st</sup> Respondent's Officials went ahead to arbitrarily and unjustly cancel the elections.
  - (e). The election result announced at the Zargawa Polling unit of Gunka Ward was changed at the 1<sup>st</sup> Respondent's Office, whereat the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents were unduly credited with majority of votes.
  - (f). The Agents of the Petitioners in Tantsar, Zargawa and Jama'a of Jahun Polling units of the Local Government were harassed, coerced and intimidated with the active connivance of the Presiding Officers and security agents, which situation made it impossible for the Petitioners' agents to monitor the conduct of the election or obtain copies of the result sheets.

#### **BUJI LOCAL GOVERNMENT**

360. The Petitioners aver that the Presidential Election of 23<sup>rd</sup> February, 2019 in the entire Buji Local Government Area of Jigawa State was a charade in that same was substantially vitiated, flawed and orchestrated to fail due the following actions and inactions amongst others:

- (a). The distribution of election Materials to Wards and Polling Units was deliberately delayed, such that voting did not start in most of the Polling units until 1:00pm.
- (b). In Chirbi and Lekenkudu wards, registers were not brought for accreditation and coupled with the failure of card readers which were not fixed until about 1.00pm, several supporters of the Petitioners were disenfranchised.
- (c). Furthermore, the agents of the PDP with the active connivance of the security agents perpetrated acts of violence, intimidation and harassment and carting away of voting materials. Because the ward was a stronghold of the PDP, which had many followers and supporters, the elections in Gomari and Tilli Bukui Polling units were eventually cancelled for no reason.
- (d). This lawlessness and impunity impacted negatively against PDP and was in the overall interest of the APC.

**KIYAWA LOCAL GOVERNMENT AREA:**

361. The Petitioners aver that the Presidential election of 23<sup>rd</sup> February, 2019 in the entire Kiyawa Local Government Area of Jigawa State was a charade in that same was substantially vitiated and flawed by the following actions and inactions amongst others:

- (a). The Agents of the Petitioners in Tsirma G/Adama, Kunkurawa Rigar Kofa, Karkasshin Maidawa, and Chiromawa Primary School in Tsirma ward of Kiyawa Local Government were harassed, coerced and intimidated voters, with the active connivance of the Presiding Officers and security agents which situation made it impossible for the

Petitioners' agents to monitor the conduct of the election or obtain copies of the result sheets.

- (b). Furthermore, in Gida Adama Polling unit, the card reader and the voters' register were deliberately not used and the number of votes was well above the number of accredited voters and this act of over voting was perpetrated in order to ensure victory for the APC.
- (c). In Kunkurawa Polling Unit, the voters were intimidated and threatened by APC agents and supporters, who told the voters that the names of supporters of the PDP who were benefiting from the N Power programme of the Federal Government will be submitted to the appropriate authorities for appropriate sanctions.
- (d). Furthermore, in Danasabe Maraya Dakuwa and Karkashin Maidawa Polling units and despite the fact that accreditation did not take place, results were still declared with a majority of votes declared in favour of the APC.

#### **GARKI LOCAL GOVERNMENT AREA:**

362. The Petitioners aver that the Presidential Election of 23<sup>rd</sup> February, 2019 in the entire Kargo and Kore wards of Garki Local Government Area of Jigawa State was a charade in that same was substantially vitiated and flawed by the following actions and inactions amongst others:

- (a). In Guyawa Polling unit, a stronghold of the PDP, due to the fact that registers were not brought for accreditation and coupled with the failure of card readers that failed to work all through the duration of the election, several supporters of the Petitioners were disenfranchised.
- (b). Furthermore, in the said Guyawa Polling unit,

despite the fact that election took place against all odds, it was deliberately cancelled in order to favour the APC.

- (c). In Dunkumi Polling Units, the agents of the APC carried out acts of double voting in favour of the APC.

