

**Henry F Curtis, IV, Chairman**

**Anthony W. Perlatti, Director**

**Inajo Davis Chappell, Board Member**

**Anthony Kaloger, Deputy Director**

**Terence M. McCafferty, Board Member**

**Lisa M. Stickan, Board Member**

**MEETING AGENDA**

**August 29, 2023**

**9:30 a.m.**

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**THE PLEDGE OF ALLEGIANCE**

**ADMINISTRATIVE**

1. Approval of the minutes from the August 7, 2023, Board Meeting
2. Acknowledgment of Secretary of State Advisory 2023-03: Acquiring Electronic Pollbooks with State Funding
3. Approval of the Ballot Adjudication and Remake Policy

**BALLOT**

4. Certification of the official results of the August 8, 2023, Special Election
  - a. Authorization to approve the remake of the optical scan ballots from the August 8, 2023, Special Election
  - b. Authorization to approve absentee ballots from the August 8, 2023, Special Election
  - c. Authorization to approve provisional ballots from the August 8, 2023, Special Election
  - d. Acknowledgment of the pre & post-test results of the vote tabulation system from the August 8, 2023, Special Election
5. Acknowledgment of the date, time, and place of the post-election audit for the August 8, 2023, Special Election

**CANDIDATE AND PETITION SERVICES**

6. Protest hearing filed by Jeffrey Mixson regarding the number of petition signatures required for Jeff Johnson, candidate for Judge, Cleveland Municipal Court, for the November 7, 2023, General Election
7. Protest hearing filed by Jeffrey Mixson regarding the number of petition signatures required for Sheila Turner McCall, candidate for Judge, Cleveland Municipal Court, for the November 7, 2023, General Election
8. Protest hearing filed by Jeffrey D. Johnson regarding residency requirements for Mark R. Majer, candidate for Cleveland Municipal Court Judge, for the November 7, 2023, General Election
9. Protest hearing filed by Mariah Crenshaw regarding the number of petition signatures required for Sydney Strickland Saffold, candidate for Judge, Cleveland Municipal Court, for the November 7, 2023, General Election
10. Protest hearing filed by Mariah Crenshaw regarding the number of petition signatures required for Joseph F. Russo, candidate for Judge, Cleveland Municipal Court, for the November 7, 2023, General Election

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Video of this meeting can be viewed at <https://www.youtube.com/CuyahogaCountyBOE>

<sup>1</sup> Please email [mbejjani@cuyahogacounty.gov](mailto:mbejjani@cuyahogacounty.gov) or [dwhite1@cuyahogacounty.gov](mailto:dwhite1@cuyahogacounty.gov) with your name and the nature of your comment so we can fully assist you.

11. Protest hearing filed by Mariah Crenshaw regarding the number of petition signatures required for Heather McCollough, candidate for Judge, Cleveland Municipal Court, for the November 7, 2023, General Election
12. Protest hearing filed by Mariah Crenshaw regarding the number of petition signatures required for Martin Sweeney, candidate for Cleveland Clerk of Courts, for the November 7, 2023, General Election
13. Protest hearing filed by Mariah Crenshaw regarding the number of petition signatures required for Earle B. Turner, candidate for Cleveland Clerk of Courts, for the November 7, 2023, General Election
14. Protest hearing filed by Mariah Crenshaw regarding the number of petition signatures required, residency requirement and challenge for Jocelyn Conwell, candidate for Judge, Cleveland Municipal Court, for the November 7, 2023, General Election
15. Protest hearing filed by Christopher Litwinowicz regarding each part petition needs to have written acceptance for Kirsten Holzheimer Gail, candidate for City of Euclid Mayor
16. Protest hearing filed by Christopher Litwinowicz regarding each part petition needs to have a written acceptance by the nominee and petition circulator must be from the City of Euclid, for Daniel J. Burns, candidate for City of Euclid Mayor
17. Protest hearing filed by Christopher Litwinowicz regarding each part petition needs to have a written acceptance by the nominee and the petition circulator must be from the City of Euclid, for Taneika L. Hill, candidate for the City of Euclid Mayor
18. Protest hearing filed by Christopher Litwinowicz regarding each part petition needs to have a written acceptance by the nominee, for Marcus Epps, candidate for the City of Euclid Mayor
19. Acknowledgment of candidate withdrawals from the November 7, 2023, General Election

#### **ELECTION OFFICIALS**

20. Approval to appoint not less than two precinct election officials for each precinct pursuant to ORC §3501.22 for the November 7, 2023, General Election

#### **FISCAL SERVICES**

21. Approval of the vouchers for FIS-V-A) Midwest Direct, Voter Information Guide, B) Weekley's Mailing Services
22. Approval of the contracts for FIS-C-A) Midfitz, Inc. dba Berman Moving and Storage, and FIS-C-B) Mid-West Presort Mailing Services, dba Midwest Direct

#### **HUMAN RESOURCES**

23. Approval of the personnel agenda

#### **NEW BUSINESS**

- Biennial Budget Update
- Electronic Pollbook Replacement
- Berman's Equipment Delivery Expectations

#### **PUBLIC COMMENT<sup>1</sup>**

#### **EXECUTIVE SESSION**

Discussion of personnel issues (to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official) and disputes involving the public body that are the subject of pending or imminent court action.

## 2023 Board Meeting Schedule

### August 2023

**Tuesday, August 29<sup>th</sup> @ 9:30AM** Certification of the August 8, 2023 Special Election

### September 2023

**Monday, September 11<sup>th</sup> @ 9:30AM** Audit/Recount Certification of the August 8, 2023 Special Election  
 Certification of remaining candidates for the November 7, 2023 General Election  
 Certification of remaining issues and charter amendments for the November 7, 2023 General Election  
 Certification of write-in candidates for the November 7, 2023 General Election

**Tuesday, September 12<sup>th</sup>** September 12, 2023 Primary Election

**Wednesday, September 20<sup>th</sup> @9:30AM** Provisional verification for the September 12, 2023 Primary Election

**Wednesday, September 27<sup>th</sup> @ 9:30AM** Certification of the September 12, 2023 Primary Election

### October 2023

**Wednesday, October 18<sup>th</sup> @ 9:30AM** October Board Meeting

### November 2023

**Friday, November 3<sup>rd</sup> @ 9:30AM** Meeting for the November 7, 2023 General Election

**Tuesday, November 7<sup>th</sup>** November 7, 2023 General Election

**Monday, November 20<sup>th</sup> @ 9:30AM** Provisional Verification for the November 7, 2023 General Election

**Tuesday, November 28<sup>th</sup> @ 9:30AM** Certification of the November 7, 2023 General Election

### December 2023

**Monday, December 18<sup>th</sup> @ 9:30AM** Audit Certification of the November 7, 2023 General Election  
 Certification of candidates and issues for the March 5, 2024 Primary Election

### January 2024

**Monday, January 8<sup>th</sup> @ 9:30AM** Certification of remaining issues and charter amendments for the March 5, 2024 Primary Election  
 Certification of write-in candidates for the March 5, 2024 Primary Election

# Agenda Item

#1

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

## Board Meeting

8/7/2023

### Attending:

Henry F Curtis, IV, Chairman  
Inajo Davis Chappell, Board Member  
Terence M. McCafferty, Board Member  
Lisa M. Stickan, Board Member  
Anthony Perlatti, Director  
Tony Kaloger, Deputy Director

Mary Bejjani, Clerk to the Board  
Skip White, Clerk to the Board

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The Cuyahoga County Board of Elections Meeting began at 9:30 a.m. Hereinafter referred to as the CCBOE/Board.

Chairman Curtis noted that all Board Members were in attendance.

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### **Agenda Item 1: Approval of the minutes from the July 17, 2023, Board Meeting**

Chairman Curtis moved to approve the minutes from the July 17, 2023, Board Meeting. Board Member Davis Chappell seconded. The motion passed unanimously.

### **Agenda Item 2: Follow-up to Stephanie McCarroll-King's voter registration challenge**

Deputy Director Kaloger provided a follow-up summary of the facts regarding Stephanie McCarroll-King's voter registration challenge, as provided in the board materials. Chairman Curtis noted on page two of the summary of facts that the CCBOE has had a policy of sending a letter to the voter notifying the voter that they voted in the wrong precinct/wrong location and includes the voter's correct voting precinct. The summary of facts also states Ms. McCarroll-King did not vote in the East Cleveland Mayoral Recall Election in question. Therefore it would be within the purview of the Board where the CCBOE could send her a letter stating she voted in the wrong location and that she is to vote in the correct location.

*A transcript of the hearings can be obtained by contacting Mary Bejjani, CCBOE Clerk to the Board at [216-443-6430/mbejjani@cuyahogacounty.gov](mailto:216-443-6430/mbejjani@cuyahogacounty.gov).*

Board Member Davis Chappell made a motion to treat Ms. McCarroll-King as the CCBOE has with other voters who voted in the wrong precinct/wrong location. CCBOE staff will mail Ms. McCarroll-King a letter and acknowledge in the letter that she did change her registration address as well. Board Member Stickan made a friendly amendment to add that the CCBOE acknowledges the correction. Board Member Stickan's stated that would be consistent with how the CCBOE deals with a situation such as this. Board Member Stickan's concern was that this was starting to become a pattern, and the letter could address the importance of living where you vote. Board Member Davis Chappell stated Ms. McCarroll-King corrected

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Narrative that is underlined in the CCBOE minutes relates to a motion that was acted on by the Board.

her address, unlike others, which makes this distinguishable. Chairman Curtis seconded. The motion passed unanimously.

**Agenda Item 3: Acknowledgment of the Ballot Proofs for the September 12, 2023, Primary Election in accordance with the Ballot Proofing Policy approved by the Board at the March 12, 2021, Board Meeting**

Chairman Curtis moved to acknowledge the Ballot Proofs for the September 12, 2023, Primary Election in accordance with the Ballot Proofing Policy approved by the Board at the March 12, 2021, Board Meeting. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 4: Acknowledgment of resignations from, and appointment to elected office**

Chairman Curtis moved to acknowledge the resignations from, and appointment to elected office, as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 5: Acknowledgment of candidate withdrawal from the November 7, 2023, General Election**

Chairman Curtis moved to acknowledge the candidate withdrawal, as set forth in the board materials. Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 6: Final authorization for the allocation of voting booths for the September 12, 2023, Primary Election. Allocation quantities are based on one voting booth for every 175 registered voters per polling location. A total of 26 voting booths will be allocated + 4 ClearCast Go scanners + 2 ADA ClearAccess voting units and 4 Electronic Poll Books**

Chairman Curtis moved to authorize the final allocation of voting booths for the August 8, 2023, Special Election. Allocation quantities are based on one voting booth for every 175 registered voters per polling location. A total of 26 voting booths will be allocated + 4 ClearCast Go scanners + 2 ADA ClearAccess voting units and 4 Electronic Poll books Board Member Davis Chappell seconded. The motion passed unanimously.

**Agenda Item 7: Approval of vouchers and resolutions for a) DIMS Maintenance (ESSVR, LLC), b) Voter Information Guide for the September 12, 2023, Primary Election (Angstrom Graphics)**

Shaunquitta Walker, Fiscal Services Manager, presented information regarding the voucher and resolution for a) DIMS Maintenance (ESSVR, LLC), as set forth in the board materials. Director Perlatti stated that DIMS is the database that the CCBOE does everything out of. The annual maintenance fee for the DIMS voter registration system is also born out of the litigation years ago between the County and DIMS. The DIMS renewal was included as part of the settlement since approximately 2018, which the CCBOE pays an annual amount, which is a fair amount compared to other agencies. There is a 3% indicated up. It is an automatic renewal until the CCBOE decides to terminate the agreement. Board Member Davis Chappell asked if this is an ES&S product? She asked, in addition to the other matter coming up, what other things is ES&S doing for the CCBOE that will continue beyond the hardware piece now that the CCBOE has moved on to Clear Ballot? Director Perlatti stated this is an ES&S product, and this will now be the only ES&S item.

Chairman Curtis moved to approve the voucher and resolution for a) DIMS Maintenance (ESSVR, LLC). Board Member Davis Chappell seconded. The motion passed unanimously.

Ms. Walker presented the voucher and resolution information regarding item b) Voter Information Guide for the September 12, 2023, Primary Election (Angstrom Graphics), as set forth in the board materials. Director Perlatti stated typically, the CCBOE sends out a request for bid for the Voter Guide, but due to the size of the September Election, being four precincts, the price point is small. The Director has discretion under \$5,000. Angstrom provided a quote for \$1,200. The CCBOE does not want to deviate from the practice of sending the Voter Guide no matter how small an election.

Chairman Curtis moved to approve the voucher and resolution for b) Voter Information Guide for the September 12, 2023, Primary Election (Angstrom Graphics). Board Member Davis Chappell seconded. The motion passed unanimously.

### **Agenda Item 8: Approval to terminate contract with ES&S**

Ms. Walker presented information regarding the termination of the contract with ES&S for the Hardware and Software Maintenance and Support Service Agreement. Board Member Davis Chappell asked when the termination date would be effective. Ms. Walker stated the termination date would be 30 days from the date ES&S receives the notice. Board Member Davis Chappell asked if ES&S knew the notice was coming? Director Perlatti stated yes, and the notice is a formality regarding the annual maintenance of the voting equipment and does not impact the separate DIMS piece.

Chairman Curtis moved approve to terminate contract with ES&S. Board Member Davis Chappell seconded. The motion passed unanimously.

### **NEW BUSINESS**

#### **August 8, 2023, Special Election Update**

Director Perlatti provided an update on the August 8, 2023, Special Election. He stated the Electronic Poll Books were loaded into transportation vehicles this morning for deployment to the polling locations. The Early In-Person (EIP) voting window was successful. The last weekend was very busy. On Saturday, the CCBOE had 1,985 voters. On Sunday, the CCBOE was open for four hours, and 1,544 voters voted, which meant over 400 voters per hour were serviced. The new Ballot-on-Demand made the process faster for people checking in. The EIP staff and management like the new equipment, and voters did not recognize any difference other than a faster check-in process. The new ballot scanners do not look much different except for a large green area that indicates where the ballot should be inserted. EIP voting ended with over 22,000 voters, more than the Gubernatorial November 2018 or Gubernatorial November 2022 General Elections. Due to the changes in HB 458, there is no longer EIP voting on the Monday before an Election. EIP voting closed as of 5:00 p.m. on August 6, 2023. Board Member Davis Chappell asked if lines were out the doors as the media reported in other counties? Director Perlatti stated there were lines out the door on two different days. On Friday, August 4, 2023, in the afternoon, with about 20 to 30 people outside the front entrance. Additional staff was then added to assist with processing voters. On Sunday, August 6, 2023, the line started around the building and past the CCBOE parking lot. People came early to avoid standing in line and waiting for the doors to open. EIP was handling over 400 voters an hour, and by 4:00, the line was inside the door. It was not due to staffing or any equipment issue; it was the volume of voters. The maximum that people had to wait was 30-40 minutes. Board Member Davis Chappell stated she received calls from voters who were very pleased with the customer service and the friendliness of the staff. She thanked the staff for

managing the volume and making sure voters were happy in the process. Director Perlatti stated overall, through the cycle, it was a steady flow of people daily.

Director Perlatti stated that Vote-by-Mail (VBM) received 78,887 ballot applications, and effective Friday, August 4, 2023, the CCBOE received almost 62,000 VBM ballots, a 78% return rate. The CCBOE anticipates receiving another 9,000 VBM ballots between today and the fourth day after the election, which could result in a 90% return. Board Member Davis Chappell asked what efforts have been made to communicate there is no voting at the CCBOE on Election Day. Director Perlatti stated the CCBOE has been delivering the message, including today at noon, the final Facebook session before Election Day, and he would be addressing that there is no voting at the CCBOE on Tuesday. Voters should go to their polling location. Director Perlatti will also share that voters should visit the CCBOE website or contact the CCBOE to find their voting locations. Additionally, the Facebook session will inform viewers that more forms of voter photo identification can now be used, and the electronic poll book can not read all the forms of identification. Passports, passport cards, or federal military identification require the poll workers to conduct a manual look-up which takes additional time. Board Member Davis Chappell asked if there were a software update the vendor could provide that would allow the equipment to read additional identifications. Director Perlatti stated it goes back to the information held in the voter registration database, and changes would need to be made to the database. The voter registration database already has the driver's license or state id number, so it can quickly match that information.

Director Perlatti said that the Community Outreach Department has been communicating with municipalities with more pole place changes, including South Euclid and North Olmsted. Board Member Davis Chappell asked what occurred with the Mary Bethune School voting location, which needed to be moved due to ongoing construction updates. Director Perlatti stated the polling location change was resolved with the help of Councilman Kevin Conwell and was moved to Case Western Reserve's Stephanie Tubbs Jones building. The voters of those four precincts have been sent a letter in addition to Councilman Conwell notifying the community. For the November 7, 2023, General Election, the location will be moved back to Mary Bethune School.

Director Perlatti stated voter turnout should be around 30%, which is typical for odd-year general elections. Board Member McCafferty asked if there were any processing issues with VBM ballot applications. Director Perlatti stated the CCBOE is made aware of any issues by the voters, and there were not an abnormal amount of complaints regarding VBM ballot applications not coming through. The CCBOE has processed almost 80,000 applications, and there was nothing widespread. Director Perlatti stated it would be beneficial if the legislators would allow online VBM ballot applications, similar to online registration because it would increase accuracy and improve the turnaround of sending out ballots. Board Member Davis Chappell asked if the Ohio Association of Election Officials was lobbying for the change. Director Perlatti said the online VBM ballot application was in HB458 but was removed.

Director Perlatti said that pollworker recruitment has gone well. The CCBOE has trained 3,581, which gives the polling locations 3.7 poll workers per precinct. The goal is always four workers and to hire not less than two poll workers per precinct. There are stand-by workers hired to dispatch in case of call-offs. The training has gone well, with positive feedback from the poll workers. The CCBOE will anticipate feedback after Election Day and adjust future training based on the feedback. Board Member Davis Chappell asked if the issue with the ballots was resolved and asked for a recap and the resolution of the ballot issue. Director Perlatti stated that during the CCBOE testing process, ballots were not reading through the scanners. The issue was identified through the testing, and then the



CCBOE reprinted all the Election Day ballots. None of the initial first ballots were sent to the field; those ballots were inventoried, stored away, and will be destroyed based on the retention schedule. Midwest worked well with the CCBOE to reprint the ballots. It was not a Midwest issue. With the CCBOE training with Clear Ballot in their new ballot creation process, the CCBOE was not clear on it not clarified enough for the CCBOE. The CCBOE worked through it, successfully retested the reprints on the equipment, and now the ballots are out in the field. Board Member Davis Chappell said when rolling something new out, there is always a learning curve. She also stated that the Clear Ballot CEO would be at the CCBOE on Election Day. Director Perlatti said Bob Hoyt, Clear Ballot CEO, will be at the CCBOE on Election Day along with approximately 12 other staff members doing onsite support. The Clear Ballot support staff will work in various areas, including the Command Center, Hughes Building, and the Halle Building. The Clear Ballot staff is aware that they will go out in the field if needed.

Director Perlatti gave an update on the September 12, 2023 Primary Election. There will be an election in Maple Heights and Garfield Heights, one ward in each city, with a total of four precincts. The September Election is a non-partisan primary. The ballot has been created, UOCAVA has opened, and there are currently zero UOCAVA ballots. There are 40 VBM applications, and absentee voting begins on August 15, 2023. EIP voting will take place on the CCBOE second floor. The September Election will be handled by CCBOE staff using the trainers, trainer assistants, and other staff to work the polls. The CCBOE will deliver and pick up the equipment.

The deadline to file petitions for the November 7, 2023, General election is Wednesday, August 9, 2023.

Director Perlatti stated there is a Board Meeting every week in August. The next meeting is Wednesday, August 16, 2023, and there will be five voter residency challenges for people living at commercial addresses.

The Board Members thanked the staff for all their continued hard work.

### **PUBLIC COMMENT**

There was no public comment

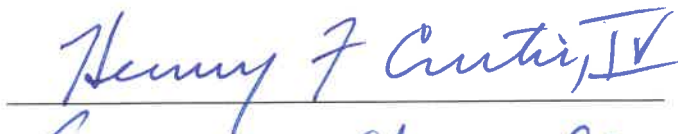
### **EXECUTIVE SESSION**

There was no executive session

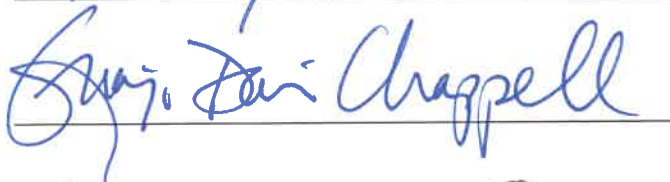
Chairman Curtis moved to recess the meeting at 10:09 a.m. Board Member Davis Chappell seconded. The motion passed unanimously.

Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on August 7, 2023.

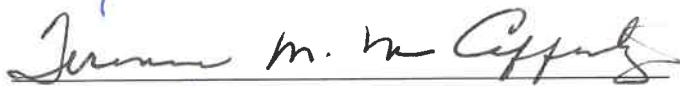
Henry F Curtis, IV, Chairman



Inajo Davis Chappell, Board Member



Terence M. McCafferty, Board Member



Lisa M. Stickan, Board Member



Anthony Perlatti, Director



# Agenda Item

#2

RELEASED: August 24, 2023

## SUMMARY

- *Advisory 2023-03* advises the CCBOE of the process and deadlines for acquiring and obtaining funding for new electronic pollbooks (EPBs) and related equipment.
- In House Bill (“H.B.”) 45 of the 134th General Assembly, the legislature appropriated \$7,500,000 for county boards of elections to procure electronic pollbooks.
- The CCBOE has been allocated a pro rata share of this appropriation based upon the number of its registered electors as of July 1, 2022. This allocated amount is **\$821,449.00**.
- The CCBOE is eligible to be reimbursed for 85% of the purchase of EPBs and related equipment up to its allocated amount, whichever is less. Reimbursement cannot exceed the CCBOE’s allocation of funding.
- To receive the funding, the CCBOE first must acquire the EPBs and then request reimbursement from the SOS.
- The CCBOE *should* purchase or lease, at a minimum, one EPB per precinct (967 precincts).
- Funding expires on **June 30, 2024**, unless extended by legislation, and the documentation necessary to obtain the funding must be received by the SOS no later than **May 1, 2024**.
- *Advisory 2023-03* is silent on the topic of whether EPBs can be implemented during the 2024 Presidential Primary or General Elections.

## SUMMARY

### **I. REIMBURSEMENT FOR PAST PURCHASES OR LEASES**

If a board of elections acquired EPBs between January 1, 2020 and July 4, 2023, and its use of EPBs otherwise complies with all applicable directives and statutes, the board may receive reimbursement for the lesser amount of either 85 percent of the cost or the amount allocated based on total registered voters. (This does not apply to the CCBOE)

### **II. PROCUREMENT OF ELECTRONIC POLLBOOKS WITH FUNDING**

Each EPB included in the state term contract and pricing list is certified for use in Ohio elections. All systems must adhere to the security requirements set forth by Directive from the SOS.

The CCBOE *must* procure enough EPBs to serve each precinct and every voter in the county on Election Day. Accordingly, the CCBOE *should* purchase or lease, at a minimum, one EPB per precinct (967 precincts).

### **III. STATE TERM CONTRACT**

The Department of Administrative Services worked with each vendor certified in Ohio to compile a state term pricing and contract list. The certified vendors in Ohio are:

- Election Systems & Software (ES&S)
- KNOWiNK
- Tenex Software Solutions

The contract and pricing list can be accessed through [this link](#) on the Ohio Buys website.

#### **IV. MEMORANDUM OF UNDERSTANDING**

To be reimbursed for EPBs acquired after July 4, 2023, the CCBOE must be an active member of the DAS Cooperative Purchasing Program and enter into a Memorandum of Understanding (“MOU”) with the SOS and County Council. An MOU template was provided with this Advisory. The CCBOE should share it with its county prosecuting attorney.

#### **V. OBTAINING REIMBURSEMENT**

To be reimbursed, the CCBOE must make its selection and acquire EPBs, or related equipment using the state term contract and provide the following to the SOS no later than **May 1, 2024**:

- A copy of the completed MOU signed by the CCBOE and appropriate county designees.
- A copy of the invoice for the contract purchase or lease of EPBs or related equipment.
- A copy of its purchase order for the contract purchase or lease of EPBs and related equipment;  
and
- Proof of payment of the invoice, if available.

## **Notice of County Allocated Reimbursement Pursuant to Am. Sub. H.B. 45**

Cuyahoga Board of Elections  
2925 Euclid Ave - Main Building,  
Cleveland, OH 44115

Dear Director, Deputy Director, and Board Members,

The purpose of this letter is to notify you that your county has been allocated \$821,449.00 for the purposes of implementing Section 285.12 of H.B. 45 in acquiring electronic pollbooks and ancillary equipment. The county is eligible for 85% of the purchase of such equipment up to the county's allocated amount, whichever is less.

If the county wishes to seek reimbursement for recently purchased equipment, 285.12 (B) allows the Secretary of State to reimburse the county's general fund for items procured between January 1, 2020 through January 6, 2023 at the 85% purchase amount, or total allocation amount, whichever is less.

For counties that have not made recent purchases, the Secretary of State's Office is working closely with the Ohio Department of Administrative Services' Office of Procurement Services to develop contracts with certified vendors in accordance with section 3506.05 of the Revised Code. Counties can then seek reimbursement for the purchase of that equipment at 85% of the purchase price up to the county's allocated amount, whichever is less. Additional information will be released as it becomes finalized.



**ADVISORY 2023-03**

August 24, 2023

To: All County Boards of Elections  
Board Members, Directors, and Deputy Directors

Re: Acquiring Electronic Pollbooks with State Funding

**BACKGROUND**

In House Bill (“H.B.”) 45 of the 134<sup>th</sup> General Assembly, the legislature appropriated \$7,500,000 for county boards of elections to procure electronic pollbooks. The procurement process and reimbursement criteria were changed by H.B. 33 of the 135<sup>th</sup> General Assembly, which is the State Operating Budget for fiscal years 2024-2025. Each county has been allocated a pro rata share of the appropriation based upon the number of registered electors in the county as of July 1, 2022. Each county’s share of the funding is intended to cover up to 85 percent of the cost for the county to procure electronic pollbooks. To receive the funding, each county first must acquire the electronic pollbooks and then request reimbursement from the Secretary of State’s Office.

The funding expires on June 30, 2024, unless extended by legislation, and the documentation necessary to obtain the funding must be received by the Secretary of State’s Office no later than **May 1, 2024**. Once the funding expires, any unused portion of the funding cannot be carried over to the next state fiscal year or allocated to another county.

The purpose of this Advisory is to inform boards of the process and deadline for obtaining its funding and acquiring electronic pollbooks and related equipment.

**SUMMARY**

**I. REIMBURSEMENT FOR PAST PURCHASES OR LEASES**

If a board of elections acquired electronic pollbooks between January 1, 2020 and July 4 2023, and its use of electronic pollbooks otherwise complies with all applicable directives and statutes, the board may receive reimbursement for the lesser amount of either 85 percent of the cost or the amount allocated based on total registered voters. A board of elections may be reimbursed for the cost of leasing electronic pollbooks instead of purchasing them, if the county chooses to do so.

**II. PROCUREMENT OF ELECTRONIC POLLBOOKS WITH FUNDING**

Each electronic pollbook that is included in the state term contract and pricing list is certified for use in Ohio elections. Though all electronic pollbooks serve the same basic purpose, they vary in functionality and configuration. Each board should compare electronic pollbooks to

determine which one fits the county's needs. As a reminder, all systems must adhere to the security requirements set forth by directive from this Office, including but not limited to the physical and cyber security protocols in [Chapter 3](#) of the Election Official Manual.

If you have questions regarding a specific electronic pollbook or want to see a demonstration, please contact the electronic pollbook's vendor. Contact information for each vendor is attached to this Advisory.

A board of elections must procure enough electronic pollbooks to serve each precinct and every voter in the county on Election Day. Accordingly, a board should purchase or lease, at a minimum, one electronic pollbook per precinct. This number will provide a board with a few back-up or reserve electronic pollbooks in case voter turnout is higher than expected or an electronic pollbook needs serviced.

### **III. STATE TERM CONTRACT**

The Department of Administrative Services ("DAS") worked with each vendor that has an electronic pollbook certified in Ohio to compile a state term contract and pricing list. The vendors included in the contract are Election Systems & Software ("ES&S"), KNOWiNK, and Tenex Software Solutions. The contract and pricing list can be accessed by following the link below. The contract and pricing list includes any hardware, software, peripheral, and equipment necessary for operation of the electronic pollbook.

To locate the state term contract and price lists, go to [https://ohiobuys.ohio.gov/page.aspx/en/ctr/contract\\_browse\\_public](https://ohiobuys.ohio.gov/page.aspx/en/ctr/contract_browse_public) and search by state contract number "ACQ1048" or the Keywords "electronic pollbooks."

If you have questions regarding the state term contract, please contact Dennis Kapenga from DAS at (614) 466-7911 or [Dennis.Kapenga@das.ohio.gov](mailto:Dennis.Kapenga@das.ohio.gov).

### **IV. MEMORANDUM OF UNDERSTANDING**

In order to be reimbursed for electronic pollbooks acquired after July 4, 2023, a county board of elections must be an active member of the DAS Cooperative Purchasing Program and enter into a Memorandum of Understanding ("MOU") with the Secretary of State's Office and the county's board of county commissioners.<sup>1</sup> The "Terms of Agreement" portion of the MOU outlines the process that a county board of elections must follow to select its electronic pollbooks and receive reimbursement.

For your convenience, the MOU template is provided with this Advisory. Boards should share it with their county prosecuting attorney and work with them on the appropriate steps to have it executed.

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<sup>1</sup> The Memorandum of Understanding (MOU) is required by the language accompanying the appropriation.



## V. OBTAINING REIMBURSEMENT

In order to be reimbursed, your county must make its selection and acquire electronic pollbooks or related equipment using the state term contract and provide the following to the Secretary of State's Office **no later than May 1, 2024**:

- A copy of the completed MOU signed by the board of elections and appropriate county designees;
- A copy of the invoice for your contract purchase or lease of electronic pollbooks or related equipment;
- A copy of your purchase order for the contract purchase or lease of electronic pollbooks and related equipment; and
- Proof of payment of the invoice, if available.

**Please note that a county's reimbursement cannot exceed its allocation of funding.**

If you have any questions concerning this Advisory, please contact the Secretary of State's elections counsel at (614) 728-8789.

Yours in service,



Frank LaRose  
Ohio Secretary of State

## Electronic Pollbook Vendors and Contact Information

(As of August 2023)

| Vendor                             | Sales Contact   |
|------------------------------------|---|
| Election Systems & Software (ES&S) | Craig Seibert<br>11208 John Galt Blvd.<br>Omaha, NE 68137<br><a href="mailto:Craig.Seibert@essvote.com">Craig.Seibert@essvote.com</a><br>(402) 321-3865     |
| KNOWiNK, LLC                       | Keith Cunningham<br>460 N. Lindbergh Blvd.<br>St. Louis, Missouri 63141<br><a href="mailto:Keith@KNOWiNK.com">Keith@KNOWiNK.com</a><br>(419) 302-5623       |
| Tenex Software Solutions, Inc.     | Gregg Heggeland<br>P.O. Box 3543<br>Apollo Beach, Florida 33572<br><a href="mailto:Sales@tenexsolutions.com">Sales@tenexsolutions.com</a><br>(813) 618-3639 |

**ELECTRONIC POLLBOOK MEMORANDUM OF UNDERSTANDING  
BETWEEN THE OHIO SECRETARY OF STATE,  
THE \_\_\_\_\_ BOARD OF ELECTIONS, AND  
THE \_\_\_\_\_ COUNTY COMMISSIONERS**

**Purpose**

1. This Memorandum of Understanding (“MOU”) between the Ohio Secretary of State (“SOS”), the \_\_\_\_\_ County Board of Elections (“Board”), and the \_\_\_\_\_ Commissioners (“County”) is to document the roles and responsibilities of each party in complying with the requirements set forth in Section 610.30 of House Bill (“H.B.”) 33 of the 135<sup>th</sup> General Assembly, the State Operating Budget, which amends Section 285.12 of H.B. 45 of the 134<sup>th</sup> General Assembly.
2. Specifically, it is the goal of the SOS, the Board, and the County to document in this MOU their mutual understandings concerning the use of the funding provided by Section 610.30 of H.B. 33, the State Operating Budget, and appropriation item 050638, Electronic Pollbooks, for State Fiscal Year 2024 in assisting the Board to acquire electronic pollbooks after July 4, 2023.

**Legal Authority**

1. This MOU is being entered into in accordance with Section 610.30 of H.B. 33 of the 135<sup>th</sup> G.A., the State Operating Budget, for the acquisition of electronic pollbooks and other necessary equipment.
2. Section 610.30 of H.B. 33, in relevant part, states:

“The board shall enter into a memorandum of understanding with the county commissioners and the Secretary of State ... concerning [the acquisition of the selected electronic pollbooks and any other necessary equipment]. The Secretary of State shall reimburse the board of elections for the lesser amount of either eighty-five per cent of the cost of those acquisitions, or the amount of the allocation as determined by the Secretary of State under this section.”

**Definitions**

1. “Electronic pollbook” means “an electronic list of registered voters for a particular precinct or polling location that may be transported to a polling location”<sup>1</sup> that is certified for use in Ohio pursuant to Ohio Revised Code (“R.C.”) 3506.05.
2. “Any other necessary equipment” means any software, hardware, peripheral, license agreement, service or maintenance agreement or integration with the Board’s voter

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<sup>1</sup> R.C. 3506.05(A)(1).

registration system that is essential for the implementation, fully functional operation, and legal use of the electronic pollbooks.

### **Terms of Agreement**

The Board will select a certified electronic pollbook and any other necessary equipment from the list of certified electronic pollbooks and equipment and their corresponding price provided to the Board from the Department of Administrative Services (“DAS”) state term contract for electronic pollbooks (State Contract Numbers ACQ1048, ACQ1048-1, ACQ1048-2, and/or ACQ1048-3). Pursuant to R.C.125.04, the Board must be an active member of the DAS Cooperative Purchasing Program in order to make a purchase referencing the DAS state term contract. To locate the state term contract and price lists, go to:

[https://ohiobuys.ohio.gov/page.aspx/en/ctr/contract\\_browse\\_public](https://ohiobuys.ohio.gov/page.aspx/en/ctr/contract_browse_public) and search by state contract number “ACQ1048” or the Keywords “electronic pollbooks.”

More information on membership, or to determine if your county is currently a member, can be found here: <https://procure.ohio.gov/state-and-local-agencies/resources/cooperative-purchasing>

1. The County will be responsible for selecting the equipment and paying the total invoice cost of the electronic pollbooks and any other necessary equipment to the vendor. The Board will notify the SOS in writing of its selection and of the exact quantity of electronic pollbooks and equipment the Board will purchase.
2. The SOS will provide the County with funding to reimburse 85 percent of the total acquisition cost for electronic pollbooks and any other necessary equipment selected by the Board, up to the amount of the Board’s allocation of the funding. Any unexpended, unencumbered portion of the Board’s allocation at the end of State Fiscal Year 2024 will not be available for the Board to procure certified electronic pollbooks and any other necessary equipment in State Fiscal Year 2025, unless otherwise extended.
3. For electronic pollbook acquisitions made against the DAS state term contract, the notification to the SOS shall consist of a copy of this MOU signed by the Board and appropriate county designees, a copy of the invoice and purchase order, and if available, proof of payment for the purchase or lease of electronic pollbooks and any other necessary equipment. Any request for reimbursement must be received by the SOS no later than May 1, 2024, unless otherwise extended.
4. The Board will maintain accurate records of all expenses incurred related to the funds provided under this MOU for a minimum of five years. If those records are relevant to litigation, claims, audits, negotiations, or other proceedings initiated prior to the end of that five-year period, the Board must retain the records until the final disposition of those proceedings or until the end of the five-year period, whichever is later.

## **General Provisions**

1. If there is a change in the law necessitating a change in this MOU, the SOS shall immediately notify the Board and the County, and all parties shall re-evaluate the MOU to ensure its compliance with the law.
2. This MOU is effective upon signature of all parties and shall remain in effect as required by state law.
3. This MOU is subject to R.C. 126.07.
4. This MOU may be modified or amended provided that any such modification or amendment is in writing and is signed by all of the parties to this MOU. Said amendment shall be effective upon the execution by all of the parties.
5. If any provision of this MOU should be found illegal, invalid, or otherwise void, it shall be considered severable. The remaining provisions shall not be impaired, and the MOU shall be interpreted, to the extent possible, to give effect to the parties' intent.
6. This MOU is entered into through the actions of the Board of Elections pursuant to a motion of the Board of Elections approving this MOU and authorizing and directing the signator to execute this agreement on behalf of the Board (the minutes reflecting the motion or other record of the motion is attached as Exhibit 1) and the Board of County Commissioners pursuant to Resolution of the Board approving this MOU and authorizing and directing the signator to execute this agreement on behalf of Board (the Resolution to be attached as Exhibit 2).

**THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK**

**Persons to be Contacted for Further Information or Assistance**

**For State Term Contract Concerns**

Dennis Kapenga  
4200 Surface Road  
Columbus, Ohio 43228  
Phone: 614-466-7911  
Email: [Dennis.Kapenga@das.ohio.gov](mailto:Dennis.Kapenga@das.ohio.gov)

**For Reimbursement Requests**

Leslie Piatt  
22 North 4<sup>th</sup> Street, 17<sup>th</sup> Floor  
Columbus, Ohio 43215  
Phone: 614-995-2041  
Email: [LPiatt@OhioSOS.gov](mailto:LPiatt@OhioSOS.gov)

**County Board of Elections Contact**

Contact Name:  
Address:  
City, Ohio Zip  
Phone:  
Email:

**County Commissioners Contact**

Contact Name:  
Address:  
City, Ohio Zip  
Phone:  
Email:

The Ohio Secretary of State, the Board of Elections, and the County Commissioners indicate their agreement with the above provisions and further agree that the interest of each is in compliance with Section 610.30 of House Bill 33, the State Operating Budget, by signing below a copy of this Memorandum of Understanding.

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SOS Designee Signature Date

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Board of Elections' Designee Signature Date

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County Commissioners' Designee Signature Date

# Agenda Item

#3

## Ballot Adjudication and Remake Policy

### Summary of Updates

Below is a summary of changes made to the previous Ballot Adjudication and Remake Policy, which was originally adopted in 2012.

Added SOS Election Official's Manual (EOM) instructions of remaking ballots using software.

Removed former category #11. Voter filled in the oval next to a candidate for an office and cast a write-in vote for the same candidate for the same office by filling in the oval next to the blank space provided for write-in candidates. The SOS has given specific instructions of this former category in the SOS Election Official's Manual (EOM) on how to deal with these instances.

- All previous categories (except #11 mentioned above) still exist. The numbers have been shifted and renumbered to reflect the new adjudication processes. The categories now reflect examples of ballots that can be adjudicated and those that must be manually remake.

- **Examples of Adjudication/Remake Category Scenarios**

- Adjudication/Remake Examples

- **Category 1:** Ballot folded, torn, or mutilated.
- **Category 2:** Ballot contains indeterminate marks not made by the voter.
- **Category 3:** UOCAVA/Nursing Home Ballots.
- **Category 4:** Ballot contains votes for ineligible contest(s) (i.e., 17-Year-Old voter)
- **Category 5:** Inadvertent mark made by the voter, resulting in the scanner detecting an over vote or indeterminate mark. The voter's choice can be determined.
- **Category 6:** Voter marked entire ballot contrary to the instructions listed at the beginning of the ballot.
- **Category 7:** Voter marked the ballot more than the permissible number of times for a particular contest; however, the voter also made an indication of contrary intent and the voter's choice can be determined.

- Manual Remake ONLY Examples



- **Category 8:** Voter marked part of the ballot in accordance with the ballot marking instructions contained on the ballot, and part of the ballot contrary to the instructions.
  - **Category 9:** Over vote, voter marked the ballot more than the permissible number of times for a particular contest, and there is no indication of contrary intent.
  - **Category 10:** Voter filled in an oval next to a candidate for an office and cast a write-in vote for a candidate for the same office by filling in the oval of, and the writing in of, the name of a write-in candidate.
- 
- Added Adjudication procedure for each of the seven (7) categories.
  - Added Adjudication sample ballot and sample print-out.
  - Added Adjudication checklist for use by staff with each election.

VOTE CUYAHOGA COUNTY  
BOARD OF ELECTIONS



BALLOT ADJUDICATION &  
REMAKE POLICY

Ballot Department

**Table of Contents**

Overview ..... 3

EOM Manual Remakes..... 4

EOM Remakes Using Software (Adjudication) ..... 4

Adjudication & Remake Category Descriptions ..... 5

    Ballot Adjudication & Remake Categories ..... 5

Adjudication & Remaking Ballots by Determining Voter Intent..... 6

    Confirming Voter Intent Where the Voter has Followed Instructions: ..... 6

    Determining Voter Intent Where the Voter Fails to Follow Instructions: ..... 7

Adjudicating Ballots ..... 8

Manual Ballot Remake Procedure ..... 11

    Manual Ballot Remake Tally Sheet Example..... 13

Examples of Adjudication & Remake Category Scenarios..... 14

    Adjudication & Remake Examples ..... 14

        1. Ballot folded, torn, mutilated, or stamped “Image Unreadable” by scanner. .... 14

        2. Ballot contains indeterminate marks not made by voter..... 15

        3. UOCAVA/Nursing Home ballot that cannot be accurately read by automatic tabulating  
         equipment..... 16

        4. Ballot contains votes for ineligible contest(s)..... 17

        5. Inadvertent mark made by the voter, resulting in the scanner detecting an over vote of  
         indeterminate mark. .... 18

        6. Voter marked entire ballot contrary to the instructions listed at the beginning of the ballot. . 19

        7. Voter marked the ballot more than the permissible number of times for a particular contest;  
         however, the voter also made an indication of contrary intent and the voter’s choice can be  
         determined. .... 23

    Additional Manual Remake ONLY Categories:..... 27

        8. Voter marked part of the ballot in accordance with the ballot marking instructions contained  
         on the ballot, and part of the ballot contrary to the instructions. .... 27

        9. Over vote, voter marked the ballot more than the permissible number of times for a particular  
         contest, and there is no indication of contrary intent..... 29

        10. Voter filled in an oval next to a candidate for an office and cast a write-in vote for a  
         candidate for the same office by filling in the oval of, and the writing in of, the name of a write-in  
         candidate. .... 33

Attachments ..... 34

    Instructions to Voter (as they appear on the ballot) ..... 34

Exhibit A: Ballot Manual Remake Team Checklist Procedure ..... 35

    Review quantities of remake ballots by precinct..... 35

    Compare the original ballot page with the new blank ballot page. .... 35

    Designate each ballot page as an Original or Remake..... 35

    Assign a matching ballot code that will identify the two ballot pages to each other. .... 35

    Determine the Remake category of the ballot. .... 36

    For “RUN AS IS” categories ..... 36

    For actual “Remake” categories: ..... 37

    For any ballot page that cannot be categorized, referred to as “To The Board:” ..... 37

    At the Conclusion of a Precinct..... 37

    At the Conclusion of a Tally Sheet page..... 39

Exhibit B: Ballot Adjudication Team Checklist Procedure..... 40

    Remove and categorize ballots to be adjudicated from PMB by scan batch. .... 40

    Remaking the Ballot..... 40

    At the conclusion of a precinct ..... 41

O.R.C. Applicable Sections ..... 43

    O.R.C. 3505.28 Rejection of ballots ..... 43

    O.R.C. 3506.21 Optical scan ballot marking requirements..... 43

**Overview**

The Ohio Secretary of State (SOS) Election Official’s Manual (EOM) [Chapter 10: Canvassing the Vote](#), provides guidance for adjudicating/remaking optical scan ballots that cannot be accurately read by automatic tabulating equipment.