#### **BIRNIN-KUDU LOCAL GOVERNMENTS:**

363. The Petitioners aver that in all the Polling Units comprising the various Wards of Birnin-Kudu Local Government, the election was flawed and vitiated in that:

- (a). Election Official/Materials were not brought, notwithstanding the fact that the Polling Units are accessible by road, devoid of difficulties.
- (b). The communities have enjoyed a very peaceful atmosphere without any case of insurgency or other security challenge whatsoever.
- (c). The Agents of the Petitioners in Zaramb/Yabal, Waran Yari and Nasarawa Polling units of Birni-Kudu Local Government were harassed, coerced and intimidated voters, with the active connivance of the Presiding Officers and security agents, which situation made it impossible for the Petitioners' agents to monitor the conduct of the election or obtain copies of the result sheets.
- (d). The Wurno Yari and Sundimina Polling units witnessed massive double and multiple thumb printing by agents of the APC with the active connivance of the security agencies which resulted in over voting in favour of the PDP.

- (e). In Kura Sabuna Polling unit, a stronghold of the

PDP with many supporters, due to the fact that registers were not brought for accreditation and coupled with the fact that card readers failed to work all through the duration of the election, several supporters of the Petitioners were disenfranchised and more importantly was the fact that the votes cast by members and supporters of the PDP, who endured the odds in this unit were cancelled for no reason.

**GROUND 3: THE ELECTION OF THE 2<sup>ND</sup> RESPONDENT IS INVALID BY REASON OF CORRUPT PRACTICES**

364. The Presidential election conducted by the 1<sup>st</sup> Respondent is invalid on account of corrupt practices. The particulars of corrupt practices before and during the disputed election include but not limited to the following:

- (a). Compromised Printing/Production of electoral materials
- (b). Manipulation/misuse of State resources
- (c). Manipulation of the ballots and ballot boxes
- (d). Manipulation of card readers
- (e). Manipulation of accreditation and collation
- (f). Manipulation of Security Agencies and Militarisation of the Election
- (g). Manipulation of Election Material Delivery
- (h). Arbitrary Arrest and Detention of Petitioners Members and Supporters
- (i). Massive Thumb-printing of Ballot Papers

**Compromised printing/production of election materials**

365. The Petitioners aver that in the run-up to the Presidential election of 23<sup>rd</sup> February, 2019, the 1<sup>st</sup> Respondent awarded the contract for the production of electoral materials, including supply of machines used

in printing the permanent voters cards, to a registered company known as Activate Technologies Limited, owned by a high-ranking member of the 3<sup>rd</sup> Respondent, namely Alhaji Mohammed Musa, who was a Senatorial candidate of the 3<sup>rd</sup> Respondent at the National Assembly election that held on the same day with the disputed Presidential election. The said Alhaji Mohammed Musa allegedly won the Senate seat, to represent the Niger East Senatorial Zone in Niger State.

366. This obvious abuse and willful compromise of partiality by the 1<sup>st</sup> Respondent in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents was widely condemned by the 1<sup>st</sup> Petitioner and the general public. Rather than terminate that contract, however, the Chairman of the 1<sup>st</sup> Respondent, Prof. Mahmud Yakubu, while admitting the fact that the contract was awarded to the APC chieftain, refused to terminate it. The Petitioners shall at the hearing rely on newspaper and or electronic reportage of the award of the contract by the 1<sup>st</sup> Respondent to the said Alhaji Mohammed Musa, including the above-pleaded admission by the Chairman of the 1<sup>st</sup> Respondent.

367. Further thereto, the 1<sup>st</sup> Respondent in order to ensure undue advantage to the 2<sup>nd</sup> Respondent, posted a blood relation of the 2<sup>nd</sup> Respondent, Mrs. Amina Zakari, to a sensitive position of collation of results at the national level, and insisted on her role, notwithstanding the public protestation and uproar against such partisanship.

#### **Manipulation/Misuse of State Resources:**

368. In a bid to improperly influence voters, the 2<sup>nd</sup> Respondent, using his position as President of the Federal Republic of Nigeria, commenced a programme or a scheme called **TRADER-MONI**, through which Nigerian electorate, most especially traders across the

36 States of the Federation and the FCT Abuja, were, few weeks to the Presidential election, given N10,000 each, clearly to influence votes in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents in the Presidential election.