Directive 2022-14 (EOM Chapter 10) is written in accordance with [Ohio Revised Code \(O.R.C.\) 3505.28 Rejection of ballots](#) and [O.R.C. 3506.21 Optical scan ballot marking requirements](#).

The Cuyahoga County Board of Elections Adjudication/Remake Policy was written in accordance with all the above-mentioned code sections and directives.

Ballots rejected by automatic tabulating equipment, except for ballots fed into a precinct-based optical scanner by a voter, must be reviewed to ensure the rejected ballots do not contain any contests which require the ballots to be remade. On occasion, certain ballots must be reviewed prior to tabulation to ensure votes were only cast in the allowable contests. Rejected ballots are reviewed and sorted into categories within two general groupings:

1. Confirming Voter Intent Where Voter has Followed Instructions; and
2. Determining Voter Intent Where Voter Fails to Follow Instructions.

Note: Pursuant to this policy and procedure, the Board will approve all remade ballots by the Ballot Department Staff.

## **EOM Manual Remakes**

EOM Chapter 10: Canvassing the Vote references remaking ballots. The EOM states:

*If the board has determined that a ballot needs to be remade because 1) it is folded, torn and/or mutilated, or the ballot has technical and/or printing deficiencies, or 2) because the voter marked the entire ballot contrary to the instructions, then a designated team remakes the ballot using one of the procedures below:*

- *One team member must read aloud the voter's choice for a particular office or question/issue.*
- *Another team member, of the opposite political party, must fill in the corresponding oval consistent with the voter's choice.*
  - *Note: Both members of the team should verify that the remade ballot was marked consistent with the voter's choice.*
- *The team must mark the original ballot with an identifying mark or code, such as "OVB1" (Original Voted Ballot 1).*
- *The team shall mark the remade ballot with an identifying mark or code to identify this remade ballot with the original ballot, such as "RB1" (Remade Ballot 1).*
  - *Note: Place the identifying mark or code in an area on the ballot that will not interfere with the tabulation process.*
- *After all the eligible ballots have been remade, the ballots shall be tabulated.*
- *No remade ballot shall be tabulated unless and until a majority of board members has confirmed or determined its eligibility.*

## **EOM Remakes Using Software (Adjudication)**

EOM Chapter 10: Canvassing the Vote also allows for remaking ballots using certified software. If the optical scanner has determined a ballot needs to be remade for one of the aforementioned criteria, a bipartisan team will create the remake electronically. This process is also known as **adjudication**.

The CCBOE policy will be able to identify each ballot to be adjudicated using the ClearCount

software. All ballots that need adjudication are segregated into a “To be reviewed list”. A bipartisan team will review each instance and use the below listed examples to adjudicate all races on a ballot that need adjudication.

The original ballot, along with a log of the ballot remake by the bipartisan team, will be batched together and stored with the ballots. This information will be readily available for review and will be retained for the duration of the applicable retention period.

## **Adjudication & Remake Category Descriptions**

The CCBOE categorizes all ballots reviewed during the adjudication/remake process. The descriptions of ballot adjudication/remake scenarios listed below include the category number generated by the Ballot Department. Most ballots can be adjudicated using the ClearCount software provided by the Clear Ballot Voting System. These ballots are processed within the ClearCount workstations.

### **Ballot Adjudication & Remake Categories**

- **Category 1:** Ballot folded, torn, or mutilated.
- **Category 2:** Ballot contains indeterminate marks or streaks not made by the voter.
- **Category 3:** UOCAVA/Nursing Home Ballot.
- **Category 4:** Ballot contains votes for ineligible contest(s) (i.e., 17-Year-Old voter, Wrong Precinct Correct Location ballot<sup>1</sup>)
- **Category 5:** Inadvertent mark made by the voter, resulting in the scanner detecting an over vote or indeterminate mark. The voter’s choice can be determined.
- **Category 6:** Voter marked entire ballot contrary to the instructions listed at the beginning of the ballot.
- **Category 7:** Voter marked the ballot more than the permissible number of times for a particular contest; however, the voter also made an indication of contrary intent and the voter’s choice can be determined.

### **Manual Remake ONLY Categories**

- **Category 8:** Voter marked part of the ballot in accordance with the ballot marking instructions contained on the ballot, and part of the ballot contrary to the instructions.
- **Category 9:** Over vote, voter marked the ballot more than the permissible number

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<sup>1</sup> Referred to as Pending Wrong Precinct (PWP) internally.

of times for a particular contest, and there is no indication of contrary intent.

- **Category 10:** Voter filled in an oval next to a candidate for an office and cast a write-in vote for a vote for a candidate for the same office by filling in the oval of, and the writing in of, the name of a write-in candidate.

## **Adjudication & Remaking Ballots by Determining Voter Intent**

The CCBOE adjudicates/remakes ballots based on multiple factors based on the voter's actions. If the voter follows the instructions listed on the ballot, adjudication/remaking the ballot proceeds in one manner. If the voter fails to follow the instructions, adjudication/remaking the ballot proceeds in another manner. Once this determination is made by the bi-partisan team processing adjudication/remakes, the ballot can then be processed in the below approved manner.

### **Confirming Voter Intent Where the Voter has Followed Instructions:**

#### **1) Ballot folded, torn, or mutilated.**

*Adjudication Action:* Adjudicate the affected race(s) according to the voter's choice for each office and question/issue.

*Remake Action:* Remake the entire ballot according to the voter's choice for each office and question/issue.<sup>2</sup>

#### **2) Ballot contains indeterminate marks not made by the voter.**

*Adjudication Action:* Adjudicate the affected race(s) according to the voter's choice for each office and question/issue.

*Remake Action:* Remake the entire ballot according to the voter's choice for each office and question/issue.<sup>2</sup>

#### **3) UOCAVA/Nursing Home Ballot that cannot be read by automatic tabulating equipment.**

*Adjudication Action:* Adjudicate the affected race(s) according to the voter's choice for each office and question/issue.

*Remake Action:* Remake the entire ballot according to the voter's choice for each office and question/issue.<sup>2, 3</sup>

#### **4) Ballot contains votes for ineligible contest(s).**

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<sup>2</sup> [SOS Directive 2022-14 \(EOM Chapter 10\)](#)

<sup>3</sup> [O.R.C. 3505.28](#)

***Adjudication Action:** For a 17-Year-Old Voter or Wrong Precinct Correct Location ballot, adjudicate the affected race(s) according to the voter's choice for each nominating party office. A 17-Year-Old voter is ineligible to vote on all questions, issues, County Central Committee, State Central Committee, and charter review races. If they have voted for an or all these races on a ballot, the bi-partisan team must ensure the race is adjudicated as an undervote. For all other ballots, adjudicate the affected race(s) according to the voter's choice for every eligible contest according to the voter's registered precinct.*

***Remake Action:** For a 17-Year-Old Voter or Wrong Precinct Correct Location ballot, remake the ballot according to the voter's choice for each nominating party office. Do not remake choices for questions, issues, County Central Committee, State Central Committee, and charter review races. For all other ballots, remake the ballot according to the voter's choice for every eligible contest according to the voter's registered precinct.<sup>2,3</sup>*

**5) Inadvertent mark made by the voter, resulting in the scanner detecting an over vote or indeterminate mark. The voter's choice can be determined.**

***Adjudication Action:** Adjudicate the affected race(s) according to the voter's choice.*

***Remake Action:** Remake the ballot according to the voter's choice.<sup>2,3</sup>*

**Determining Voter Intent Where the Voter Fails to Follow Instructions:**

**6) Voter marked entire ballot contrary to the instructions listed at the beginning of the ballot.**

***Adjudication Action:** Adjudicate the affected race(s) if those marks are made in a consistent manner throughout the ballot.*

***Remake Action:** Remake marks if those marks are made in a consistent manner throughout the ballot.<sup>2,3</sup>*

**7) Voter marked the ballot more than the permissible number of times for a particular contest; however, the voter also made an indication of contrary intent and the voter's choice can be determined.**

***Adjudication Action:** Adjudicate the affected race(s) according to the voter's choice for each office and question/issue.*

***Remake Action:** Remake the ballot according to the voter's choice.<sup>2,3</sup>*



## Adjudicating Ballots

The CCBOE adjudication process will use best practices from the SOS and the EOM, previously approved CCBOE Remake Procedures and Clear Ballot best procedures/practices for the ClearCount software. Each ballot needing adjudication will be viewed on one of the ClearCount workstations by a bi-partisan team. Based on the above listed categories, the team will process the ballot in accordance with the approved Adjudication Actions.

For all ballots to be adjudicated, the category must be determined from the list above. For all Category #1s: Ballot folded, torn, or mutilated, a different checklist is needed as additional steps are required to properly adjudicate these unscannable ballots. For all other categories (2-7), the same checklist can be used as the steps are similar and only the determination of voter intent or reason for adjudication is different.

The CCBOE uses a ballot category code to indicate the type of ballot (“A” for Absentee, “P” for Provisional, “E” for Election Day, “Z” for Post Absentee and “Y” for Post Election Day), followed by a unique 2-digit code for each bipartisan team member and ending with a consecutive series of three digits (beginning with 001) for each team.

Each team will receive a Blue Poly Mailer Bag (PMB) for a scan batch within a certain delivery of scanned ballots. Within that batch, the ClearCount software will identify each ballot that needs adjudication and place it in the “Visual Resolution of Unreadable Cards” tab (the number of ballots to be adjudicated will appear in red). The team will remove the ballot identified to be adjudicated, and they will place the letter “O” for Original in the upper left-hand corner of the ballot (not in any code channel or verbiage (see example in checklist [Exhibit A](#))). The team will then categorize the ballot to be remade into one (1) of the seven (7) categories previously identified. They will then write the category number in the center header of the ballot (not in any code channel or verbiage (see example in checklist [Exhibit A](#))). Finally, they will write the Ballot Type, Team Number, and remade ballot number in the upper right corner of the ballot (not in any code channel or verbiage (see example in checklist [Exhibit A](#))).

Each team will be assigned an adjudication team number within the ClearCount software. On the correct election dashboard, the team will select the “Visual Resolution of Unreadable Cards” tab (the number of ballots to be adjudicated will appear in red). The team will then select the ballot ID to be adjudicated (example: VBM-0010-0123) in the “Card ID” field. The team will then select the correct precinct/split and then the correct card style (VBM, ED, EIP, etc.). Under the card status, select “Votable”, then select the Green Vote button. Then, the team will follow the category set forth in this document for each example on exactly how to adjudicate each category of ballot. They will then select the “Next” tab if there are other races to adjudicate on the same ballot or “Save” if the ballot is

completed.

Once the adjudication is complete for a single ballot, the team will then print out a report to match with the original ballot for all audits, canvasses, and recounts. The team will return to the correct election dashboard and select the “# of Unreadable Cards” tab. They will adjust the Thumbnail option to zero (0) to turn the images to a list. Under the “Filter” table, the team will type in the ballot ID that was adjudicated (example: VBM-0010-0123). They will then click on the “Side #1 Image” field. Then, they will print out a copy of the adjudicated ballot. They will take the report from the printer and match it to the “Original” ballot to be remade with a paper or binder clip. The team will place the letter “R” for Remake in the upper left-hand corner of the ballot (not in any code channel or verbiage (see example in checklist [Exhibit A](#)). The team will then categorize the ballot to be remade into one (1) of the seven (7) categories previously identified. They will then write the category number in the center header of the ballot (not in any code channel or verbiage. Finally, they will write the Ballot Type, Team Number and number of ballots remade in the upper right corner of the ballot (not in any code channel or verbiage (see example of remade ballot from the adjudicated process on page 10). All of these should match the markings on the “Original” ballot except for the “O” and “R”. Both the adjudicated ballot and the original ballot will be placed in a Green envelope with the correct City/Ward/Precinct label with the correct Delivery number. The envelope will then be placed in the Blue PMB and placed in the Vault on the correct shelf.

**An example of a remake ballot from the adjudicated process**

**Remake**  
 Show visually annotated card VBM-0791+10187  
 Image Name: VBM-0791+10187.jpg  
 Image Scan Time: 2023-08-03 09:19:32  
 Scanned by Computer: DESKTOP-A6DHQP5  
 Scanner Model: PaperStream IP fi-7900  
 Scanner Serial: C30C002424  
 Precinct Style Name: 0962STRONGSVILLE-03-B  
 Card Style: 3  
 Invalid election code 810671 on ballot

**Adjudication Team**  
 Card resolved on 2023-08-03 13:42:06 by adjudicate1  
 Resolved and tabulated

**Resolution**  
 R: Manual resolution replaced automatic adjudication  
 Modify Adjudication

**Category** A-0309

**Ballot Type & Team #** 0005

**Remake #**

**Issue 1**  
 (R) Yes (UNAFFILIATED)  
 No (UNAFFILIATED)

**Voter Intent**

*Cambridge*

*No correct vote. Dirty*

Official Special Election Ballot  
 Cuyahoga County, Ohio  
 August 8, 2023

Papeleta Oficial para la Elección especial  
 Condado de Cuyahoga, Ohio  
 8 de agosto de 2023

Page 1 of 1  
 Page 1 de 1

STRONGSVILLE-03-B NON VBM STRONGSVILLE-03-B NON

Instructions to Voter  
 Instrucciones para el Elector

Issue 1  
 Proposed Constitutional Amendment  
 Elevating the Standards to Qualify for an Initiated Constitutional Amendment and to Pass a Constitutional Amendment  
 Proposed by Joint Resolution of the General Assembly  
 To amend Sections 1b, 4e, and 1g of Article II and Sections 1 and 3 of Article XVI of the Constitution of the State of Ohio  
 A majority yes vote is necessary for the amendment to pass.

The proposed amendment would:

- Require that any proposed amendment to the Constitution of the State of Ohio require the approval of at least 60 percent of eligible voters voting on the proposed amendment.
- Require that any initiative petition filed on or after January 1, 2024, with the Secretary of State proposing to amend the Constitution of the State of Ohio be signed by at least five percent of the electors of each county based on the total vote in the county for governor in the last preceding election.
- Require that an additional signature must not be used to, in effect, petition proposing to amend the Constitution of the State of Ohio that is filed with the Secretary of State on or after January 1, 2024, proposing to amend the Constitution of the State of Ohio.

If passed, the amendment will be effective immediately.

Shall the amendment be approved?  
 Asunto 1  
 Propuesta de Enmienda Constitucional  
 Elevar los Estándares para Calificar para una Enmienda Constitucional y para Aprobar una Enmienda Constitucional  
 Propuesta por Resolución Conjunta de la Asamblea General  
 Para enmendar las Secciones 1b, 4e y 1g del Artículo II y las Secciones 1 y 3 del Artículo XVI de la Constitución del Estado de Ohio  
 Se requiere un voto afirmativo por mayoría para la aprobación de la enmienda.  
 La propuesta de enmienda tiene los efectos siguientes:  
 • Requiere que cualquier enmienda a la Constitución del Estado de Ohio requiera la aprobación de al menos el 60 por ciento de los electores que votan en la propuesta de enmienda.  
 • Requiere que cualquier petición de iniciativa presentada a partir del 1 de enero de 2024 ante el Secretario de Estado para enmendar la Constitución del Estado de Ohio debe ser firmada por al menos el cinco por ciento de los electores de cada condado basado en el total de los votos en el condado para gobernador en la última elección presidencial.  
 • Requiere que una iniciativa adicional no se use para, en efecto, presentar una propuesta de enmienda a la Constitución del Estado de Ohio que se presente al Secretario de Estado a partir del 1 de enero de 2024 que proponga enmendar la Constitución del Estado de Ohio.  
 Si se aprueba, la enmienda será efectiva inmediatamente.

¿Deberá aprobarse la enmienda?  
 (R) Yes No correct vote. Dirty

The ballot you are voting on  
 La papeleta que usted está votando

STRONGSVILLE-03-B NON VBM STRONGSVILLE-03-B NON

US023STRONGSVILLE-03-B (STRONGSVILLE) VBM (CC 4) ECU10671


## **Manual Ballot Remake Procedure**

The categorization of ballots and remaking of ballots must be conducted by bipartisan team of employees. A tally sheet is used to document the specific category of each ballot remake and to provide a total number of each category for the entire election. The tally sheet also provides a method to account for all ballots removed from the ballot scanning process. Each bipartisan team must work together to ensure the correct precinct, party type, and split codes (when necessary) are matching. One member of the team shall read the voter's choice for a particular office or question / issue. The other member shall fill in the corresponding oval for the voter's choice. The original ballot and the remade ballot shall be marked with an identifying code. The CCBOE uses a ballot category code to indicate the type of ballot ("A" for Absentee, "P" for Provisional, "E" for Election Day, "Z" for Post Absentee and "Y" for Post Election Day), followed by a unique 2-digit code for each bipartisan team member and ending with a consecutive series of three digits (beginning with 001) for each team (see example of remade ballot from manual process on page 12).

A bipartisan team will pre-categorize all ballots to be manually remade into one (1) of the Board approved categories listed below. Once all ballots to be manually remade are categorized for that delivery, a bipartisan team will remake each ballot within the pack using the CCBOE Approved Remake Policy for that specific category (see example in checklist [Exhibit B](#)).

**An example of a remade ballot from the manual process**

0 ← Original      7 ← Category      A 0304      203


|   |  |   |  |                              |
|---|--|---|--|------------------------------|
| <b>Official Special Election Ballot</b><br><b>Cuyahoga County, Ohio</b><br><b>August 8, 2023</b>  |  | <b>Papeleta Oficial para la Elección Especial</b><br><b>Condado de Cuyahoga, Ohio</b><br><b>8 de agosto de 2023</b>   |  | Page 1 of 1<br>Página 1 de 1 |
| STRONGSVILLE -03-B NON  |  | VBM   |  | STRONGSVILLE -03-B NON       |
| <b>Instructions to Voter</b><br><b>Instrucciones para el Elector</b>  |  | <b>Issue 1</b><br><b>Proposed Constitutional Amendment</b> <span style="color:red">Ballot Type &amp; Team #</span> <span style="color:red">Remake #</span><br><b>Elevating the Standards to Qualify for an Initiated Constitutional Amendment and to Pass a Constitutional Amendment</b><br><b>Proposed by Joint Resolution of the General Assembly</b><br><b>To amend Sections 1b, 1e, and 1g of Article II and Sections 1 and 3 of Article XVI of the Constitution of the State of Ohio</b><br><b>A majority yes vote is necessary for the amendment to pass.</b>   |  |                              |
| <p>• <b>To vote:</b> completely darken the oval (●) to the left of your choice. <i>Para votar:</i> oscurezca completamente el óvalo (●) a la izquierda de su elección.</p>  <p>• <b>Note the permitted number of choices directly below the title of each candidate office. Do not mark the ballot for more choices than allowed.</b> <i>Tenga en cuenta el número permitido de opciones directamente debajo del título de cada cargo para el que se postulan los candidatos. No marque en la papeleta más opciones de las permitidas.</i></p> <p>• <b>If you mark the ballot for more choices than permitted, that contest or question will not be counted.</b> <i>Si usted marca en la papeleta más opciones de las permitidas, no se contará esa candidatura o pregunta.</i></p> <p>• <b>If you make a mistake or want to change your vote: return your ballot to an election official and get a new ballot. You may ask for a new ballot up to two times.</b> <i>Si comete un error o desea cambiar su voto: devuelva la papeleta a un funcionario electoral y obtenga una nueva. Puede pedir una nueva papeleta solo dos veces.</i></p> |  | <p>The proposed amendment would:</p> <ul style="list-style-type: none"> <li>Require that any proposed amendment to the Constitution of the State of Ohio receive the approval of at least 60 percent of eligible voters voting on the proposed amendment.</li> <li>Require that any initiative petition filed on or after January 1, 2024 with the Secretary of State proposing to amend the Constitution of the State of Ohio be signed by at least five percent of the electors of each county based on the total vote in the county for governor in the last preceding election.</li> <li>Specify that additional signatures may not be added to an initiative petition proposing to amend the Constitution of the State of Ohio that is filed with the Secretary of State on or after January 1, 2024 proposing to amend the Constitution of the State of Ohio.</li> </ul> <p>If passed, the amendment will be effective immediately.</p> <p><b>Should the amendment be approved?</b><br/> <b>Asunto 1</b></p> <p><b>Propuesta de Enmienda Constitucional</b><br/> <b>Elevar los Estándares para Calificar para una Enmienda Constitucional Iniciada y para Aprobar una Enmienda Constitucional</b><br/> <b>Propuesta por Resolución Conjunta de la Asamblea General</b><br/> <b>Para enmendar las Secciones 1b, 1e y 1g del Artículo II y las Secciones 1 y 3 del Artículo XVI de la Constitución del Estado de Ohio</b><br/> <b>Se requiere un voto afirmativo por mayoría para la aprobación de la enmienda.</b></p> <p>La propuesta de enmienda haría lo siguiente:</p> <ul style="list-style-type: none"> <li>Requeriría que cualquier enmienda propuesta a la Constitución del Estado de Ohio reciba la aprobación de al menos el 60 por ciento de los electores que reúnan los requisitos que voten sobre la propuesta de enmienda.</li> <li>Requeriría que cualquier petición de iniciativa presentada a partir del 1 de enero de 2024 ante el Secretario de Estado que proponga enmendar la Constitución del Estado de Ohio esté firmada por al menos el cinco por ciento de los electores de cada condado en función del voto total en el condado para gobernador en la última elección anterior.</li> <li>Especificaría que no se pueden agregar firmas adicionales a una petición de iniciativa que proponga enmendar la Constitución del Estado de Ohio, presentada ante el Secretario de Estado a partir del 1 de enero de 2024 que proponga enmendar la Constitución del Estado de Ohio.</li> </ul> <p>De ser aprobada, la enmienda entrará en vigor de inmediato.</p> <p><b>¿Deberá aprobarse la enmienda?</b> <span style="color:red">Voter Intent</span></p> <p><input checked="" type="radio"/> <b>No / No</b> <i>correct vote D'Arize</i></p> |  |                              |
| Thank you for voting!<br>Gracias por votar!   |  |   |  |                              |



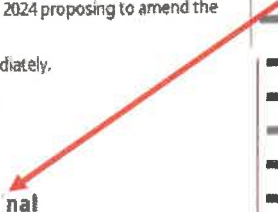
**Examples of Adjudication & Remake Category Scenarios**

**Adjudication & Remake Examples**

**1. Ballot folded, torn, mutilated, or stamped "Image Unreadable" by scanner.**

|  |  |   |  |  |
|--|--|---|--|--|
| <b>Official Special Election Ballot</b><br><b>Cuyahoga County, Ohio</b><br><b>August 8, 2023</b>   |  | <b>Papeleta Oficial para la Elección Especial</b><br><b>Condado de Cuyahoga, Ohio</b><br><b>8 de agosto de 2023</b>   |  | <b>Page 1 of 1</b><br><b>Página 1 de 1</b> |
| <b>CLEVELAND-15-B NON</b>  |  | <b>ED</b>   |  | <b>CLEVELAND-15-B NON</b>                  |
| <b>Instructions to Voter</b><br><b>Instrucciones para el Elector</b>   |  | <b>Issue 1</b><br><b>Proposed Constitutional Amendment</b><br><b>Elevating the Standards to Qualify for an Initiated Constitutional Amendment and to Pass a Constitutional Amendment</b><br><b>Proposed by Joint Resolution of the General Assembly</b><br><b>To amend Sections 1b, 1e, and 1g of Article II and Sections 1 and 3 of Article XVI of the Constitution of the State of Ohio</b><br><b>A majority yes vote is necessary for the amendment to pass.</b>   |  |  |
| <ul style="list-style-type: none"> <li><b>To vote:</b> completely darken the oval (●) to the left of your choice. <i>Para votar:</i> oscurezca completamente el óvalo (●) a la izquierda de su elección.</li> </ul>  <ul style="list-style-type: none"> <li><b>Note the permitted number of choices directly below the title of each candidate office. Do not mark the ballot for more choices than allowed.</b> <i>Tenga en cuenta el número permitido de opciones directamente debajo del título de cada cargo para el que se postulan los candidatos. No marque en la papeleta más opciones de las permitidas.</i></li> <li><b>If you mark the ballot for more choices than permitted, that contest or question will not be counted.</b> <i>Si usted marca en la papeleta más opciones de las permitidas, no se contará esa candidatura o pregunta.</i></li> <li><b>If you make a mistake or want to change your vote: return your ballot to an election official and get a new ballot. You may ask for a new ballot up to two times.</b> <i>Si comete un error o desea cambiar su voto: devuelva la papeleta a un funcionario electoral y obtenga una nueva. Puede pedir una nueva papeleta solo dos veces.</i></li> </ul> |  | <p>The proposed amendment would:</p> <ul style="list-style-type: none"> <li>Require that any proposed amendment to the Constitution of the State of Ohio receive the approval of at least 60 percent of eligible voters voting on the proposed amendment.</li> <li>Require that any initiative petition filed on or after January 1, 2024 with the Secretary of State proposing to amend the Constitution of the State of Ohio be signed by at least five percent of the electors of each county based on the total vote in the county for governor in the last preceding election.</li> <li>Specify that additional signatures may not be added to an initiative petition proposing to amend the Constitution of the State of Ohio that is filed with the Secretary of State on or after January 1, 2024 proposing to amend the Constitution of the State of Ohio.</li> </ul> <p>If passed, the amendment will be effective immediately.</p> <p><b>Shall the amendment be approved?</b></p> <p><b>Asunto 1</b><br/> <b>Propuesta de Enmienda Constitucional</b><br/> <b>Elevar los Estándares para Calificar para una Enmienda Constitucional Iniciada y para Aprobar una Enmienda Constitucional</b><br/> <b>Propuesta por Resolución Conjunta de la Asamblea General</b><br/> <b>Para enmendar las Secciones 1b, 1e y 1g del Artículo II y las Secciones 1 y 3 de, Artículo XVI de la Constitución del Estado de Ohio</b><br/> <b>Se requiere un voto afirmativo por mayoría para la aprobación de la enmienda.</b><br/> <b>La propuesta de enmienda haría lo siguiente:</b></p> <ul style="list-style-type: none"> <li>Requeriría que cualquier enmienda propuesta a la Constitución del Estado de Ohio reciba la aprobación de al menos el 60 por ciento de los electores que reúnan los requisitos que voten sobre la propuesta de enmienda.</li> </ul> |  |  |

Visible tear through ballot



Cuyahoga County Board of Elections  
 Ballot Adjudication & Remake Policy

2. Ballot contains indeterminate marks not made by voter.

Official General Election Ballot  
 Cuyahoga County, Ohio  
 November 6, 2012

Papeleta Oficial para la Elección General  
 Condado de Cuyahoga, Ohio  
 6 de noviembre de 2012

Page 1 of 6  
 Página 1 de 6

| A  | B  | C  |
|--|--|--|
| <p><b>MAPLE HEIGHTS -02-A</b></p> <p><b>Instructions to Voter</b><br/> <b>Instrucciones para el Elector</b></p> <ul style="list-style-type: none"> <li>To vote: completely darken the oval ( ) to the left of your choice. Para votar: oscurezca completamente el óvalo ( ) a la izquierda de su elección.</li> <li>Note the permitted number of choices directly below the title of each candidate office. Do not mark the ballot for more choices than allowed. Observe el número permitido de opciones directamente debajo del título de cada contienda al cargo. No marque en la papeleta más opciones de las permitidas.</li> <li>If you mark the ballot for more choices than permitted, that contest or question will not be counted. Si usted marca en la papeleta más opciones de las permitidas, no se contará esa contienda o pregunta.</li> <li>To write-in a candidate: completely darken the oval ( ) to the left of the blank line and write in the candidate's name. Only votes cast for candidates who filed as write-in candidates can be counted. Para un candidato por escrito: oscurezca completamente el óvalo ( ) a la izquierda de la línea en blanco y escriba el nombre del candidato. Solo se pueden contar los votos de aquellos candidatos que solicitaron ser candidatos por escrito.</li> <li>Do not write-in a candidate's name if that person's name is already printed on the ballot for that same contest. No escriba el nombre del candidato si el nombre de esa persona ya está impreso en la papeleta para esa misma contienda.</li> <li>If you make a mistake or want to change your vote: return your ballot to an election official and get a new one. You may ask for a new ballot up to two times. Si usted comete un error o desea cambiar su voto: devuelva la papeleta a un funcionario electoral y obtenga una nueva. Usted puede pedir una papeleta</li> </ul> | <p><b>For President and Vice President</b><br/> <b>Para Presidente y Vicepresidente</b><br/>   (Vote for not more than 1 pair)<br/>   (Vote por no más de 1 par)</p> <p>A vote for any candidates for President and Vice President shall be a vote for the electors of those candidates whose names have been certified to the Secretary of State. El voto por cualesquiera de los candidatos a Presidente y Vicepresidente debe ser un voto de los electores por aquellos candidatos cuyos nombres hayan sido certificados por el Secretario de Estado.</p> <p><input type="radio"/> For President<br/>   Para Presidente<br/> <b>Richard Duncan</b></p> <p><input type="radio"/> For Vice President<br/>   Para Vicepresidente<br/> <b>Ricky Johnson</b><br/>   Nonparty candidates<br/>   Candidatos sin partido</p> <p><input type="radio"/> For President<br/>   Para Presidente<br/> <b>Virgil Goode</b></p> <p><input type="radio"/> For Vice President<br/>   Para Vicepresidente<br/> <b>Jim Clymer</b><br/>   Constitution/Constitucionalista</p> <p><input type="radio"/> For President<br/>   Para Presidente<br/> <b>Gary Johnson</b></p> <p><input type="radio"/> For Vice President<br/>   Para Vicepresidente<br/> <b>James P. Gray</b><br/>   Libertarian/Libertaria</p> <p><input checked="" type="radio"/> For President<br/>   Para Presidente<br/> <b>Barack Obama</b></p> <p><input type="radio"/> For Vice President<br/>   Para Vicepresidente<br/> <b>Joe Biden</b><br/>   Democratic/Demócrata</p> <p><input type="radio"/> For President<br/>   Para Presidente<br/> <b>Mitt Romney</b></p> <p><input type="radio"/> For Vice President<br/>   Para Vicepresidente<br/> <b>Paul Ryan</b><br/>   Republican/Republicano</p> <p><input type="radio"/> For President<br/>   Para Presidente<br/> <b>Jill Stein</b></p> <p><input type="radio"/> For Vice President<br/>   Para Vicepresidente<br/> <b>Cheri Honkala</b><br/>   Green/Verde</p> <p><input type="radio"/> For President<br/>   Para Presidente<br/> <b>Stewart Alexander</b></p> | <p><b>MAPLE HTS -02-A</b></p> <p><b>For U.S. Senator</b><br/> <b>Para Senador de Estados Unidos</b><br/>   (Vote for not more than 1)<br/>   (Vote por no más de 1)</p> <p><input checked="" type="radio"/> <b>Sherrod Brown</b><br/>   Democratic/Demócrata</p> <p><input type="radio"/> <b>Josh Mandel</b><br/>   Republican/Republicano</p> <p><input type="radio"/> <b>Scott A. Ruper</b><br/>   Nonparty candidate<br/>   Candidato sin partido</p> <p><input type="radio"/> For Representative to Congress<br/>   (11th District)<br/>   Para Representante al Congreso<br/>   (Distrito 11)<br/>   (Vote for not more than 1)<br/>   (Vote por no más de 1)</p> <p><input checked="" type="radio"/> <b>Marcia L. Fudge</b><br/>   Democratic/Demócrata</p> <p><input type="radio"/> For State Representative<br/>   (12th District)<br/>   Para Representante del Estado<br/>   (Distrito 12)<br/>   (Vote for not more than 1)<br/>   (Vote por no más de 1)</p> <p><input type="radio"/> <b>John E. Barnes, Jr.</b><br/>   Democratic/Demócrata</p> <p><input type="radio"/> For Prosecuting Attorney<br/>   Para Abogado Fiscal<br/>   (Vote for not more than 1)<br/>   (Vote por no más de 1)</p> <p><input type="radio"/> <b>Ed Wade</b></p> <p><input type="radio"/> <b>Timothy J. McGinty</b><br/>   Democratic/Demócrata</p> <p><input type="radio"/> For Member of County Council<br/>   (District 8)<br/>   Para Miembro del Consejo del Condado<br/>   (Distrito 8)<br/>   (Vote for not more than 1)<br/>   (Vote por no más de 1)</p> <p><input type="radio"/> <b>Pernel Jones, Jr.</b><br/>   Democratic/Demócrata</p> <p><input type="radio"/> For Member of State Board of Education<br/>   (11th District)<br/>   Para Miembro de la Junta Estatal de Educación<br/>   (Distrito 11)<br/>   (Vote for not more than 1)<br/>   (Vote por no más de 1)</p> <p><input type="radio"/> <b>Mary Rose Oakar</b></p> <p><input type="radio"/> <b>Beverly A. Goldstein</b></p> <p><input type="radio"/> For Justice of the Supreme Court<br/>   (Full term commencing 1-1-2013)<br/>   Para Juez del Tribunal Supremo<br/>   (Período completo comenzando el 1-1-2013)<br/>   (Vote for not more than 1)<br/>   (Vote por no más de 1)</p> <p><input checked="" type="radio"/> <b>Mike Skindell</b></p> <p><input type="radio"/> <b>Terrence O'Donnell</b></p> |

Indeterminate marks/streaks remake the ballot according to the voter's choices.





4. Ballot contains votes for ineligible contest(s)

**17 YEAR OLD BALLOT**

| OLMSTED TOWNSHIP -00-H   | <b>17 YEAR OLD BALLOT</b>  | OLMSTED TOWNSHIP -00-H  |
|--|--|---|
| For Judge of the Court of Appeals (8th District) (Full Term Commencing 1-3-13) (Vote for Not More Than 1) Para Juez del Tribunal de Apelaciones (Distrito 8) (Periodo Completo Comenzando el 1-3-13) (Vote por No Más De 1)  | For Judge of the Court of Common Pleas (General Division) (Full Term Commencing 1-1-13) (Vote for Not More Than 1) Para Juez del Tribunal de Causas Comunes (División General) (Periodo Completo Comenzando el 1-1-13) (Vote por No Más De 1)  | For Judge of the Court of Common Pleas (General Division) (Full Term Commencing 1-5-13) (Vote for Not More Than 1) Para Juez del Tribunal de Causas Comunes (División General) (Periodo Completo Comenzando el 1-5-13) (Vote por No Más De 1)   |
| No Valid Declaration of Candidacy Filed Declaración Válida de Candidatura No   | No Valid Declaration of Candidacy Filed Declaración Válida de Candidatura No   | No Valid Declaration of Candidacy Filed Declaración Válida de Candidatura No  |
| For Judge of the Court of Appeals (8th District) (Full Term Commencing 2-9-13) (Vote for Not More Than 1) Para Juez del Tribunal de Apelaciones (Distrito 8) (Periodo Completo Comenzando el 2-9-13) (Vote por No Más De 1)  | For Judge of the Court of Common Pleas (General Division) (Full Term Commencing 1-2-13) (Vote for Not More Than 1) Para Juez del Tribunal de Causas Comunes (División General) (Periodo Completo Comenzando el 1-2-13) (Vote por No Más De 1)  | For Judge of the Court of Common Pleas (General Division) (Full Term Commencing 1-5-13) (Vote for Not More Than 1) Para Juez del Tribunal de Causas Comunes (División General) (Periodo Completo Comenzando el 1-5-13) (Vote por No Más De 1)   |
| No Valid Declaration of Candidacy Filed Declaración Válida de Candidatura No   | No Valid Declaration of Candidacy Filed Declaración Válida de Candidatura No   | <input checked="" type="radio"/> Edele Passalacqua  |
| For Member of State Central Committee, Man (24th District) (Vote for Not More Than 1) Para Miembro del Comité Central del Estado, Hombre (Distrito 24) (Vote por No Más De 1)<br><input checked="" type="radio"/> Jeffrey L. Dean<br><input type="radio"/> Stephen L. Sabolich | For Judge of the Court of Common Pleas (General Division) (Full Term Commencing 1-3-13) (Vote for Not More Than 1) Para Juez del Tribunal de Causas Comunes (División General) (Periodo Completo Comenzando el 1-3-13) (Vote por No Más De 1)<br><input type="radio"/> Marilyn B. Casady | For Judge of the Court of Common Pleas (General Division) (Full Term Commencing 1-7-13) (Vote for Not More Than 1) Para Juez del Tribunal de Causas Comunes (División General) (Periodo Completo Comenzando el 1-7-13) (Vote por No Más De 1)<br><input checked="" type="radio"/> Kathleen Ann Sutula |
| For Member of State Central Committee, Woman (24th District) (Vote for Not More Than 1) Para Miembro del Comité Central del Estado, Mujer (Distrito 24) (Vote por No Más De 1)<br><input type="radio"/> Kim O'Malley<br><input type="radio"/> Nancy D. Suhadolnik              | For Judge of the Court of Common Pleas (General Division) (Full Term Commencing 1-4-13) (Vote for Not More Than 1) Para Juez del Tribunal de Causas Comunes (División General) (Periodo Completo Comenzando el 1-4-13) (Vote por No Más De 1)  | For Judge of the Court of Common Pleas (General Division) (Full Term Commencing 1-8-13) (Vote for Not More Than 1) Para Juez del Tribunal de Causas Comunes (División General) (Periodo Completo Comenzando el 1-8-13) (Vote por No Más De 1)   |
| For State Senator (24th District) (Vote for Not More Than 1) Para Senador del Estado (Distrito 24) (Vote por No Más De 1)<br><input type="radio"/> Thomas F. Patton  | No Valid Declaration of Candidacy Filed Declaración Válida de Candidatura No Archivada   | No Valid Declaration of Candidacy Filed Declaración Válida de Candidatura No Archivada  |
| For State Representative (7th District) (Vote for Not More Than 1) Para Representante del Estado (Distrito 7) (Vote por No Más De 1)<br><input type="radio"/> Mike Dovilla   | <b>17 YEAR OLD BALLOT</b>  |   |

For 17-Year-Old voter, remake the ballot according to the voter's choice for each nominating office.

For 17-Year-Old voter, do **not** remake choices for questions, issues, Central Committee, State Central Committee, and charter review races.

**5. Inadvertent mark made by the voter, resulting in the scanner detecting an over vote of indeterminate mark.**

| Official General Election Ballot<br>Cuyahoga County, Ohio<br>November 6, 2012 |  | Papeleta Oficial para la Elección General<br>Condado de Cuyahoga, Ohio<br>6 de noviembre de 2012  |  | Page 3 of 6<br>Página 3 de 6 |
|---|--|---|--|------------------------------|
| CLEVELAND-06-O  |  | Absentee  |  | CLEVELAND-06-O               |
| 11  | For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-2-2015) Para Juez del Tribunal de Causas Comunes (División General) (Período inconcluso que finaliza el 1-2-2015) (Vote for not more than 1) (Vote por no más de 1) | For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-3-2013) Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período completo comenzando el 1-3-2013) (Vote for not more than 1) (Vote por no más de 1)          | State Issue 1<br>Question presented pursuant to Article XVI, Section 3 of the Constitution of the State of Ohio<br>A majority yes vote is necessary for passage.<br><br>Article XVI, Section 3 of the Constitution of the State of Ohio reads as follows:<br><br>"At the general election to be held in the year one thousand nine hundred and thirty-two, and in each twentieth year thereafter, the question: 'Shall there be a convention to revise, alter, or amend the constitution?'" shall be submitted to the electors of the state; and in case a majority of the electors, voting for and against the calling of a convention, shall decide in favor of a convention, the general assembly, at its next session, shall provide, by law, for the election of delegates, and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect, until the same shall have been submitted to the electors of the state, and adopted by a majority of those voting thereon."  |                              |
|   | <input type="radio"/> Pamela A. Barker   | <input type="radio"/> Thomas F. O'Malley  |  |                              |
|   | <input type="radio"/> Colleen Ann Reall  | For Judge of the Court of Common Pleas (Juvenile Division) (Unexpired term ending 12-31-2016) Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período inconcluso que finaliza el 12-31-2016) (Vote for not more than 1) (Vote por no más de 1) |  |                              |
|   | For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-5-2015) Para Juez del Tribunal de Causas Comunes (División General) (Período inconcluso que finaliza el 1-5-2015) (Vote for not more than 1) (Vote por no más de 1) | <input type="radio"/> Michael John Ryan   |  |                              |
|   | <input type="radio"/> Robert C. McClelland   | <input type="radio"/> Anjanette A. Whitman  | Asunto 1 del Estado<br>Pregunta presentada en cumplimiento del Artículo XVI, Sección 3 de la Constitución del Estado de Ohio<br>Se requiere un voto afirmativo por mayoría para su aprobación.<br><br>El Artículo XVI, Sección 3, de la Constitución del Estado de Ohio dice lo siguiente:<br><br>"En la elección general que se celebrará en el año mil novecientos treinta y dos, y cada veinte años a partir de entonces, se presentará a los electores del estado la pregunta: '¿Deberá celebrarse una convención para revisar, modificar o enmendar la constitución?'; y en el caso de que la mayoría de los electores que votan a favor y en contra de la convocatoria de una convención, decida a favor de la convención, la asamblea general, en su próxima sesión, dispondrá, por ley, la elección de los delegados, y la organización de dicha convención, tal como se dispone en la sección anterior; pero ninguna enmienda a esta constitución, acordada por cualquier convención organizada en cumplimiento de este artículo, entrará en vigor hasta que la misma se haya presentado a los electores del estado y haya sido adoptada por una mayoría de los que voten." |                              |
|   | <input type="radio"/> Cullen Sweeney   |   |  |                              |
|   | For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-1-2017) Para Juez del Tribunal de Causas Comunes (División General) (Período inconcluso que finaliza el 1-1-2017) (Vote for not more than 1) (Vote por no más de 1) |   |  |                              |
|   | <input type="radio"/> Annette G. Butler  |   |  |                              |
|   | <input type="radio"/> Steve Gall   |   |  |                              |
|   | For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-1-2013) Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período completo comenzando el 1-1-2013) (Vote for not more than 1) (Vote por no más de 1)     |   |  |                              |
|   | <input type="radio"/> Frankle Goldberg   |   |  |                              |
|   | <input type="radio"/> Denise Nancy Rini  |   |  |                              |
|   | For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-2-2013) Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período completo comenzando el 1-2-2013) (Vote for not more than 1) (Vote por no más de 1)     |   | Shall there be a convention to revise, alter, or amend the Ohio Constitution?<br>¿Deberá celebrarse una convención para revisar, modificar o enmendar la Constitución de Ohio?<br><br><input type="radio"/> YES / Sí<br><input type="radio"/> NO / NO  |                              |
|   | <input type="radio"/> Allison Nelson Floyd   |   |  |                              |

Remake the ballot according to the voter's choice.