369. In spite of the fact that there was no budgetary provision for this scheme; and in spite of public outcry against it, the 2<sup>nd</sup> Respondent, through the Vice President of Nigeria, Professor Yemi Osinbajo, SAN went round all the States of Nigeria and the FCT, Abuja, and shared the said sum of N10,000 to traders, thus using State Resources to buy votes.
370. The Petitioners contend that the TRADER MONI was aimed at corruptly influencing votes in favour of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents, since the 2<sup>nd</sup> Respondent assumed office in his first term on May 29, 2015 but did not inaugurate the scheme until few weeks or months to the scheduled 2019 Presidential election.
371. Transparency International, the respected global civil society organization leading the fight against corruption, warned that the program amounted to vote buying. On or about January 25<sup>th</sup>, 2019, Mr. Awwal Rafsanjani, the Chairman of Transparency International publicly declared that the initiative was an “official use of public funds in the name of TraderMoni to actually induce voters”. The statement of Mr. Rafsanjani was widely published; and the Petitioners shall found upon newspaper reports of the said statement.
372. Under the Trader Moni scheme, money was distributed and paid to traders on behalf of the 2<sup>nd</sup> Respondent by Professor Yemi Osinbajo, SAN, the Vice President of Nigeria and the running mate of the 2<sup>nd</sup> respondent at the Presidential election of 23<sup>rd</sup> February, 2019. The 1<sup>st</sup> Respondent publicly announced that it would investigate the charge of vote buying levelled against the 2<sup>nd</sup> Respondent and his running mate, but did not



do so. Petitioners hereby plead various public statements by the President of the Senate, Speaker of the House of Representatives, former President of Nigeria Chief Olusegun Obasanjo, the Chairman of the Independent National Electoral Commission and several other sources on the trader moni vote-buying scandal.

**Manipulation of Security Agencies and Militarisation of Election:**

373. The 2<sup>nd</sup> Respondent as President of Nigeria and Commander in Chief of the Armed forces, manipulated and used the security agencies to influence the outcome of the election in favour of himself, by the following actions, amongst many others:

- (a) The 2<sup>nd</sup> Respondent retained in their offices, with a view to using them to intimidate supporters of the opposition and prevent them from voting, the Heads of the Security agencies, namely General Tukur Yusuf Buratai, Chief of Army Staff, Admiral Ibok Ekwe Ibas, Chief of Naval Staff and Air Marshal Sadique Abubakar, Chief of Air Staff.
- (b) Shortly before the election, the 2<sup>nd</sup> Respondent publicly ordered security agents to shoot to kill persons involved in ballot box snatching, which order was understood by all and sundry to target supporters of the opposition, even if not involved in ballot snatching, as there was no threat of ballot box snatching at the time of the order. Furthermore, the punishment for ballot box snatching is adequately provided in the laws and does not include summary, extra judicial execution as ordered by the 2<sup>nd</sup> Respondent. The Chief of Army Staff publicly announced that he would obey the 2<sup>nd</sup> Respondent's order to the letter. The said Chief of Army Staff also criticized

members of the public, including the 1<sup>st</sup> Petitioner, who condemned the illegal order. True to his promise and threat, soldiers and other security personnel assaulted, arrested and shot at voters. In Kwara State, the following persons who were staunch supporters of the 1<sup>st</sup> Petitioner were attacked and hospitalized on election day: Alhaji Amuda Orilowo, Zulkififli Abdulrafiu, Bolaji Olororo, Jimoh Abdullazeez, Babaita Bayo.

- (c) In Rivers State, Tamunoisi Gogo Jack, the Commissioner for Education and a strong supporter of the 1st Petitioner was also detained for no reason. Also detained was Marshall Obuzor, Special Assiatant to the Governor of Rivers State and grassroots mobilizer for the 1<sup>st</sup> Petitioner.
- (d) In Oyo state, Ambassador Taofeek Arapaja a PDP stalwart and Governorship aspirant was arrested a few days to the election for no just cause and is still being detained.
- (e) In Kaduna State Mr. Ben Bako, Director of Media Committee of the Kaduna State PDP Governorship Campaign Organisation, and a strong supporter of the 1st Petitioner was arrested just before the Presidential election and only released a few days after tge election.
- (f) In Rivers, Borno, Benue, Kogi, Yobe, Kebbi, Kaduna, Zamfara, Nasarawa, Plateau and practically in all the States of the Federation, military and Police officers actively joined members and supporters of the 1<sup>st</sup> and 2<sup>nd</sup> Respondents to attack, terrorize and scare away members of the 2<sup>nd</sup> Petitioner and supporters of the 1<sup>st</sup> petitioner and prevented them from voting. Military and Police officers disrupted the

electoral process at collation centres in the above-listed States, thus reducing the Petitioners' votes. The petitioners hereby plead newspaper reports, electronic footages/videos/pictures, observers' reports and press releases by the 1<sup>st</sup> Respondent to establish this.