**6. Voter marked entire ballot contrary to the instructions listed at the beginning of the ballot.**

(Example 1 of 4)

Página 2 de 6

| LAKEWOOD-03-E  | LAKEWOOD-03-E   | LAKEWOOD-03-E   |
|--|---|---|
| <p>For Justice of the Supreme Court<br/>           (Full term commencing 1-2-2013)<br/>           Para Juez del Tribunal Supremo<br/>           (Periodo completo comenzando el 1-2-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> William M. O'Neill</p> <p><input type="checkbox"/> Robert R. Cupp</p>  | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-1-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-1-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> Joseph D. Russo</p>   | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-7-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-7-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> Dean W. Van Dress</p>   |
| <p>For Justice of the Supreme Court<br/>           (Unexpired term ending 12-31-2014)<br/>           Para Juez del Tribunal Supremo<br/>           (Periodo inconcluso que finaliza el 12-31-2014)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> Sharon L. Kennedy</p> <p><input checked="" type="checkbox"/> Yvette McGee Brown</p>   | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-2-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-2-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="checkbox"/> Stuart A. Friedman</p>   | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-8-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-8-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="checkbox"/> Kathleen Ann Sutuila</p>   |
| <p>For Judge of the Court of<br/>           Appeals<br/>           (8th District)<br/>           (Full term commencing 1-1-2013)<br/>           Para Juez del Tribunal de<br/>           Apelaciones<br/>           (Distrito 8)<br/>           (Periodo completo comenzando el 1-1-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> Frank D. Celebrezza, Jr.</p>   | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-3-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-3-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="checkbox"/> Michael Jackson</p> <p><input type="checkbox"/> Marilyn B. Cassidy</p> | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-9-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-9-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> John D. Sutuila</p>   |
| <p>For Judge of the Court of<br/>           Appeals<br/>           (8th District)<br/>           (Full term commencing 1-2-2013)<br/>           Para Juez del Tribunal de<br/>           Apelaciones<br/>           (Distrito 8)<br/>           (Periodo completo comenzando el 1-2-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="checkbox"/> Kenneth R. Spanagel</p> <p><input type="checkbox"/> Tim McCormack</p> | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-4-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-4-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> Timothy McCormick</p>   | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-10-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-10-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> Shirley Strickland Saffold</p> <p><input checked="" type="checkbox"/> Cathryn R. Ensign</p> |
| <p>For Judge of the Court of<br/>           Appeals<br/>           (8th District)<br/>           (Full term commencing 1-3-2013)<br/>           Para Juez del Tribunal de<br/>           Apelaciones<br/>           (Distrito 8)<br/>           (Periodo completo comenzando el 1-3-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> Eileen T. Gallagher</p>  | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-5-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-5-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> John P. O'Donnell</p>   | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-11-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-11-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="checkbox"/> Janet R. Burnside</p>  |
| <p>For Judge of the Court of<br/>           Appeals<br/>           (8th District)<br/>           (Full term commencing 2-9-2013)<br/>           Para Juez del Tribunal de<br/>           Apelaciones<br/>           (Distrito 8)<br/>           (Periodo completo comenzando el 2-9-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> Mary J. Boyle</p>  | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-6-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-6-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="checkbox"/> Edele Passalacqua</p> <p><input type="checkbox"/> Daniel Gault</p>                | <p>Continue voting next page<br/>           Continúe votando en la<br/>           siguiente página</p>  |

Remake the ballot according to the voter's choice.

Cuyahoga County Board of Elections  
 Ballot Adjudication & Remake Policy

(Example 2 of 4)

| Official General Election Ballot<br>Cuyahoga County, Ohio<br>November 6, 2012  |  | Papeleta Oficial para la Elección General<br>Condado de Cuyahoga, Ohio<br>6 de noviembre de 2012  | Page 5 of 6<br>Página 5 de 6   |
|--|--|---|--|
| <p><b>LAKEWOOD-03-E</b></p> <p>State Issue 2, continued<br/>Asunto 2 del Estado, continuación</p> <p>del grupo final a tres miembros adicionales, que deberán incluir un miembro afiliado al partido político más grande, un miembro afiliado al segundo partido político más grande y un miembro no afiliado a ninguno de estos partidos. Al seleccionar a los tres miembros finales, los miembros de la Comisión buscarán una membresía total de la comisión que refleje la diversidad de Ohio y que tenga los conocimientos y habilidades relevantes, incluida la capacidad para la imparcialidad, lo que permitirá a la Comisión cumplir con sus responsabilidades. Los nueve miembros seleccionados por sorteo y los tres miembros adicionales seleccionados por los nueve miembros originales comprenderán la Comisión completa.</p> <p>F. Ningún miembro de la Comisión estará sujeto a destitución por la asamblea general ni por ningún miembro de la rama ejecutiva.</p> <p>3. Requeriría que la Comisión establezca inmediatamente nuevos distritos legislativos y del congreso para reemplazar los distritos más recientes adoptados por los representantes elegidos por elección democrática, distritos que no serán disputados excepto por orden judicial hasta el próximo censo y distribución decenal federal. Se necesitan votos afirmativos de 7 de los 12 miembros de la Comisión para seleccionar un plan. En el caso de que la Comisión no pueda determinar un plan para el 1 de octubre, el Tribunal Supremo de Ohio tendrá que adoptar un plan de entre todos los planes presentados a la Comisión.</p> <p>4. Revocaría los requisitos constitucionales vigentes para trazar distritos legislativos que eviten divisiones de condados, ayuntamientos, municipalidades y distritos de ciudades cuando sea posible, y cuando no sea posible, limitan dichas divisiones a solo una división por unidad gubernamental, y también revocaría los requisitos para formar tantos distritos legislativos enteros únicamente dentro de un condado como sea posible. Lo anterior sería reemplazado y requeriría que la Comisión adoptase un plan que cumpla con todas las disposiciones constitucionales federales y estatales aplicables, las disposiciones de la ley federal y el requisito de contigüidad y que cumple más estrechamente con los factores de la conservación, competitividad, equidad de representación y cohesión de la comunidad. A la Comisión también se le requeriría que no trazara ni adoptara un plan con la intención de favorecer o desfavorecer a un partido político, titular o posible candidato.</p> <p>5. Ordenaría a la Asamblea General la apropiación de todos los fondos necesarios para financiar adecuadamente las actividades de la Comisión para, entre otros, compensar a:</p> <ul style="list-style-type: none"> <li>A. Personal</li> <li>B. Asesores</li> <li>C. Asesores legales</li> <li>D. Miembros de la Comisión</li> </ul> <p>Si se aprueba, la enmienda entrará en vigor treinta días después de la elección.</p> <p>Should the amendment be approved?<br/>¿Deberá aprobarse la enmienda?</p> <p><input type="radio"/> YES / SÍ<br/> <input type="radio"/> NO / NO</p> |  | <p><b>61</b></p> <p><b>PROPOSED CHARTER AMENDMENT</b><br/><b>CITY OF LAKEWOOD</b><br/>A majority affirmative vote is necessary for passage</p> <p>Shall Article XIX, Section 6, Declarations of Candidacy, of the Second Amended Charter of the City of Lakewood be amended to require that nominating petitions be filed with election officials not later than 90 days before the election?</p> <p>61</p> <p><b>PROPUESTA DE ENMIENDA A LOS ESTATUTOS</b><br/><b>CIUDAD DE LAKEWOOD</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación<br/>(Deberá enmendarse el Artículo XIX, Sección 6, Declaración de Candidatura, de los Estatutos Enmendados Secundados de la Ciudad de Lakewood para requerir que las peticiones de nominaciones se presenten ante los funcionarios electorales a no más tardar de 90 días antes de la elección?)</p> <p><input type="radio"/> YES / SÍ<br/> <input type="radio"/> NO / NO</p> <p><b>108</b></p> <p><b>PROPOSED TAX LEVY (REPLACEMENT AND INCREASE)</b><br/><b>CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY</b><br/>A majority affirmative vote is necessary for passage</p> <p>A replacement of 0.13 mill of an existing levy and an increase of 0.54 mill to constitute a tax for the benefit of the Cleveland-Cuyahoga County Port Authority for the purpose of providing funds necessary for the Port Authority budget at a rate not exceeding 0.67 mill for each one dollar of valuation, which amounts to 6.7 cents for each one hundred dollars of valuation, for five years, commencing in 2013, first due in calendar year 2014.</p> <p><b>108</b></p> <p><b>PROPUESTA PARA RECAUDACIÓN DE IMPUESTOS (REEMPLAZO Y AUMENTO)</b><br/><b>AUTORIDAD PORTUARIA DE CLEVELAND-CONDADO DE CUYAHOGA</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación<br/>Un reemplazo de 0.13 milésimos del impuesto existente y un aumento de 0.54 milésimos para establecer un impuesto que beneficiará a la Autoridad Portuaria de Cleveland-Condado de Cuyahoga con el fin de cubrir los fondos necesarios para el presupuesto de la Autoridad Portuaria a una tasa que no exceda los 0.67 milésimos por cada dólar de valoración, lo cual representa 6.7 centavos por cada cien dólares de valoración, por cinco años, comenzando en el 2013, con su primer vencimiento en el año calendario del 2014.</p> <p><input type="radio"/> FOR THE TAX LEVY A FAVOR DE LA RECAUDACIÓN DE IMPUESTOS<br/> <input type="radio"/> AGAINST THE TAX LEVY EN CONTRA DE LA RECAUDACIÓN DE IMPUESTOS</p> | <p><b>117</b></p> <p><b>PROPOSED CHARTER AMENDMENT</b><br/><b>COUNTY OF CUYAHOGA</b><br/>A majority affirmative vote is necessary for passage</p> <p>Shall Article 2, Section 2.03 Powers and Duties and Article 3, Section 3.09 Powers and Duties of the Council, of the Charter of the County of Cuyahoga be amended to require that the County of Cuyahoga develop and implement biennial (two year) operating and capital improvements budgets?</p> <p>117</p> <p><b>PROPUESTA DE ENMIENDA A LOS ESTATUTOS</b><br/><b>CONDADO DE CUYAHOGA</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación<br/>(Deberá enmendarse el Artículo 2, Sección 2.03 Poderes y Funciones y el Artículo 3, Sección 3.09 Poderes y Funciones del Consejo, de los Estatutos del Condado de Cuyahoga para requerir que el Condado de Cuyahoga elabore e implemente presupuestos bienales (de dos años) de operaciones y de mejoras de capital?)</p> <p><input type="radio"/> YES / SÍ<br/> <input type="radio"/> NO / NO</p> <p><b>118</b></p> <p><b>PROPOSED CHARTER AMENDMENT</b><br/><b>COUNTY OF CUYAHOGA</b><br/>A majority affirmative vote is necessary for passage</p> <p>Shall Article 11, Section 11.01 County Audit Committee and Article 11, Section 11.03 Director of Internal Auditing, Appointment, Duties and Qualifications, of the Charter of the County of Cuyahoga be amended to change the term of office of the appointed Director of Internal Auditing so that it does not coincide with the term of the County Executive?</p> <p>118</p> <p><b>PROPUESTA DE ENMIENDA A LOS ESTATUTOS</b><br/><b>CONDADO DE CUYAHOGA</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación<br/>(Deberá enmendarse el Artículo 11, Sección 11.01 Comité de Auditoría del Condado y el Artículo 11, Sección 11.03 Director de Auditorías Internas: Nomenclatura, Deberes y Cualificaciones, de los Estatutos del Condado de Cuyahoga para cambiar el período del cargo del Director de Auditorías Internas nombrado para que no coincida con el período del cargo del Ejecutivo del Condado?)</p> <p><input type="radio"/> YES / SÍ<br/> <input type="radio"/> NO / NO</p> <p>Thank you for voting!<br/>¡Gracias por votar!</p> |

Remake the ballot according to the voter's choice.

(Example 3 of 4)

|   |  |  |  |   |
|---|--|--|--|---|
| Official General Election Ballot<br>Cuyahoga County, Ohio<br>November 6, 2012   |  | Papeleta Oficial para la Elección General<br>Condado de Cuyahoga, Ohio<br>6 de noviembre de 2012   |  | Page 3 of 6<br>Página 3 de 6  |
| <b>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-12-2013)</b><br>Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-12-2013)<br>(Vote for not more than 1) (Vote por no más de 1)    |  | <b>For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-2-2013)</b><br>Para Juez del Tribunal de Causas Comunes (División Juvenil) (Periodo completo comenzando el 1-2-2013)<br>(Vote for not more than 1) (Vote por no más de 1)          |  | <b>State Issue 1</b><br>Question presented pursuant to Article XVI, Section 3 of the Constitution of the State of Ohio<br>A majority yes vote is necessary for passage.<br>Article XVI, Section 3 of the Constitution of the State of Ohio reads as follows:<br>"At the general election to be held in the year one thousand nine hundred and thirty-two, and in each twelfth year thereafter, the question: 'Shall there be a convention to revise, alter, or amend the constitution?,' shall be submitted to the electors of the state; and in case a majority of the electors, voting for and against the calling of a convention, shall decide in favor of a convention, the general assembly, at its next session, shall provide, by law, for the election of delegates, and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect, until the same shall have been submitted to the electors of the state, and adopted by a majority of those voting thereon."<br><b>Asunto 1 del Estado</b><br>Pregunta presentada en cumplimiento del Artículo XVI, Sección 3 de la Constitución del Estado de Ohio<br>Se requiere un voto afirmativo por mayoría para su aprobación.<br>El Artículo XVI, Sección 3, de la Constitución del Estado de Ohio dice lo siguiente:<br>"En la elección general que se celebrará en el año mil novecientos treinta y dos, y cada veinte años a partir de entonces, se presentará a los electores del estado la pregunta: '¿Deberá celebrarse una convención para revisar, modificar o enmendar la constitución?'; y en el caso de que la mayoría de los electores que votan a favor y en contra de la convocatoria de una convención, decida a favor de la convención, la asamblea general, en su próxima sesión, dispondrá, por ley, la elección de los delegados, y la organización de dicha convención, tal como se dispone en la sección anterior, pero ninguna enmienda a esta constitución, acordada por cualquier convención organizada en cumplimiento de este artículo, entrará en vigor hasta que la misma se haya presentado a los electores del estado y haya sido adoptada por una mayoría de los que voten."<br><b>Shall there be a convention to revise, alter, or amend the Ohio Constitution?</b><br>¿Deberá celebrarse una convención para revisar, modificar o enmendar la Constitución de Ohio?<br><input type="checkbox"/> YES / Sí<br><input type="checkbox"/> NO / No |
| Joan Synenberg  |  | <input checked="" type="checkbox"/> Alison Nelson Floyd  |  |   |
| <input checked="" type="checkbox"/> Cassandra Collier-Williams  |  | <b>For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-3-2013)</b><br>Para Juez del Tribunal de Causas Comunes (División Juvenil) (Periodo completo comenzando el 1-3-2013)<br>(Vote for not more than 1) (Vote por no más de 1)          |  |   |
| <b>For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-2-2015)</b><br>Para Juez del Tribunal de Causas Comunes (División General) (Periodo inconcluso que finaliza el 1-2-2015)<br>(Vote for not more than 1) (Vote por no más de 1) |  | <input type="checkbox"/> Thomas F. O'Malley  |  |   |
| <input checked="" type="checkbox"/> Colleen Ann Reall   |  | <b>For Judge of the Court of Common Pleas (Juvenile Division) (Unexpired term ending 12-31-2016)</b><br>Para Juez del Tribunal de Causas Comunes (División Juvenil) (Periodo inconcluso que finaliza el 12-31-2016)<br>(Vote for not more than 1) (Vote por no más de 1) |  |   |
| <input type="checkbox"/> Pamela A. Barker   |  | <input checked="" type="checkbox"/> Anjanette A. Whitman   |  |   |
| <b>For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-5-2015)</b><br>Para Juez del Tribunal de Causas Comunes (División General) (Periodo inconcluso que finaliza el 1-5-2015)<br>(Vote for not more than 1) (Vote por no más de 1) |  | <input type="checkbox"/> Michael John Ryan   |  |   |
| <input type="checkbox"/> Cullen Sweeney   |  | <input type="checkbox"/> Steve Gall  |  |   |
| <input checked="" type="checkbox"/> Robert C. McClelland  |  | <input checked="" type="checkbox"/> Annette G. Butler  |  |   |
| <b>For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-1-2017)</b><br>Para Juez del Tribunal de Causas Comunes (División General) (Periodo inconcluso que finaliza el 1-1-2017)<br>(Vote for not more than 1) (Vote por no más de 1) |  | <b>For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-1-2013)</b><br>Para Juez del Tribunal de Causas Comunes (División Juvenil) (Periodo completo comenzando el 1-1-2013)<br>(Vote for not more than 1) (Vote por no más de 1)          |  |   |
| <input type="checkbox"/> Denise Nancy Rini  |  | <input type="checkbox"/> Frankie Goldberg  |  |   |

Remake the ballot according to the voter's choice.