- (g) In Rivers State, soldiers invaded several local government areas and disrupted elections; and in Asari-Toru Local Government Area, they destroyed results sheets; while in Bayelsa and Kogi States, they invaded many communities like Brass (for Bayelsa) and Dekina (for Kogi) and killed some persons on election day. The petitioners hereby plead newspaper reports, electronic footages/videos/pictures, observers' reports and press releases by the 1<sup>st</sup> Respondent to establish this.

#### **Manipulation of Card Readers**

374. Contrary to its own repeated declarations that the use of card readers was mandatory for all elections, the 1<sup>st</sup> Respondent was selective in their use. Card readers were hardly or not used in States like Bauchi, Borno, Kebbi, Yobe, Zamfara, Katsina, Kaduna, Niger, Nasarawa, Gombe, Jigawa and Kano states. The limited or non-use of the card readers enabled the agents and representatives of the 2<sup>nd</sup> Respondent, with the assistance of the 1<sup>st</sup> Respondent to ascribe to the 2<sup>nd</sup> Respondent votes that he did not score.

#### **Manipulation of Accreditation and Collation Processes**

375. Accreditation was not done for a large majority of voters in majority of the States of the Federation, as pleaded/particularised in preceding paragraphs of this Petition. This enabled over-voting to take place.

376. The 1<sup>st</sup> Respondent's officials did not correctly reflect the scores of the parties at various or respective polling units at Ward and Local Government Collation centres. This practice was widespread in Bauchi, Borno, Yobe, Zamfara, Katsina, Kaduna, Niger, Kebbi, Nasarawa, Gombe, Jigawa, Kogi and Kano States. The Petitioners shall place reliance on Forms EC8As, EC8Bs and EC8Cs series of the affected polling units, wards and local governments in the aforementioned States.
377. Many result sheets were not signed by the presiding officers and were not stamped and authenticated in Bauchi, Borno, Yobe, Zamfara, Katsina, Kaduna, Kebbi, Niger, Nasarawa, Gombe, Jigawa, Kogi and Kano States. The Petitioners shall place reliance on Forms EC8As, EC8Bs and EC8Cs series of the affected polling units, wards and local governments in the aforementioned States.
378. There were also in the above-listed States numerous arithmetical errors in the results, which affected the outcome of the election, and to the detriment of the Petitioners. The Petitioners shall place reliance on Forms EC8As, EC8Bs and EC8Cs series of the affected polling units, wards and local governments in the said States.

**Manipulation of Election Materials Delivery:**

379. The Petitioners aver that the 1<sup>st</sup> Respondent deliberately delayed and manipulated the distribution and delivery of election materials in areas and States which it perceived were strongholds of the Petitioners. Notwithstanding postponing the election for an additional week, the 1<sup>st</sup> Respondent did not deliver election materials to these select States on time. The States affected are mainly in the South South, South

East North Central and North West geo-political zones.

### **Massive Multiple Thumb-Printing of Ballot Papers:**

380. The Petitioners further aver that there was massive and multiple thumb-printing of ballot papers by agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents with the connivance of the 1<sup>st</sup> Respondent. The 1<sup>st</sup> Respondent created special polling units unknown at the time to the Petitioners and the general public where agents of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents thumb-printed ballot papers which were used to inflate the scores of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents. The Petitioners shall at the trial rely on the Reports of their Forensic Experts in proof of this averment, and will also rely on electronically recorded video clips.