Cuyahoga County Board of Elections  
 Ballot Adjudication & Remake Policy

(Example 4 of 4)

| Official General Election Ballot<br>Cuyahoga County, Ohio<br>November 6, 2012   |  | Papeleta Oficial para la Elección General<br>Condado de Cuyahoga, Ohio<br>6 de noviembre de 2012  |  | Page 5 of 6<br>Página 5 de 6  |  |
|---|--|---|--|---|--|
| LAKEWOOD-03-E   |  | LAKEWOOD-03-E   |  |   |  |
| <p><b>State Issue 2, continued</b><br/>Asunto 2 del Estado, continuación</p> <p>del grupo final a tres miembros adicionales, que deberán incluir un miembro afiliado al partido político más grande, un miembro afiliado al segundo partido político más grande y un miembro no afiliado a ninguno de estos partidos. Al seleccionar a los tres miembros finales, los miembros de la Comisión buscarán una membresía total de la comisión que refleje la diversidad de Ohio y que tenga los conocimientos y habilidades relevantes, incluida la capacidad para la imparcialidad, lo que permitirá a la Comisión cumplir con sus responsabilidades. Los nueve miembros seleccionados por sorteo y los tres miembros adicionales seleccionados por los nueve miembros originales comprenderán la Comisión completa.</p> <p>F. Ningún miembro de la Comisión estará sujeto a destitución por la asamblea general ni por ningún miembro de la rama ejecutiva.</p> <p>3. Requerirá que la Comisión establezca inmediatamente nuevos distritos legislativos y del congreso para reemplazar los distritos más recientes adoptados por los representantes elegidos por elección democrática, distritos que no serán disputados excepto por orden judicial hasta el próximo censo y distribución censal federal. Se necesitan votos afirmativos de 7 de los 12 miembros de la Comisión para seleccionar un plan. En el caso de que la Comisión no pueda determinar un plan para el 1 de octubre, el Tribunal Supremo de Ohio tendrá que adoptar un plan de entre todos los planes presentados a la Comisión.</p> <p>4. Revocaría los requisitos constitucionales vigentes para bazar distritos legislativos que evitan divisiones de condados, ayuntamientos, municipalidades y distritos de ciudades cuando sea posible, y cuando no sea posible, limitar dichas divisiones a solo una división por unidad gubernamental, y también revocaría los requisitos para formar tantos distritos legislativos enteros únicamente dentro de un condado como sea posible. Lo anterior sería reemplazado y requeriría que la Comisión adoptase un plan que cumpla con todas las disposiciones constitucionales federales y estatales aplicables, las disposiciones de la ley federal y el requisito de contigüidad y que cumpla más estrechamente con los factores de la conservación, competitividad, equidad de representación y compatibilidad de la comunidad. A la Comisión también se le requerirá que no trazara ni adoptara un plan con la intención de favorecer o desfavorecer a un partido político, titular o posible candidato.</p> <p>5. Ordenaría a la Asamblea General la apropiación de todos los fondos necesarios para financiar adecuadamente las actividades de la Comisión para, entre otros, compensar a:</p> <ul style="list-style-type: none"> <li>A. Personal</li> <li>B. Asesores</li> <li>C. Asesores legales</li> <li>D. Miembros de la Comisión</li> </ul> <p>Si se aprueba, la enmienda entrará en vigor treinta días después de la elección.</p> <p>Shall the amendment be approved?<br/>¿Deberá aprobarse la enmienda?</p> <p><input checked="" type="checkbox"/> YES / SÍ<br/> <input type="checkbox"/> NO / NO</p> |  | <p><b>61 PROPOSED CHARTER AMENDMENT</b><br/><b>CITY OF LAKEWOOD</b><br/>A majority affirmative vote is necessary for passage</p> <p>Shall Article XIX, Section 6, Declarations of Candidacy, of the Second Amended Charter of the City of Lakewood be amended to require that nominating petitions be filed with election officials not later than 90 days before the election?</p> <p><b>61 PROPUESTA DE ENMIENDA A LOS ESTATUTOS</b><br/><b>CIUDAD DE LAKEWOOD</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>¿Deberá enmendarse el Artículo XIX, Sección 6, Declaración de Candidatura, de los Estatutos Enmendados Secundados de la Ciudad de Lakewood para requerir que las peticiones de nominaciones se presenten ante los funcionarios electorales a no más tardar de 90 días antes de la elección?</p> <p><input checked="" type="checkbox"/> YES / SÍ<br/> <input type="checkbox"/> NO / NO</p> <p><b>108 PROPOSED TAX LEVY (REPLACEMENT AND INCREASE)</b><br/><b>CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY</b><br/>A majority affirmative vote is necessary for passage</p> <p>A replacement of 0.13 mill of an existing levy and an increase of 0.54 mill to constitute a tax for the benefit of the Cleveland-Cuyahoga County Port Authority for the purpose of providing funds necessary for the Port Authority budget at a rate not exceeding 0.67 mill for each one dollar of valuation, which amounts to 6.7 cents for each one hundred dollars of valuation, for five years, commencing in 2013, first due in calendar year 2014.</p> <p><b>108 PROPUESTA PARA RECAUDACIÓN DE IMPUESTOS (REEMPLAZO Y AUMENTO)</b><br/><b>AUTORIDAD PORTUARIA DE CLEVELAND-CONDADO DE CUYAHOGA</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>Un reemplazo de 0.13 milésimos del impuesto existente y un aumento de 0.54 milésimos para establecer un impuesto que beneficiará a la Autoridad Portuaria de Cleveland-Condado de Cuyahoga con el fin de cubrir los fondos necesarios para el presupuesto de la Autoridad Portuaria a una tasa que no exceda los 0.67 milésimos por cada dólar de valoración, lo cual representa 6.7 centavos por cada cien dólares de valoración, por cinco años, comenzando en el 2013, con su primer vencimiento en el año calendario del 2014.</p> <p><input type="checkbox"/> FOR THE TAX LEVY A FAVOR DE LA RECAUDACIÓN DE IMPUESTOS<br/> <input checked="" type="checkbox"/> AGAINST THE TAX LEVY EN CONTRA DE LA RECAUDACIÓN DE IMPUESTOS</p> |  | <p><b>117 PROPOSED CHARTER AMENDMENT</b><br/><b>COUNTY OF CUYAHOGA</b><br/>A majority affirmative vote is necessary for passage</p> <p>Shall Article 2, Section 2.03 Powers and Duties and Article 3, Section 3.09 Powers and Duties of the Council, of the Charter of the County of Cuyahoga be amended to require that the County of Cuyahoga develop and implement biennial (two year) operating and capital improvements budgets?</p> <p><b>117 PROPUESTA DE ENMIENDA A LOS ESTATUTOS</b><br/><b>CONDADO DE CUYAHOGA</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>¿Deberá enmendarse el Artículo 2, Sección 2.03 Poderes y Funciones y el Artículo 3, Sección 3.09 Poderes y Funciones del Consejo, de los Estatutos del Condado de Cuyahoga para requerir que el Condado de Cuyahoga elabore e implemente presupuestos biennales (de dos años) de mejoramiento de capital?</p> <p><input checked="" type="checkbox"/> YES / SÍ<br/> <input type="checkbox"/> NO / NO</p> <p><b>118 PROPOSED CHARTER AMENDMENT</b><br/><b>COUNTY OF CUYAHOGA</b><br/>A majority affirmative vote is necessary for passage</p> <p>Shall Article 11, Section 11.01 County Audit Committee and Article 11, Section 11.03 Director of Internal Auditing: Appointment, Duties and Qualifications, of the Charter of the County of Cuyahoga be amended to change the term of office of the appointed Director of Internal Auditing so that it does not coincide with the term of the County Executive?</p> <p><b>118 PROPUESTA DE ENMIENDA A LOS ESTATUTOS</b><br/><b>CONDADO DE CUYAHOGA</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>¿Deberá enmendarse el Artículo 11, Sección 11.01 Comité de Auditoría del Condado y el Artículo 11, Sección 11.03 Director de Auditorías Internas: Nombramiento, Deberes y Cualificaciones, de los Estatutos del Condado de Cuyahoga para cambiar el periodo del cargo del Director de Auditorías Internas nombrado para que no coincida con el periodo del cargo del Ejecutivo del Condado?</p> <p><input checked="" type="checkbox"/> YES / SÍ<br/> <input type="checkbox"/> NO / NO</p> <p>Thank you for voting!<br/>¡Gracias por votar!</p> |  |

Remake the ballot according to the voter's choice.

Cuyahoga County Board of Elections  
 Ballot Adjudication & Remake Policy

- 7. Voter marked the ballot more than the permissible number of times for a particular contest; however, the voter also made an indication of contrary intent and the voter's choice can be determined.

(Example 1 of 4)

**OFFICIAL GENERAL ELECTION BALLOT  
 CUYAHOGA COUNTY, OHIO NOVEMBER 4, 2008**

|   |  |   |
|---|--|---|
| <p><b>Instructions To Voter</b></p> <p>To vote, you must completely shade the oval next to the name of the candidate or group of your choice. If you vote for those candidates that permit, you may vote for that candidate and the candidate you do not have to vote in every race.</p> <p>To cast a ballot in vote, darken the oval next to the name of the candidate and write in the candidate's name.</p> <p>If you make an error, please return your ballot to an election official and obtain a new ballot. Please do not attempt to erase or scratch out any marks made in error.</p>   | <p><b>For Attorney General</b><br/>         (Appointed Term Ending January 3, 2011)<br/>         Vote For One (1)</p> <p><input type="radio"/> Robert M. Dewas<br/> <input type="radio"/> Richard Cordray<br/> <input type="radio"/> Mike DeWine</p> <p><b>For Representative to Congress</b><br/>         (10th District)<br/>         Vote For One (1)</p> <p><input type="radio"/> Paul Conroy<br/> <input checked="" type="radio"/> Danilo J. Rucinski<br/> <input type="radio"/> Jim Traflet</p> <p><b>For State Representative</b><br/>         (11th District)<br/>         Vote For One (1)</p> <p><input type="radio"/> Timothy J. DeGaetano</p> <p><b>For County Commissioner</b><br/>         (Full Term Commencing 1/2/2009)<br/>         Vote For One (1)</p> <p><input type="radio"/> Tim Hagan</p> <p><b>For County Commissioner</b><br/>         (Full Term Commencing 1/2/2009)<br/>         Vote For One (1)</p> <p><input type="radio"/> Deborah L. Sunderland<br/> <input checked="" type="radio"/> Peter Lawson Jones</p> <p><b>For Prosecuting Attorney</b><br/>         Vote For One (1)</p> <p><input type="radio"/> Bill Mason<br/> <input type="radio"/> Annette G. Butler</p> <p><b>For Clerk of Court of Common Pleas</b><br/>         Vote For One (1)</p> <p><input type="radio"/> Gerald E. Fuertt<br/> <input type="radio"/> For Sheriff<br/> <input type="radio"/> Gerald T. McPaul</p> <p><b>For County Recorder</b><br/>         Vote For One (1)</p> <p><input type="radio"/> Cathy Luke<br/> <input type="radio"/> Lillian J. Greene</p> <p><b>For County Treasurer</b><br/>         Vote For One (1)</p> <p><input type="radio"/> Jim Nicholas<br/> <input type="radio"/> For County Engineer<br/> <input type="radio"/> Vote For One (1)<br/> <input type="radio"/> Robert C. Kleiber, Jr.<br/> <input type="radio"/> For Coroner<br/> <input type="radio"/> Vote For One (1)<br/> <input type="radio"/> Frank Miller</p> | <p><b>OFFICIAL NONPARTISAN BALLOT</b></p> <p><b>For Member of State Board of Education</b><br/>         (11th District)<br/>         Vote For One (1)</p> <p><input type="radio"/> Edward E. Parker<br/> <input checked="" type="radio"/> Angela The Bennett<br/> <input type="radio"/> Joseph G. Cowdell</p> <p><input type="radio"/> Martha Harris<br/> <input type="radio"/> Mary Rose Colar</p> <p><b>For Justice of the Supreme Court</b><br/>         (Full Term Commencing 1/1/2008)<br/>         Vote For One (1)</p> <p><input checked="" type="radio"/> Joseph D. Russo<br/> <input type="radio"/> Maureen O'Connor</p> <p><b>For Justice of the Supreme Court</b><br/>         (Full Term Commencing 1/1/2008)<br/>         Vote For One (1)</p> <p><input type="radio"/> Edwin L. Stutton<br/> <input type="radio"/> Peter M. Sloss</p> <p><b>For Judge of the Court of Appeals</b><br/>         (6th District)<br/>         (Full Term Commencing 2/3/2008)<br/>         Vote For One (1)</p> <p><input checked="" type="radio"/> Sean C. Gallagher</p> <p><b>For Judge of the Court of Appeals</b><br/>         (8th District)<br/>         (Full Term Commencing 2/1/2008)<br/>         Vote For One (1)</p> <p><input type="radio"/> Brian Moriarty<br/> <input type="radio"/> Larry A. Jones</p> <p><b>For Judge of the Court of Appeals</b><br/>         (9th District)<br/>         (Full Term Commencing 2/1/2008)<br/>         Vote For One (1)</p> <p><input checked="" type="radio"/> Patricia Ann DiStefano</p> <p><b>For Judge of the Court of Appeals</b><br/>         (10th District)<br/>         (Full Term Commencing 2/1/2008)<br/>         Vote For One (1)</p> <p><input type="radio"/> Kenneth A. Pezzo</p> <p><b>For Judge of the Court of Common Pleas</b><br/>         (General Division)<br/>         (Full Term Commencing 1/1/2008)<br/>         Vote For One (1)</p> <p><input type="radio"/> Michael J. Reese</p> |
| <p><b>OFFICIAL OFFICE TYPE BALLOT</b></p> <p><b>For President and Vice-President</b><br/>         Vote For One (1)</p> <p>To vote for President and Vice-President, shade the oval at the left of the last candidate of your choice. Your vote will be counted for each of the candidates for president whose names have been submitted for Secretary of State.</p> <p><b>For President</b><br/>         Bob Barr<br/> <b>For Vice-President</b><br/>         Wayne Allyn Root</p> <p><input checked="" type="radio"/> For President: Richard Durbin<br/> <input checked="" type="radio"/> For Vice-President: Nancy Johnson</p> <p><input checked="" type="radio"/> For President: John McCain<br/> <input checked="" type="radio"/> For Vice-President: Alaska Palin</p> <p><b>For President:</b> Cynthia McKinney<br/> <b>For Vice-President:</b> Reesa A. Clements</p> <p><b>For President:</b> Brian Moore<br/> <b>For Vice-President:</b> Stewart Alexander</p> <p><b>For President:</b> Ruth Wedel<br/> <b>For Vice-President:</b> Matt Gonzalez</p> <p><b>For President:</b> Barack Obama<br/> <b>For Vice-President:</b> Joe Biden</p> <p><b>For President:</b> Chuck Matthews<br/> <b>For Vice-President:</b> Duane L. Cagle</p> <p><b>For President:</b><br/> <input type="checkbox"/><br/> <b>For Vice-President:</b><br/> <input type="checkbox"/></p> |  |   |
| <p><b>VOTE BOTH SIDES</b></p>   |  |   |

Remake the ballot according to the voter's choice.



(Example 2 of 4)

| Official General Election Ballot<br>Cuyahoga County, Ohio<br>November 6, 2012   |   | Papeleta Oficial para la Elección General<br>Condado de Cuyahoga, Ohio<br>6 de noviembre de 2012  |  | Page 1 of 6<br>Página 1 de 6 |
|---|---|---|--|------------------------------|
| LAKEWOOD-03-E   |   | LAKEWOOD-03-E   |  |                              |
| <p><b>Instructions to Voter</b><br/>Instrucciones para el Elector</p> <ul style="list-style-type: none"> <li>To vote, completely darken the oval (●) to the left of your choice. Para votar, oscurezca completamente el óvalo (●) a la izquierda de su elección.</li> <li>Note the permitted number of choices directly below the title of each candidate office. Do not mark the ballot for more choices than allowed. Observe el número permitido de opciones directamente debajo del título de cada contienda al cargo. No marque en la papeleta más opciones de las permitidas.</li> <li>If you mark the ballot for more choices than permitted, that contest or question will not be counted. Si usted marca en la papeleta más opciones de las permitidas, no se contará esa contienda o pregunta.</li> <li>To write-in a candidate: completely darken the oval (●) to the left of the blank line and write in the candidate's name. Only votes cast for candidates who filed as write-in candidates can be counted. Para un candidato por escrito: oscurezca completamente el óvalo (●) a la izquierda de la línea en blanco y escriba el nombre del candidato. Solo se pueden contar los votos de aquellos candidatos que solicitaron ser candidatos por escrito.</li> <li>Do not write-in a candidate's name if that person's name is already printed on the ballot for that same contest. No escriba el nombre del candidato si el nombre de esa persona ya está impreso en la papeleta para esa misma contienda.</li> <li>If you make a mistake or want to change your vote: return your ballot to an election official and get a new one. You may ask for a new ballot up to two times. Si usted comete un error o desea cambiar su voto: devuelva la papeleta a un funcionario electoral y obtenga una nueva. Usted puede pedir una papeleta nueva hasta dos veces.</li> </ul> | <p><b>For President and Vice President</b><br/>Para Presidente y Vicepresidente<br/>(Vote for not more than 1 pair)<br/>(Vote por no más de 1 par)</p> <p>A vote for any candidates for President and Vice President shall be a vote for the electors of those candidates whose names have been certified to the Secretary of State. El voto por cualesquiera de los candidatos a Presidente y Vicepresidente debe ser un voto de los electores por aquellos candidatos cuyos nombres hayan sido certificados por el Secretario de Estado.</p> <p><input type="radio"/> For President<br/>Para Presidente<br/><b>Barack Obama</b></p> <p><input type="radio"/> For Vice President<br/>Para Vicepresidente<br/><b>Joe Biden</b><br/>Democratic/Demócrata</p> <p><input type="radio"/> For President<br/>Para Presidente<br/><b>Mitt Romney</b></p> <p><input type="radio"/> For Vice President<br/>Para Vicepresidente<br/><b>Paul Ryan</b><br/>Republican/Republicano</p> <p><input type="radio"/> For President<br/>Para Presidente<br/><b>Jill Stein</b></p> <p><input type="radio"/> For Vice President<br/>Para Vicepresidente<br/><b>Cheri Honkala</b><br/>Green/Verde</p> <p><input type="radio"/> For President<br/>Para Presidente<br/><b>Stewart Alexander</b></p> <p><input type="radio"/> For Vice President<br/>Para Vicepresidente<br/><b>Alex Mendoza</b><br/>Socialist/Socialista</p> <p><input checked="" type="radio"/> For President<br/>Para Presidente<br/><b>Richard Duncan</b></p> <p><input type="radio"/> For Vice President<br/>Para Vicepresidente<br/><b>Ricky Johnson</b><br/>Nonparty candidate<br/>Candidatos sin partido</p> <p><input type="radio"/> For President<br/>Para Presidente<br/><b>Virgil Goode</b></p> <p><input type="radio"/> For Vice President<br/>Para Vicepresidente<br/><b>Jim Clymer</b><br/>Constitution/Constitucionalista</p> <p><input type="radio"/> For President<br/>Para Presidente<br/><b>Gary Johnson</b></p> <p><input type="radio"/> For Vice President<br/>Para Vicepresidente<br/><b>James P. Gray</b><br/>Libertarian/Libertaria</p> <p><input type="radio"/> For President<br/>Para Presidente</p> <p>Write-in? Por Escrito<br/><input type="radio"/> For Vice President<br/>Para Vicepresidente</p> <p>Write-in? Por Escrito</p> | <p><b>For U.S. Senator</b><br/>Para Senador de Estados Unidos<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p><input type="radio"/> <b>Josh Mandel</b><br/>Republican/Republicano</p> <p><input type="radio"/> <b>Scott A. Rupert</b><br/>Nonparty candidate<br/>Candidato sin partido</p> <p><input type="radio"/> <b>Sherrod Brown</b><br/>Democratic/Demócrata</p> <p><b>For Representative to Congress (9th District)</b><br/>Para Representante al Congreso (Distrito 9)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p><input type="radio"/> <b>Marcy Kaptur</b><br/>Democratic/Demócrata</p> <p><input type="radio"/> <b>Sean P. Stipe</b><br/>Libertarian/Libertaria</p> <p><input checked="" type="radio"/> <b>Samuel J. Wurzelbacher</b><br/>Republican/Republicano</p> <p><b>For State Representative (13th District)</b><br/>Para Representante del Estado (Distrito 13)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p><input type="radio"/> <b>John Zappala</b><br/>Republican/Republicano</p> <p><input type="radio"/> <b>Nickie J. Antonio</b><br/>Democratic/Demócrata</p> <p><b>For Prosecuting Attorney</b><br/>Para Abogado Fiscal<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p><input type="radio"/> <b>Ed Wade</b></p> <p><input type="radio"/> <b>Timothy J. McGinty</b><br/>Democratic/Demócrata</p> <p><b>For Member of County Council (District 2)</b><br/>Para Miembro del Consejo del Condado (Distrito 2)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p><input type="radio"/> <b>Anna E. Melendez</b><br/>Republican/Republicano</p> <p><input type="radio"/> <b>Dale Miller</b><br/>Democratic/Demócrata</p> <p><b>For Member of State Board of Education (11th District)</b><br/>Para Miembro de la Junta Estatal de Educación (Distrito 11)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p><input type="radio"/> <b>Mary Rose Oaker</b></p> <p><input checked="" type="radio"/> <b>Beverly A. Goldstein</b></p> <p><b>For Justice of the Supreme Court (Full term commencing 1-1-2013)</b><br/>Para Juez del Tribunal Supremo (Período completo comenzando el 1-1-2013)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p><input checked="" type="radio"/> <b>Mike Skrabell</b> NO</p> <p><input type="radio"/> <b>Terrence O'Donnell</b> YES</p> <p><input type="radio"/> Continue voting next side<br/>Continúe votando al otro lado</p> |  |                              |

Remake the ballot according to the voter's choice.