### **Arbitrary Arrest and Detention of Petitioners' Members and Supporters**

381. Prominent supporters and agents of the Petitioners were arrested and detained by security forces at the instance and prompting of the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents days before and during the election in many States of the federation, including the following: Bauchi, Borno, Benue Yobe, Zamfara, Katsina, Kaduna, Niger, Nasarawa, Gombe, Jigawa, Kogi, Kwara and Kano States. Such persons include Engr. Buba Galadima (Yobe State, Spokesperson for the 1<sup>st</sup> Petitioner); Dr. Cletus Tyokyaa (PDP Chieftain in Benue State); Mr. Ben Bako (Kaduna State PDP Campaign Director-General); Senator Rafiu Ibrahim (PDP Chieftain in Kwara State), etc.

382. These arbitrary arrests and detentions were aimed at instilling fear into PDP supporters across Nigeria, whittling down the support base of the 1<sup>st</sup> and 2<sup>nd</sup> Petitioners and therefore cutting down their votes in the disputed election.

383. The Petitioners aver that the presidential election of 23<sup>rd</sup> February, 2019 was characterized by widespread violence, non-compliance with the provisions of the Electoral Act 2010 (as amended) perpetrated by the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents who acted through agents duly groomed and armed by the 3<sup>rd</sup> Respondent, being disclosed principal. Particulars have been pleaded in several portions of this Petition.
384. The Petitioners aver that these incidents of corrupt practices were witnessed by international and local election observers who monitored the said Rerun election. These observers issued reports attesting that the Election was marred by these diverse incidents of corrupt compliance and irregularities. Despite these glaring incidents, the 1<sup>st</sup> respondent allotted votes to the 2<sup>nd</sup> Respondent who with the 3<sup>rd</sup> respondent connived in these unlawful and wrongful acts to the detriment of the Petitioners. The petitioners, during hearing, shall rely on the reports of national and international observers of the election, as well as newspaper publication, videos, eye witness account of voters, party agent and party leaders and television reports on the said Governorship Rerun election.
385. The Petitioners state that the Nigeria Bar Association Ad-hoc Election Monitoring Group was mandated by the Nigeria Bar Association (NBA) to observe the Presidential Election, ascertain and comment on the extent of conformity of the process and procedures with regional standards and best practices.
386. The members of the NBA Ad-hoc Election Monitoring Group were deployed to observe the presidential Election of 23<sup>rd</sup> February 2019. It was stated from the report of the NBA Election Monitoring Group that the Presidential Election fell far short of a free and fair election. The Petitioners hereby plead the REPORT OF

THE AD-HOC ELECTION MONITORING GROUP ON THE  
PRESIDENTIAL ELECTION IN HELD ON 23<sup>RD</sup> FEBRUARY  
2019.

387. The Petitioners have, in several other portions of this Petition, also pleaded and particularized on incidents of corrupt practices. The Petitioners hereby adopt the said pleadings in support this Ground on corrupt practices.

**(4). GROUNDS 4 AND 5: NON-QUALIFICATION AND GIVING FALSE INFORMATION:**

388. The Petitioners state that the 2<sup>nd</sup> Respondent does not possess the educational qualification to contest the election to the office of the President of Federal Republic of Nigeria.

389. The Petitioners state that by Section 31 (1) of the Electoral Act, 2010 (as amended), every political party shall not later than 60 days before the date appointed for a general election submit to the Commission in the prescribed form the list of the candidates the party proposes to sponsor at the elections.

390. Further, by Section 31(2) of the Electoral Act, 2010 (as amended), the list or information submitted by each candidate shall be accompanied by an affidavit sworn to by the candidate at the Federal High Court, High Court of a State or Federal Capital Territory indicating that he has fulfilled all the constitutional requirements for election into that office.

391. The 2<sup>nd</sup> Respondent filled and submitted Form CF001 to the 1st Respondent, which was declared before the Commissioner for Oaths at the Registry of the High Court of the Federal Capital Territory, Abuja on the 8<sup>th</sup> day of October, 2018. The said Form CF001 is

accompanied by an ACKNOWLEDGEMENT indicating that the 1<sup>st</sup> Respondent received same.

392. The Petitioners aver that the said Form CF001 filled by the 2<sup>nd</sup> Respondent and submitted to the 1<sup>st</sup> Respondent for the Office of President was also accompanied by the Curriculum Vitae of the 2<sup>nd</sup> Respondent as well as GENERAL FORM OF AFFIDAVIT duly sworn to by the 2<sup>nd</sup> Respondent at the High Court of the Federal Capital Territory, Abuja, along with copies of his Membership Card of the 3<sup>rd</sup> Respondent and Voters Card.
393. The GENERAL FORM OF AFFIDAVIT which accompanied the Form CF001 submitted by the 2<sup>nd</sup> Respondent for the office of President on or about 18<sup>th</sup> October, 2018 to the 1<sup>st</sup> Respondent for the 2019 General Elections was surprisingly sworn to on 24<sup>th</sup> November, 2014 before High Court of Justice of the Federal Capital Territory, Abuja almost four (4) years preceding the 2019 General Elections. In this regard, the Petitioners plead and shall found on the following:
- (a). Form CF001 filled and submitted by the 2<sup>nd</sup> Respondent to the 1<sup>st</sup> Respondent numbering six (6) pages including the Declaration/Oath page and ACKNOWLEDGMENT page.
  - (b). Curriculum Vitae of the 2<sup>nd</sup> Respondent attached to the said Form CF001 submitted to the 1<sup>st</sup> Respondent on 18<sup>th</sup> October, 2018.
  - (c). GENERAL FORM OF AFFIDAVIT sworn to on 24<sup>th</sup> day of October, 2014 which accompanied the said Form CF001.
  - (d). Copy of Membership Card of the 2<sup>nd</sup> Respondent, which also accompanied the said Form CF001.



- (e). Copy of Voters card of the 2<sup>nd</sup> Respondent, which accompanied the said Form CF001.
394. The 1<sup>st</sup> Respondent is hereby given **NOTICE to PRODUCE** the original of the said Form CF001 together with all the accompanied documents as listed above.
395. The Petitioners aver that the 2<sup>nd</sup> Respondent accompanied Form CF001 with a stale GENERAL FORM OF AFFIDAVIT earlier on deposed to on 24<sup>th</sup> day of October 2014 instead of an Affidavit specifically sworn to in respect of the 2019 General Elections indicating that he had fulfilled all constitutional requirements for election into the Office of President of the Federal Republic of Nigeria.
396. In the stale GENERAL FORM OF AFFIDAVIT deposed to on 24<sup>th</sup> November 2014 which accompanied Form CF001 filled by the 2<sup>nd</sup> Respondent in respect of the 2019 General Elections, the 2<sup>nd</sup> Respondent claimed that all his academic qualification documents as filled in his Presidential Form, President APC/001/2015 are currently with the Secretary Military Board. The Nigerian Military has since denied that it held or was in possession of the 2<sup>nd</sup> Respondent's educational certificates. The Petitioners will rely on the video clips/newspaper reports of the press statement issued by the Military through the then Director of Army Public Relations, Brigadier General Olajide Lalaye in January 2015.
397. Besides the foregoing averments, the Middle School Katsina and Katsina Provincial Secondary School which the 2<sup>nd</sup> Respondent claimed to have attended in his Curriculum Vitae between 1953 -1956 and 1956-1961 respectively were at the material time, non-existent. In this regard, the Petitioners plead and shall found on the archival documents of school system in Katsina, including Middle School, Katsina and Katsina

Provincial Secondary School.

398. The 2<sup>nd</sup> Respondent in Form CF001 filled and submitted by him to the 1<sup>st</sup> Respondent at Paragraph C, Column 2, Page 3, under SECONDARY, wrote "WASC", thereby falsely claiming that qualification whereas there was no qualification known as WASC as at 1961.
399. The Petitioners contend that the 2<sup>nd</sup> Respondent was, at the material time, not qualified to contest election for the exalted office of President of the Federal Republic of Nigeria.
400. The Petitioners further aver that all votes purportedly cast for the 2<sup>nd</sup> and 3<sup>rd</sup> Respondents on 23<sup>rd</sup> February, 2019 during the Presidential Elections and as subsequently declared by the 1<sup>st</sup> Respondent on 27<sup>th</sup> February, 2019 are wasted votes in that the 2<sup>nd</sup> Respondent was not qualified to contest the said election in the first place or at all.
401. The 2<sup>nd</sup> Petitioner had stated on oath by affidavit deposed to on 24<sup>th</sup> November 2014 and filed along with his Form CF 001 in respect of this election as follows:- "ALL MY ACADEMIC QUALIFICATIONS DOCUMENTS AS FILLED IN MY PRESIDENTIAL FORM, PRESIDENT APC/001/2015 ARE CURRENTLY WITH THE SECRETARY MILITARY BOARD AS AT THE TIME OF THIS AFFIDAVIT."
402. The information submitted to the 1<sup>st</sup> Respondent by the 2<sup>nd</sup> Respondent is false and of a fundamental nature in aid of his education qualification, notwithstanding that he had declared in the said sworn affidavit as follows:- "I hereby declare that all the answers, facts and particulars I have given in this Form, are true and correct and I have to the best of my knowledge, fulfilled all the requirements for qualifications for the office I am seeking to be elected."