(Example 3 of 4)

| Official General Election Ballot<br>Cuyahoga County, Ohio<br>November 6, 2012   |  | Papeleta Oficial para la Elección General<br>Condado de Cuyahoga, Ohio<br>6 de noviembre de 2012  |  | Page 1 of 6<br>Página 1 de 6  |  |
|---|--|---|--|---|--|
| MAPLE HEIGHTS-07-C  |  | Absentee  |  | MAPLE HTS-07-C  |  |
| <p><b>Instructions to Voter</b><br/>Instrucciones para el Elector</p> <ul style="list-style-type: none"> <li>To vote, completely darken the oval (●) to the left of your choice. Para votar, oscurezca completamente el óvalo (●) a la izquierda de su elección.</li> <li>Note the permitted number of choices directly below the title of each candidate office. Do not mark the ballot for more choices than allowed. Observe el número permitido de opciones directamente debajo del título de cada contienda al cargo. No marque en la papeleta más opciones de las permitidas.</li> <li>If you mark the ballot for more choices than permitted, that contest or question will not be counted. Si usted marca en la papeleta más opciones de las permitidas, no se contará esa contienda o pregunta.</li> <li>To write-in a candidate: completely darken the oval (●) to the left of the blank line and write in the candidate's name. Only votes cast for candidates who filed as write-in candidates can be counted. Para un candidato por escrito: oscurezca completamente el óvalo (●) a la izquierda de la línea en blanco y escriba el nombre del candidato. Solo se pueden contar los votos de aquellos candidatos que solicitaron ser candidatos por escrito.</li> <li>Do not write-in a candidate's name if that person's name is already printed on the ballot for that same contest. No escriba el nombre del candidato si el nombre de esa persona ya está impreso en la papeleta para esa misma contienda.</li> <li>If you make a mistake or want to change your vote: return your ballot to an election official and get a new one. You may ask for a new ballot up to two times. Si usted comete un error o desea cambiar su voto: devuelva la papeleta a un funcionario electoral y obtenga una nueva. Usted puede pedir una papeleta nueva hasta dos veces.</li> </ul> |  | <p><b>For President and Vice President</b><br/>Para Presidente y Vicepresidente<br/>(Vote for not more than 1 pair)<br/>(Vote por no más de 1 par)</p> <p>A vote for any candidates for President and Vice President shall be a vote for the electors of those candidates whose names have been certified to the Secretary of State. El voto por cualesquiera de los candidatos a Presidente y Vicepresidente debe ser un voto de los electores por aquellos candidatos cuyos nombres hayan sido certificados por el Secretario de Estado.</p> <p>For President<br/>Para Presidente<br/>Gary Johnson</p> <p>For Vice President<br/>Para Vicepresidente<br/>James P. Gray<br/>Libertarian/Libertaria</p> <p>For President<br/>Para Presidente<br/>Barack Obama</p> <p>For Vice President<br/>Para Vicepresidente<br/>Joe Biden<br/>Democratic/Demócrata</p> <p>For President<br/>Para Presidente<br/>Mitt Romney</p> <p>For Vice President<br/>Para Vicepresidente<br/>Paul Ryan<br/>Republican/Republicano</p> <p>For President<br/>Para Presidente<br/>Jill Stein</p> <p>For Vice President<br/>Para Vicepresidente<br/>Cheri Honkala<br/>Green/Verde</p> <p>For President<br/>Para Presidente<br/>Stewart Alexander</p> <p>For Vice President<br/>Para Vicepresidente<br/>Alex Mendoza<br/>Socialist/Socialista</p> <p>For President<br/>Para Presidente<br/>Richard Duncan</p> <p>For Vice President<br/>Para Vicepresidente<br/>Ricky Johnson<br/>Nonparty candidates<br/>Candidatos sin partido</p> <p>For President<br/>Para Presidente<br/>Virgil Goode</p> <p>For Vice President<br/>Para Vicepresidente<br/>Jim Clymer<br/>Constitution/Constitucionalista</p> <p>For President<br/>Para Presidente</p> <p>Write-in / Por Escrito<br/>For Vice President<br/>Para Vicepresidente</p> <p>Write-in / Por Escrito</p> |  | <p><b>For U.S. Senator</b><br/>Para Senador de Estados Unidos<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Josh Mandel<br/>Republican/Republicano</p> <p>Scott A. Rupert<br/>Nonparty candidate<br/>Candidato sin partido</p> <p>Sharrod Brown<br/>Democratic/Demócrata</p> <p>For Representative to Congress<br/>(11th District)<br/>Para Representante al Congreso<br/>(Distrito 11)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Marcia L. Fudge<br/>Democratic/Demócrata</p> <p>For State Representative<br/>(12th District)<br/>Para Representante del Estado<br/>(Distrito 12)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>John E. Barnes, Jr.<br/>Democratic/Demócrata</p> <p>For Prosecuting Attorney<br/>Para Abogado Fiscal<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p><del>Joe Wade</del><br/>Anthony J. McIntyre<br/>Democratic/Demócrata</p> <p>For Member of County Council<br/>(District 8)<br/>Para Miembro del Consejo del Condado<br/>(Distrito 8)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Parnel Jones, Jr.<br/>Democratic/Demócrata</p> <p>For Member of State Board of Education<br/>(11th District)<br/>Para Miembro de la Junta Estatal de Educación<br/>(Distrito 11)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Mary Rose Oaker</p> <p>Beverly A. Goldstein</p> <p>For Justice of the Supreme Court<br/>(Full term commencing 1-1-2013)<br/>Para Juez del Tribunal Supremo<br/>(Periodo completo comenzando el 1-1-2013)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Mike Skindell</p> <p>Terrence O'Donnell</p> <p>Continue voting next side<br/>Continúe votando al otro lado</p> |  |

Remake the ballot according to the voter's choice.

(Example 4 of 4)

| Official General Election Ballot<br>Cuyahoga County, Ohio<br>November 6, 2012 |  | Papeleta Oficial para la Elección General<br>Condado de Cuyahoga, Ohio<br>6 de noviembre de 2012  | Page 5 of 6<br>Página 5 de 6   |
|---|--|---|--|
| MAPLE HEIGHTS-07-B  |  | Absentes  | MAPLE HTS-07-B   |
| 11  | <p><b>State Issue 2, continued</b><br/>Asunto 2 del Estado, continuación</p> <p>del grupo final a tres miembros adicionales, que deberán incluir un miembro afiliado al partido político más grande, un miembro afiliado al segundo partido político más grande y un miembro no afiliado a ninguno de estos partidos. Al seleccionar a los tres miembros finales, los miembros de la Comisión buscarán una membresía total de la comisión que refleje la diversidad de Ohio y que tenga los conocimientos y habilidades relevantes, incluida la capacidad para la imparcialidad, lo que permitirá a la Comisión cumplir con sus responsabilidades. Los nueve miembros seleccionados por sorteo y los tres miembros adicionales seleccionados por los nueve miembros originales considerarán la Comisión completa.</p> <p>F. Ningún miembro de la Comisión estará sujeto a destitución por la asamblea general ni por ningún miembro de la rama ejecutiva.</p> <p>3. Requeriría que la Comisión establezca inmediatamente nuevos distritos legislativos y del congreso para reemplazar los distritos más recientes adoptados por los representantes elegidos por elección democrática, distritos que no serán disputados excepto por orden judicial, hasta el próximo censo y distribución decenal federal. Se necesitan votos afirmativos de 7 de los 12 miembros de la Comisión para seleccionar un plan. En el caso de que la Comisión no pueda determinar un plan para el 1 de octubre, el Tribunal Supremo de Ohio tendrá que adoptar un plan de entre todos los planes presentados a la Comisión.</p> <p>4. Revocaría los requisitos constitucionales vigentes para trazar distritos legislativos que evitan divisiones de condados, ayuntamientos, municipalidades y distritos de ciudades cuando sea posible, y cuando no sea posible, imitan dichas divisiones a solo una división por unidad gubernamental, y también revocaría los requisitos para formar tantos distritos legislativos enteros únicamente dentro de un condado como sea posible. Lo anterior sería reemplazado y requeriría que la Comisión adoptase un plan que cumpla con todas las disposiciones constitucionales federales y estatales aplicables, las disposiciones de la ley federal y el requisito de contigüidad y que cumple más estrechamente con los factores de la conservación, competitividad, equidad de representación y compactidad de la comunidad. A la Comisión también se le requeriría que no trazara ni adoptara un plan con la intención de favorecer o desfavorecer a un partido político, titular o posible candidato.</p> <p>5. Ordenaría a la Asamblea General la apropiación de todos los fondos necesarios para financiar adecuadamente las actividades de la Comisión para, entre otros, compensar a:</p> <p>A. Personal<br/>B. Asesores<br/>C. Asesores legales<br/>D. Miembros de la Comisión</p> <p>Si se aprueba, la enmienda entrará en vigor treinta días después de la elección.</p> <p>Shall the amendment be approved?<br/>¿Deberá aprobarse la enmienda?</p> <p><input checked="" type="radio"/> YES / Sí<br/> <input type="radio"/> NO / No</p> | <p><b>64</b><br/><b>PROPOSED TAX LEVY (RENEWAL)</b><br/><b>CITY OF MAPLE HEIGHTS</b><br/>A majority affirmative vote is necessary for passage</p> <p>A renewal of a tax for the benefit of the City of Maple Heights for the purpose of the payment of salaries for fire fighters in the Division of Fire and providing, maintaining, and operating fire apparatus, appliances, buildings and sites at a rate not exceeding 2 mills for each one dollar of valuation, which amounts to 20 cents for each one hundred dollars of valuation, for five years, commencing in 2013, first due in calendar year 2014.</p> <p><b>64</b><br/><b>PROPUESTA DE RECAUDACIÓN DE IMPUESTOS (RENOVACIÓN)</b><br/><b>CIUDAD DE MAPLE HEIGHTS</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>Una renovación de un impuesto que beneficiará a la Ciudad de Maple Heights con el fin de pagar los salarios de los bomberos de la División de Bomberos y proveer, mantener y operar aparatos contra incendios, artefactos, edificios y áreas a una tasa que no exceda los 2 milésimos por cada dólar de valoración, lo cual representa 20 centavos por cada cien dólares de valoración, por cinco años, comenzando en el 2013, con su primer vencimiento en el año calendario del 2014.</p> <p><input checked="" type="radio"/> FOR THE TAX LEVY<br/>A FAVOR DE LA RECAUDACIÓN DE IMPUESTOS</p> <p><input type="radio"/> AGAINST THE TAX LEVY<br/>EN CONTRA DE LA RECAUDACIÓN DE IMPUESTOS</p> | <p><b>65</b><br/><b>PROPOSED TAX LEVY (RENEWAL)</b><br/><b>CITY OF MAPLE HEIGHTS</b><br/>A majority affirmative vote is necessary for passage</p> <p>A renewal of a tax for the benefit of the City of Maple Heights for the purpose of the payment of salaries of permanent police personnel, and to provide and maintain motor vehicles, communications and other equipment used directly in the operation of the Division of Police at a rate not to exceed 2 mills for each one dollar of valuation, which amounts to 20 cents for each one hundred dollars of valuation, for five years, commencing in 2013, first due in calendar year 2014.</p> <p><b>65</b><br/><b>PROPUESTA DE RECAUDACIÓN DE IMPUESTOS (RENOVACIÓN)</b><br/><b>CIUDAD DE MAPLE HEIGHTS</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>Una renovación de un impuesto que beneficiará a la Ciudad de Maple Heights con el fin de proveer el pago de los salarios del personal permanente de policía y mantener vehículos de motor, comunicaciones y otro equipo utilizados directamente para la operación del Departamento de Policía, a una tasa que no exceda los 2 milésimos por cada dólar de valoración, lo cual representa 20 centavos por cada cien dólares de valoración, por cinco años, comenzando en el 2013, con su primer vencimiento en el año calendario del 2014.</p> <p><input checked="" type="radio"/> FOR THE TAX LEVY<br/>A FAVOR DE LA RECAUDACIÓN DE IMPUESTOS</p> <p><input type="radio"/> AGAINST THE TAX LEVY<br/>EN CONTRA DE LA RECAUDACIÓN DE IMPUESTOS</p> <p><b>66</b><br/><b>PROPOSED CHARTER AMENDMENT</b><br/><b>CITY OF MAPLE HEIGHTS</b><br/>A majority affirmative vote is necessary for passage</p> <p>Shall Article XVIII, Section 3(e), of the Charter of the City of Maple Heights be amended to change the candidate filing deadline to 90 days prior to the primary election?</p> <p><b>66</b><br/><b>PROPUESTA DE ENMIENDA A LOS ESTATUTOS</b><br/><b>CIUDAD DE MAPLE HEIGHTS</b><br/>Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>¿Deberá enmendarse el Artículo XVIII, Sección 3(e), de los Estatutos de la Ciudad de Maple Heights para cambiar la fecha límite de presentación de los candidatos a 90 días antes de la elección primaria?</p> <p><input type="radio"/> YES / Sí<br/> <input checked="" type="radio"/> NO / No</p> <p>Continue voting next side<br/>Continúe votando al otro lado</p> |

Remake the ballot according to the voter's choice.

**Additional Manual Remake ONLY Categories:**

**8. Voter marked part of the ballot in accordance with the ballot marking instructions contained on the ballot, and part of the ballot contrary to the instructions.**

(Example 1 of 2)

| Official General Election Ballot<br>Cuyahoga County, Ohio<br>November 6, 2012  |   | Papeleta Oficial para la Elección General<br>Condado de Cuyahoga, Ohio<br>6 de noviembre de 2012  |  | Page 3 of 6<br>Página 3 de 6 |
|--|---|---|--|------------------------------|
| LAKewood-03-E  |   | LAKewood-03-E   |  |                              |
| <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-12-2013)<br/>Para Juez del Tribunal de Causas Comunes (División General) (Período completo comenzando el 1-12-2013)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Joan Synenberg</p> <p><input checked="" type="checkbox"/> Cassandra Collier-Williams</p> | <p>For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-2-2013)<br/>Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período completo comenzando el 1-2-2013)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p><input checked="" type="checkbox"/> Allison Neilson Floyd</p>                                  | <p><b>State Issue 1</b><br/>Question presented pursuant to Article XVI, Section 3 of the Constitution of the State of Ohio<br/>A majority yes vote is necessary for passage.<br/>Article XVI, Section 3 of the Constitution of the State of Ohio reads as follows:<br/>"At the general election to be held in the year one thousand nine hundred and forty-two, and in each twentieth year thereafter, the question: "Shall there be a convention to revise, alter, or amend the constitution?" shall be submitted to the electors of the state; and in case a majority of the electors, voting for and against the calling of a convention, shall decide in favor of a convention, the general assembly, at its next session, shall provide, by law, for the election of delegates, and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect, until the same shall have been submitted to the electors of the state, and adopted by a majority of those voting thereon."<br/><b>Asunto 1 del Estado</b><br/>Pregunta presentada en cumplimiento del Artículo XVI, Sección 3 de la Constitución del Estado de Ohio<br/>Se requiere un voto afirmativo por mayoría para su aprobación.<br/>El Artículo XVI, Sección 3, de la Constitución del Estado de Ohio dice lo siguiente:<br/>"En la elección general que se celebrará en el año mil novecientos treinta y dos, y cada veinte años a partir de entonces, se presentará a los electores del estado la pregunta: "¿Deberá celebrarse una convención para revisar, alterar o enmendar la constitución?" y en el caso de que la mayoría de los electores que voten a favor y en contra de la convocatoria de una convención, decida a favor de la convención, la asamblea general, en su próxima sesión, dispondrá, por ley, la elección de los delegados, y la organización de dicha convención, tal como se dispone en la sección anterior; pero ninguno enmendado esta constitución, acordado por cualquier convención convocada en cumplimiento de este artículo, entrará en vigor hasta que la misma se haya presentado a los electores del estado y haya sido adoptada por una mayoría de los que voten."<br/><b>Shall there be a convention to revise, alter, or amend the Ohio Constitution?</b><br/>¿Deberá celebrarse una convención para revisar, modificar o enmendar la Constitución de Ohio?<br/><input checked="" type="checkbox"/> YES / SI<br/><input type="checkbox"/> NO / NO</p> |  |                              |
| <p>For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-2-2015)<br/>Para Juez del Tribunal de Causas Comunes (División General) (Período inconcluso que finaliza el 1-2-2015)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Colleen Ann Reall</p> <p><input checked="" type="checkbox"/> Pamela A. Barker</p>     | <p>For Judge of the Court of Common Pleas (Juvenile Division) (Unexpired term ending 1-3-2013)<br/>Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período completo comenzando el 1-3-2013)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Thomas F. O'Malley</p>  |   |  |                              |
| <p>For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-5-2015)<br/>Para Juez del Tribunal de Causas Comunes (División General) (Período inconcluso que finaliza el 1-5-2015)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Caitlin Sweeney</p> <p>Robert C. McClelland</p>                                       | <p>For Judge of the Court of Common Pleas (Juvenile Division) (Unexpired term ending 12-31-2016)<br/>Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período inconcluso que finaliza el 12-31-2016)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Anjanette A. Whitman</p> <p><input checked="" type="checkbox"/> Michael John Ryan</p> |   |  |                              |
| <p>For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-1-2017)<br/>Para Juez del Tribunal de Causas Comunes (División General) (Período inconcluso que finaliza el 1-1-2017)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Steve Gall</p> <p>Annette G. Butler</p>   | <p>For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-1-2013)<br/>Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período completo comenzando el 1-1-2013)<br/>(Vote for not more than 1)<br/>(Vote por no más de 1)</p> <p>Denise Nancy Rini</p> <p><input checked="" type="checkbox"/> Frankie Goldberg</p>              |   |  |                              |

Do not remake the ballot. Run as is.

(Example 2 of 2)

Page 2 of 6  
 Página 2 de 6

| D  | E  | F  |
|--|--|--|
| LAKEWOOD-03-E  | LAKEWOOD-03-E  | LAKEWOOD-03-E  |
| <p>For Justice of the Supreme Court<br/>           (Full term commencing 1-2-2013)<br/>           Para Juez del Tribunal Supremo<br/>           (Periodo completo comenzando el 1-2-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> William M. O'Neill</p> <p><input type="radio"/> Robert R. Cupp</p>  | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-1-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-1-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Joseph D. Russo</p>   | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-7-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-7-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="radio"/> Dean W. Van Dress</p> <p><input type="radio"/> Kathleen Ann Sutula</p> |
| <p>For Justice of the Supreme Court<br/>           (Unexpired term ending<br/>           12-31-2014)<br/>           Para Juez del Tribunal Supremo<br/>           (Periodo inconcluso que finaliza el 12-31-2014)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Sharon L. Kennedy</p> <p><input checked="" type="radio"/> Yvette McGee Brown</p>  | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-2-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-2-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Stuart A. Friedman</p>  | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-8-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-8-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> John D. Sutaia</p>  |
| <p>For Judge of the Court of<br/>           Appeals<br/>           (8th District)<br/>           (Full term commencing 1-1-2013)<br/>           Para Juez del Tribunal de<br/>           Apelaciones<br/>           (Distrito 8)<br/>           (Periodo completo comenzando el 1-1-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Frank D. Celebrezze, Jr.</p>  | <p>For Judge of the Court of<br/>           Appeals<br/>           (8th District)<br/>           (Full term commencing 1-2-2013)<br/>           Para Juez del Tribunal de<br/>           Apelaciones<br/>           (Distrito 8)<br/>           (Periodo completo comenzando el 1-2-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Michael Jackson</p> <p><input checked="" type="radio"/> Marilyn E. Cassidy</p>              | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-9-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-9-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Carolyn B. Friedland</p>  |
| <p>For Judge of the Court of<br/>           Appeals<br/>           (8th District)<br/>           (Full term commencing 1-2-2013)<br/>           Para Juez del Tribunal de<br/>           Apelaciones<br/>           (Distrito 8)<br/>           (Periodo completo comenzando el 1-2-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="radio"/> Kenneth R. Spanagel</p> <p><input type="radio"/> Tim McCormack</p> | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-4-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-4-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Timothy McCormick</p>   | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-10-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-10-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Shirley Strickland Saffold</p> <p><input type="radio"/> Cathryn R. Ensign</p>   |
| <p>For Judge of the Court of<br/>           Appeals<br/>           (8th District)<br/>           (Full term commencing 1-3-2013)<br/>           Para Juez del Tribunal de<br/>           Apelaciones<br/>           (Distrito 8)<br/>           (Periodo completo comenzando el 1-3-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="radio"/> Eileen T. Gallagher</p>  | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-5-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-5-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> John P. O'Donnell</p>   | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-11-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-11-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Janet R. Burnside</p>   |
| <p>For Judge of the Court of<br/>           Appeals<br/>           (8th District)<br/>           (Full term commencing 2-9-2013)<br/>           Para Juez del Tribunal de<br/>           Apelaciones<br/>           (Distrito 8)<br/>           (Periodo completo comenzando el 2-9-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Mary J. Boyle</p>   | <p>For Judge of the Court of<br/>           Common Pleas<br/>           (General Division)<br/>           (Full term commencing 1-6-2013)<br/>           Para Juez del Tribunal de Causas<br/>           Comunes<br/>           (División General)<br/>           (Periodo completo comenzando el 1-6-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="radio"/> Edele Passalacqua</p> <p><input type="radio"/> Daniel Gaul</p> | <p>Continues voting next page<br/>           Continúa votando en la<br/>           siguiente página</p>  |

Do not remake the  
 ballot. Run as is.