403. The Petitioners contend that the 2<sup>nd</sup> Respondent did not possess the qualification he claimed to have in his Form CF 001 (affidavit in support of personal particulars of persons seeking elections into the office of the President) sworn to on the 8th of October 2018) at the time of the election. The said form is hereby pleaded and shall be relied upon. The 1<sup>st</sup> Respondent is hereby given notice to produce the Form CF001 and documents submitted by the 2<sup>nd</sup> Respondent to it in respect of his nomination for this election.
404. The educational institutions the 2<sup>nd</sup> Respondent claimed to have attended and the certificates presented by him namely, Elementary School Daura and Mai Aduaa between 1948 to 1952, Middle School Katsina between 1953 to 1956 and Katsina Provincial College (now Government College, Katsina) between 1956 to 1961 and mentioned by the 2<sup>nd</sup> Respondent in his curriculum vitae attached to Form CF 001, were not in existence as at those mentioned dates.
405. The Petitioners shall rely on the certified true copies of the relevant documents from the National Archives at that material time.

**DOCUMENTS TO BE RELIED UPON IN THIS PETITION:**

406. At the hearing of this Petition, the Petitioners shall rely on all necessary and relevant documents, including the following, namely:
- (1). INEC Nomination Form CF001 of the 2<sup>nd</sup> Respondent
  - (2). All INEC Result Sheets
  - (3). (Form EC8 Series), EC8A, EC8B, EC8C, EC8D and EC8E - Certificate of Return.
  - (4). PDP Party Membership Cards
  - (5). INEC Voters' Cards

- (6). All Witnesses' party membership cards
- (7). All Witnesses' Voters Cards.
- (8). All the Forms EC1A (1)
- (9). All the Forms EC17
- (10). All the Forms EC25A
- (11). All the Forms EC25A (1)
- (12). All the Forms EC25B
- (13). All the Forms EC25B (1)
- (14). All the Forms EC25D
- (15). EC25G Series Forms used in the conduct of the Election
- (16). All the Forms EC40s, EC40G(2), EC40J, EC40A
- (17). All Forms EC40H/EC40H(1)-(3)
- (18). All the Forms EC40B, that is, all the Spoilt and Rejected Ballot Paper Forms used in all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.
- (19). All the Form EC40C, that is, all the statement of unused Ballot Paper Form used in all polling units spanning all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.
- (20). All the Form EC40J, that is, all the Statement of Unused Ballot Paper Form used in all the polling units spanning all the Local Governments of all the States of Nigeria.
- (21). All the Envelopes EC50B, that is, all the Envelopes for Register of Voters used in the polling units spanning all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.
- (22). All the Envelopes of EC50C, that is, all the Envelopes of for unused Ballot Papers used in all the polling units spanning all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja. all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.
- (23). Actual ballot papers used and thumb-printed and

counted as valid in all the polling units spanning all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.

- (24). Actual ballot papers recorded as spoilt in the results in all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.
- (25). Actual ballot papers recorded as unused in the results of all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.
- (26). Certified true copy of all the voters' registers in all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.
- (27). Certified true copy of extant INEC list of polling units and voters as at 23<sup>rd</sup> day of March, 2019 in all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.
- (28). Certified true copies of the printout of record of accreditation as captured by Smart Card Readers used for the conduct of the Election in all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.
- (29). A certified true copy of a list of all INEC officers and ad hoc staff used for the Election in all the polling units spanning all the Local Governments of all the States of Nigeria and the FCT Abuja.
- (30). Approved Guidelines and Regulations for the Conduct of the Election
- (31). Circulars/corrigenda/Manuals issued by INEC for the conduct of the Presidential Election held on 23/2/2019.
- (32). Polling Unit Materials Checklist.
- (33). Summary of total registered voters on units' basis
- (34). Summary of PVCs collected on units' basis.

- (35). Voters' Registers
  - (36). Letters of complaints over irregularities and malpractices during the election addressed to the INEC/Police/other relevant agencies/institutions.
  - (37). Security reports relating to the Election
  - (38). Video/Audio recordings/DVD/CD relating to the Election
  - (39). Election Observers' or Observers' Reports.
  - (40). Newspaper/Television/ Radio reports and news
  - (41). Appointment Letters and tags of PDP agents
  - (42). Expert reports and analysis
  - (43). Photographs and GSM and other phone outputs
  - (44). Computer-generated and cyberspace evidence
  - (45). Forensic and other reports by experts and non-experts
  - (46). Receipts issued by INEC for certification of its documents.
  - (47). Identity cards of witnesses
  - (48). All and any other document(s) relevant to the Petition.
  - (49). Documents from the National Archives relating to educational qualification of the 2<sup>nd</sup> Respondent.
  - (50). Data from INEC Central Server.
407. The 1<sup>st</sup> Respondent is hereby given notice to produce the originals of documents in its custody/made by it, which are in this Petition pleaded in their secondary forms, at the trial.
408. The electronic evidence pleaded in this Petition were as downloaded and printed from the computers/printers hooked to the internet, belonging to the Miyetti Chambers (Abuja Office), the Claimant's Solicitors' Chambers, and that the computer and printer were, at the time of producing the electronic evidence, being used regularly to store and/or process information for the regular activities of the Chambers;

that throughout that period, there was supplied to the computer in the ordinary course of those activities information of the kind contained in the electronic evidence hereto attached; that throughout the material part of that period, the computer and printer were operating properly; and that the information contained in the attached documents was derived from information supplied by me to the computer and the printer in the ordinary course of those activities.

**409. WHEREFORE the Petitioners pray jointly and severally against the Respondents as follows:-**

- (a). That it may be determined that the 2<sup>nd</sup> Respondent was not duly elected by a majority of lawful votes cast in the said election and therefore the declaration and return of the 2<sup>nd</sup> Respondent by the 1<sup>st</sup> Respondent as the President of Nigeria is unlawful, undue, null, void and of no effect.
- (b). That it may be determined that the 1<sup>st</sup> Petitioner was duly and validly elected and ought to be returned as President of Nigeria, having polled the highest number of lawful votes cast at the election to the office of the President of Nigeria held on 23<sup>rd</sup> February 2019 and having satisfied the constitutional requirements for the said election.
- (c). An order directing the 1<sup>st</sup> Respondent to issue Certificate of Return to the 1<sup>st</sup> Petitioner as the duly elected President of Nigeria.
- (d). That it may be determined that the 2<sup>nd</sup> Respondent was at the time of the election not qualified to contest the said election.

- (e). That it may be determined that the 2<sup>nd</sup> Respondent submitted to the Commission affidavit containing false information of a fundamental nature in aid of his qualification for the said election.

IN THE ALTERNATIVE

- (f). That the election to the office of the President of Nigeria held on 23<sup>rd</sup> February 2019 be nullified and a fresh election ordered.

DATED THIS 18<sup>TH</sup> DAY OF MARCH 2019

SIGNED:

1. ATIKU ABUBAKAR

.....

2. PEOPLES DEMOCRATIC PARTY

.....

**Petitioners' Address for Service:**

Plot 121 Adetokunbo Ademola Crescent,  
Wuse 11, Abuja  
Occupied by the 1<sup>st</sup> Petitioner  
(Atiku Abubakar).

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.....

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**FOR SERVICE ON:**

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**2<sup>nd</sup> Respondent:**

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Off Adetokunbo Ademola Crescent,  
Wuse 11,  
Abuja.

**3<sup>rd</sup> Respondent:**

Presidential Villa,  
Abuja.

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