**9. Over vote, voter marked the ballot more than the permissible number of times for a particular contest, and there is no indication of contrary intent.**

(Example 1 of 4)

| OFFICIAL GENERAL ELECTION BALLOT<br>CUYAHOGA COUNTY, OHIO<br>NOVEMBER 8, 2011  |  | PAPELETA OFICIAL PARA LA ELECCIÓN GENERAL<br>CONDADO DE CUYAHOGA, OHIO<br>8 DE NOVIEMBRE DE 2011   |  |
|--|--|--|--|
| CLEVELAND-05-K   |  | CLEVELAND-05-K   |  |
| <p><b>Instructions to Voter</b></p> <p>1. To vote, you must completely darken the oval (●) at the left of the candidate or answer of your choice.</p> <p>2. Do not mark the ballot for more choices than allowed. Please see permitted number of choices directly below title of office.</p> <p>3. If you mark the ballot for more choices than permitted, the race or issue will not be counted.</p> <p>4. To cast a write-in vote, darken the oval (●) to the left of the line provided and write in the candidate's name.</p> <p>5. If you cast a vote for a candidate whose name is printed on the ballot, do not write that candidate's name on the write-in candidate line.</p> <p>6. If you make a mistake or want to change your vote, please ask an election official for a new ballot. You may ask for a new ballot up to two times.</p>   |  | <p><b>OFFICIAL JUDICIAL NONPARTISAN BALLOT</b><br/> <b>PAPELETA OFICIAL JUDICIAL NO PARTIDISTA</b></p> <p><b>CLEVELAND MUNICIPAL COURT</b><br/> <b>TRIBUNAL MUNICIPAL DE CLEVELAND</b></p> <p>For Judge of the Municipal Court (Full Term Commencing 1/1/2012) (Vote for Not More Than 1)<br/>         Para Juez del Tribunal Municipal (Periodo Completo Comenzando el 1/1/2012) (Vote por No Más De 1)</p> <p><input checked="" type="radio"/> Joseph J. Zone</p> <p>For Judge of the Municipal Court (Full Term Commencing 1/1/2012) (Vote for Not More Than 1)<br/>         Para Juez del Tribunal Municipal (Periodo Completo Comenzando el 1/1/2012) (Vote por No Más De 1)</p> <p><input checked="" type="radio"/> Angela R. Stokes</p> <p><input checked="" type="radio"/> Edward Wade</p> <p><input type="radio"/> Mariene J. Ridenour</p> <p>For Judge of the Municipal Court (Full Term Commencing 1/2/2012) (Vote for Not More Than 1)<br/>         Para Juez del Tribunal Municipal (Periodo Completo Comenzando el 1/2/2012) (Vote por No Más De 1)</p> <p><input checked="" type="radio"/> Lynn McLaughlin-Murray</p> <p><input type="radio"/> Pinkey S. Carr</p> <p>For Judge of the Municipal Court (Full Term Commencing 1/4/2012) (Vote for Not More Than 1)<br/>         Para Juez del Tribunal Municipal (Periodo Completo Comenzando el 1/4/2012) (Vote por No Más De 1)</p> <p><input checked="" type="radio"/> Ronald B. Adrine</p> <p>For Judge of the Municipal Court (Full Term Commencing 1/5/2012) (Vote for Not More Than 1)<br/>         Para Juez del Tribunal Municipal (Periodo Completo Comenzando el 1/5/2012) (Vote por No Más De 1)</p> <p><input type="radio"/> Michael John Ryan</p> |  |
| <p><b>Instrucciones para el Elector</b></p> <p>1. Para votar, debe llenar completamente el óvalo (●) a la izquierda del candidato o respuesta de su opción.</p> <p>2. No marque en la papeleta más opciones que las permitidas. Por favor vea el número de opciones permitidas directamente debajo del título del cargo.</p> <p>3. Si usted marca más opciones que las permitidas en la papeleta no se contará la contienda o el asunto.</p> <p>4. Para emitir un voto por escrito, llene el óvalo (●) a la izquierda de la línea provista y escriba el nombre del candidato.</p> <p>5. Si usted vota por un candidato cuyo nombre se encuentra impreso en la papeleta, no escriba el nombre de ese candidato en la línea para voto por escrito.</p> <p>6. Si usted comete un error o desea cambiar su voto, por favor solicite a un funcionario electoral una papeleta nueva. Puede solicitar una nueva papeleta hasta dos veces.</p> |  | <p>For Judge of the Municipal Court (Full Term Commencing 1/8/2012) (Vote for Not More Than 1)<br/>         Para Juez del Tribunal Municipal (Periodo Completo Comenzando el 1/8/2012) (Vote por No Más De 1)</p> <p><input checked="" type="radio"/> Michelle Denise Earley</p> <p>For Clerk of the Municipal Court (Full Term Commencing 1/1/2012) (Vote for Not More Than 1)<br/>         Para Secretario del Tribunal Municipal (Periodo Completo Comenzando el 1/1/2012) (Vote por No Más De 1)</p> <p><input type="radio"/> Lisa Stevens</p> <p><input type="radio"/> Earle B. Turner</p> <p><input type="radio"/> Phil E. Pavarini Jr</p>   |  |
|  |  | <p>VOTE BOTH SIDES<br/>         VOTE EN AMBOS LADOS</p>  |  |
| CLEVELAND-05-K   |  | CLEVELAND-05-K   |  |

Do not remake the ballot. Run as is.

(Example 2 of 4)

Page 2 of 6  
 Página 2 de 6

| D  | E   | F   |
|--|---|---|
| MAPLE HEIGHTS -06-C  |   | MAPLE HTS -06-C   |
| <p>For Justice of the Supreme Court (Full term commencing 1-2-2013)<br/>           Para Juez del Tribunal Supremo (Periodo completo comenzando el 1-2-2013)<br/>           (Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Robert R. Cupp</p> <p><input type="radio"/> William M. O'Neill</p>  | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-1-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-1-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Joseph D. Russo</p>  | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-7-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-7-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Kathleen Ann Sutula</p> <p><input type="radio"/> Dean W. Van Dress</p>                     |
| <p>For Justice of the Supreme Court (Unexpired term ending 12-31-2014)<br/>           Para Juez del Tribunal Supremo (Periodo inconcluso que finaliza el 12-31-2014)<br/>           (Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> <del>Yvonne McGee Brown</del></p> <p><input type="radio"/> Sharon L. Kennedy</p>                         | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-2-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-2-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Stuart A. Friedman</p>   | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-8-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-8-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> John D. Sutula</p>   |
| <p>For Judge of the Court of Appeals (8th District) (Full term commencing 1-1-2013)<br/>           Para Juez del Tribunal de Apelaciones (Distrito 8) (Periodo completo comenzando el 1-1-2013)<br/>           (Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Frank D. Celebrezze, Jr.</p>  | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-3-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-3-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Marilyn B. Cassidy</p> <p><input checked="" type="radio"/> Michael Jackson</p> | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-9-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-9-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Carolyn B. Friedland</p>   |
| <p>For Judge of the Court of Appeals (8th District) (Full term commencing 1-2-2013)<br/>           Para Juez del Tribunal de Apelaciones (Distrito 8) (Periodo completo comenzando el 1-2-2013)<br/>           (Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="radio"/> Tim McCormack</p> <p><input type="radio"/> Kenneth R. Spanagel</p> | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-4-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-4-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="radio"/> Timothy McCormick</p>   | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-10-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-10-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Cathryn R. Ensign</p> <p><input checked="" type="radio"/> Shirley Strickland Saffold</p> |
| <p>For Judge of the Court of Appeals (8th District) (Full term commencing 1-3-2013)<br/>           Para Juez del Tribunal de Apelaciones (Distrito 8) (Periodo completo comenzando el 1-3-2013)<br/>           (Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Eileen T. Gallagher</p>   | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-5-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-5-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> John P. O'Donnell</p>  | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-11-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-11-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Janet R. Burnside</p>  |
| <p>For Judge of the Court of Appeals (8th District) (Full term commencing 2-9-2013)<br/>           Para Juez del Tribunal de Apelaciones (Distrito 8) (Periodo completo comenzando el 2-9-2013)<br/>           (Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Mary J. Boyle</p>   | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-6-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-6-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input checked="" type="radio"/> Daniel Gaul</p> <p><input type="radio"/> Edele Passalacqua</p>      | <p>For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-1-2013)<br/>           Para Juez del Tribunal de Causas Comunes (División General) (Periodo completo comenzando el 1-1-2013)</p> <p>(Vote for not more than 1)<br/>           (Vote por no más de 1)</p> <p><input type="radio"/> Janet R. Burnside</p>  |
|  |   | <p>Continue voting next page<br/>           Continúe votando en la siguiente página</p> <p><input type="radio"/></p>  |
| D  | E   | F   |
| MAPLE HEIGHTS -06-C  | Trill 01 Seq 0701 Spr 01  | MAPLE HEIGHTS -06-C   |

Do not remake the ballot. Run as is.

(Example 3 of 4)

Page 6 of 6  
 Página 6 de 6

| MAPLE HEIGHTS-06-C  | MAPLE HTS-06-C  | MAPLE HTS-06-C  |
|---|---|---|
| <p><b>108 PROPOSED TAX LEVY (REPLACEMENT AND INCREASE) CLEVELAND-CUYAHOGA COUNTY PORT AUTHORITY</b><br/>           A majority affirmative vote is necessary for passage</p> <p>A replacement of 0.13 mill of an existing levy and an increase of 0.54 mill to constitute a tax for the benefit of the Cleveland-Cuyahoga County Port Authority for the purpose of providing funds necessary for the Port Authority budget at a rate not exceeding 0.67 mill for each one dollar of valuation, which amounts to 6.7 cents for each one hundred dollars of valuation, for five years, commencing in 2013, first due in calendar year 2014.</p> <p><b>108 PROPUESTA PARA RECAUDACIÓN DE IMPUESTOS (REEMPLAZO Y AUMENTO) AUTORIDAD PORTUARIA DE CLEVELAND-CONDADO DE CUYAHOGA</b><br/>           Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>Un remplazo de 0.13 milésimos del impuesto existente y un aumento de 0.54 milésimos para establecer un impuesto que beneficiará a la Autoridad Portuaria de Cleveland-Condado de Cuyahoga con el fin de cubrir los fondos necesarios para el presupuesto de la Autoridad Portuaria a una tasa que no exceda los 6.67 milésimos por cada dólar de valoración, lo cual representa 6.7 centavos por cada cien dólares de valoración, por cinco años, comenzando en el 2013, con su primer vencimiento en el año calendario del 2014</p> <p><input checked="" type="radio"/> <b>FOR THE TAX LEVY A FAVOR DE LA RECAUDACIÓN DE IMPUESTOS</b></p> <p><input type="radio"/> <b>AGAINST THE TAX LEVY EN CONTRA DE LA RECAUDACIÓN DE IMPUESTOS</b></p> | <p><b>111 PROPOSED TAX LEVY (RENEWAL) MAPLE HEIGHTS CITY SCHOOL DISTRICT</b><br/>           A majority affirmative vote is necessary for passage</p> <p>Shall a levy renewing an existing levy be imposed by the Maple Heights City School District for the purpose of providing for the emergency requirements of the Maple Heights City School District</p> <p>in the sum of \$6,708,732 and a levy of taxes to be made outside of the ten-mill limitation estimated by the County Fiscal Officer to average 22.5 mills for each one dollar of valuation, which amounts to \$2.25 for each one hundred dollars of valuation, for a period of five years, commencing in 2013, first due in calendar year 2014?</p> <p><b>111 PROPUESTA PARA RECAUDACIÓN DE IMPUESTOS (RENOVACIÓN) DISTRITO ESCOLAR DE LA CIUDAD DE MAPLE HEIGHTS</b><br/>           Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>¿Deberá el Distrito Escolar de la Ciudad de Maple Heights renovar un impuesto existente con el fin de cubrir los requerimientos de emergencia del Distrito Escolar de la Ciudad de Maple Heights en la cantidad de \$6,708,732 y una recaudación de impuestos a realizarse fuera del límite de diez milésimos estimado por el Funcionario Fiscal del Condado de Cuyahoga, lo cual representa \$2.25 por cada cien dólares de valoración, por un periodo de cinco años, comenzando en el 2013, con su primer vencimiento en el año calendario 2014?</p> <p><input checked="" type="radio"/> <b>FOR THE TAX LEVY A FAVOR DE LA RECAUDACIÓN DE IMPUESTOS</b></p> <p><input type="radio"/> <b>AGAINST THE TAX LEVY EN CONTRA DE LA RECAUDACIÓN DE IMPUESTOS</b></p> | <p><b>117 PROPOSED CHARTER AMENDMENT COUNTY OF CUYAHOGA</b><br/>           A majority affirmative vote is necessary for passage</p> <p>Shall Article 2, Section 2.03 Powers and Duties and Article 3, Section 3.06 Powers and Duties of the Council, of the Charter of the County of Cuyahoga be amended to require that the County of Cuyahoga develop and implement biennial (two year) operating and capital improvements budgets?</p> <p><b>117 PROPUESTA DE ENMIENDA A LOS ESTATUTOS CONDADO DE CUYAHOGA</b><br/>           Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>¿Deberá enmendarse el Artículo 2, Sección 2.03 Poderes y Funciones y el Artículo 3, Sección 3.06 Poderes y Funciones del Consejo, de los Estatutos del Condado de Cuyahoga para requerir que el Condado de Cuyahoga elabore e implemente presupuestos biennales (de dos años) de operaciones y de mejoras de capital?</p> <p><input type="radio"/> YES / SÍ</p> <p><input type="radio"/> NO / NO</p> <p><b>118 PROPOSED CHARTER AMENDMENT COUNTY OF CUYAHOGA</b><br/>           A majority affirmative vote is necessary for passage</p> <p>Shall Article 11, Section 11.01 County Audit Committee and Article 11, Section 11.03 Director of Internal Auditing, Appointments, Duties and Qualifications of the Charter of the County of Cuyahoga be amended to change the term of office of the appointed Director of Internal Auditing so that it does not coincide with the term of the County Executive?</p> <p><b>118 PROPUESTA DE ENMIENDA A LOS ESTATUTOS CONDADO DE CUYAHOGA</b><br/>           Se requiere un voto afirmativo por mayoría para su aprobación</p> <p>¿Deberá enmendarse el Artículo 11, Sección 11.01 Comité de Auditoría del Condado y el Artículo 11, Sección 11.03 Director de Auditorías Internas: Nombramiento, Deberes y Cualificaciones, de los Estatutos del Condado de Cuyahoga para cambiar el periodo del cargo del Director de Auditorías Internas nombrado para que no coincida con el periodo del cargo del Ejecutivo del Condado?</p> <p><input type="radio"/> YES / SÍ</p> <p><input type="radio"/> NO / NO</p> <p><b>Thank you for voting!<br/>           ¡Gracias por votar!</b></p> <p><i>Erin E. McNamee</i><br/> <i>Debra A. Schmitt</i><br/> <i>J. Paul Schmitt</i><br/> <i>John D. McNamee, II</i></p> <p>Members of the Board of Elections<br/>           November 6, 2012<br/>           Miembros de la Junta Electoral<br/>           6 de noviembre de 2012</p> |

Do not remake the ballot. Run as is.



(Example 4 of 4)

| Official General Election Ballot<br>Cuyahoga County, Ohio<br>November 6, 2012 |  | Papeleta Oficial para la Elección General<br>Condado de Cuyahoga, Ohio<br>6 de noviembre de 2012  |  | Page 3 of 6<br>Página 3 de 6 |
|---|--|---|--|------------------------------|
| MAPLE HEIGHTS-06-C  |  | Abarrow   |  | MAPLE HTS-06-C               |
| 11  | For Judge of the Court of Common Pleas (General Division) (Full term commencing 1-12-2013) Para Juez del Tribunal de Causas Comunes (División General) (Período completo comenzando el 1-12-2013)    | For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-2-2013) Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período completo comenzando el 1-2-2013)          | <b>State Issue 1</b><br>Question presented pursuant to Article XVI, Section 3 of the Constitution of the State of Ohio<br>A majority yes vote is necessary for passage.<br>Article XVI, Section 3 of the Constitution of the State of Ohio reads as follows:<br>"At the general election to be held in the year one thousand nine hundred and thirty-two, and in each twentieth year thereafter, the question: 'Shall there be a convention to revise, alter, or amend the constitution?' shall be submitted to the electors of the state, and in case a majority of the electors, voting for and against the calling of a convention, shall decide in favor of a convention, the general assembly, at its next session, shall provide, by law, for the election of delegates, and the assembling of such convention, as is provided in the preceding section; but no amendment of this constitution, agreed upon by any convention assembled in pursuance of this article, shall take effect, until the same shall have been submitted to the electors of the state, and adopted by a majority of those voting thereon."<br><b>Asunto 1 del Estado</b><br>Pregunta presentada en cumplimiento del Artículo XVI, Sección 3 de la Constitución del Estado de Ohio<br>Se requiere un voto afirmativo por mayoría para su aprobación.<br>El Artículo XVI, Sección 3, de la Constitución del Estado de Ohio dice lo siguiente:<br>"En la elección general que se celebrará en el año mil novecientos treinta y dos, y cada veinte años a partir de entonces, se presentará a los electores del estado la pregunta: '¿Deberá celebrarse una convención para revisar, modificar o enmendar la constitución?'; y en el caso de que la mayoría de los electores que votan a favor y en contra de la convocatoria de una convención, decida a favor de la convención, la asamblea general, en su próxima sesión, dispondrá, por ley, la elección de los delegados, y la organización de dicha convención, tal como se dispone en la sección anterior; pero ninguna enmienda a esta constitución, acordada por cualquier convención organizada en cumplimiento de este artículo, entrará en vigor hasta que la misma se haya presentado a los electores del estado y haya sido adoptada por una mayoría de los que voten."<br>Shall there be a convention to revise, alter, or amend the Ohio Constitution?<br>¿Deberá celebrarse una convención para revisar, modificar o enmendar la Constitución de Ohio? |                              |
|   | (Vote for not more than 1) (Vote por no más de 1)  | (Vote for not more than 1) (Vote por no más de 1)   |  |                              |
|   | <input type="radio"/> Allison Nelson Floyd   |   |  |                              |
|   | <input type="radio"/> Cassandra Collier-Williams   | For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-3-2013) Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período completo comenzando el 1-3-2013)          |  |                              |
|   | <input type="radio"/> Joan Synenberg   | (Vote for not more than 1) (Vote por no más de 1)   |  |                              |
|   | For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-2-2015) Para Juez del Tribunal de Causas Comunes (División General) (Período inconcluso que finaliza el 1-2-2015) | <input type="radio"/> Thomas F. O'Malley  |  |                              |
|   | (Vote for not more than 1) (Vote por no más de 1)  | For Judge of the Court of Common Pleas (Juvenile Division) (Unexpired term ending 12-31-2016) Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período inconcluso que finaliza el 12-31-2016) |  |                              |
| 43  | <input type="radio"/> Pamela A. Barker   | (Vote for not more than 1) (Vote por no más de 1)   |  |                              |
| 44  | <input type="radio"/> Colleen Ann Reall  |   |  |                              |
| 45  | For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-5-2015) Para Juez del Tribunal de Causas Comunes (División General) (Período inconcluso que finaliza el 1-5-2015) | <input type="radio"/> Michael John Ryan   |  |                              |
|   | (Vote for not more than 1) (Vote por no más de 1)  | <input type="radio"/> Anjanette A. Whitman  |  |                              |
| 51  | <input type="radio"/> Robert C. McClelland   |   |  |                              |
|   | <input type="radio"/> Cullen Sweeney   |   |  |                              |
|   | For Judge of the Court of Common Pleas (General Division) (Unexpired term ending 1-1-2017) Para Juez del Tribunal de Causas Comunes (División General) (Período inconcluso que finaliza el 1-1-2017) |   |  |                              |
|   | (Vote for not more than 1) (Vote por no más de 1)  |   |  |                              |
|   | <input type="radio"/> Annette Q. Butler  |   |  |                              |
|   | <input type="radio"/> Steve Galt   |   |  |                              |
|   | For Judge of the Court of Common Pleas (Juvenile Division) (Full term commencing 1-1-2013) Para Juez del Tribunal de Causas Comunes (División Juvenil) (Período completo comenzando el 1-1-2013)     |   |  |                              |
|   | (Vote for not more than 1) (Vote por no más de 1)  |   |  |                              |
|   | <input type="radio"/> Frankie Goldberg   |   |  |                              |
|   | <input type="radio"/> Denise Nancy Rini  |   |  |                              |
|   |  | <input type="radio"/> NO / NO   |  |                              |
|   |  | Continue voting next side<br>Continúe votando al otro lado  |  |                              |

Do not remake the ballot. Run as is.

**10. Voter filled in an oval next to a candidate for an office and cast a write-in vote for a candidate for the same office by filling in the oval of, and the writing in of, the name of a write-in candidate.**

| OFFICIAL REPUBLICAN PRIMARY BALLOT<br>CUYAHOGA COUNTY, OHIO<br>MARCH 6, 2012  |                        | PAPELETA OFICIAL REPUBLICANA PARA LA ELECCION PRIMARIA<br>CONDADO DE CUYAHOGA, OHIO<br>6 DE MARZO DE 2012  |          |  |                        |
|---|------------------------|--|----------|--|------------------------|
| A   | OLMSTED TOWNSHIP -00-H | B  | ABSENTEE | C  | OLMSTED TOWNSHIP -00-H |
| <p><b>Instructions to Voter</b></p> <p>1. To vote, you must completely darken the oval (●) at the left of the candidate or answer of your choice.</p> <p>2. Do not mark the ballot for more choices than allowed. Please see permitted number of choices directly below title of office.</p> <p>3. If you mark the ballot for more choices than permitted, the race or issue will not be counted.</p> <p>4. To cast a write-in vote, darken the oval (●) to the left of the line provided and write in the candidate's name.</p> <p>5. If you cast a vote for a candidate whose name is printed on the ballot, do not write that candidate's name on the write-in candidate line.</p> <p>6. If you make a mistake or want to change your vote, please ask an election official for a new ballot. You may ask for a new ballot up to two times.</p> <p><b>Instrucciones para el Elector</b></p> <p>1. Para votar, debe llenar completamente el óvalo (●) a la izquierda del candidato o respuesta de su opción.</p> <p>2. No marque en la papeleta más opciones que las permitidas. Por favor vea el número de opciones permitidas directamente debajo del título del cargo.</p> <p>3. Si usted marca más opciones que las permitidas en la papeleta no se contará la contienda o el asunto.</p> <p>4. Para emitir un voto por escrito, llene el óvalo (●) a la izquierda de la línea provista y escriba el nombre del candidato.</p> <p>5. Si usted vota por un candidato cuyo nombre se encuentra impreso en la papeleta, no escriba el nombre de ese candidato en la línea para voto por escrito.</p> <p>6. Si usted comete un error o desea cambiar su voto, por favor solicite a un funcionario electoral una papeleta nueva. Puede solicitar una nueva papeleta hasta dos veces.</p> |                        | <p><b>For Delegates-at-Large and Alternates-at-Large to the National Convention</b><br/>(Vote for Not More Than 1)<br/><b>Para Delegados-en-General y Alternos-en-General para la Convención Nacional</b><br/>(Vote por No Más De 1)</p> <p><input type="radio"/> Jon Huntsman</p> <p><input type="radio"/> Ron Paul</p> <p><input type="radio"/> Rick Perry</p> <p><input type="radio"/> Mitt Romney</p> <p><input type="radio"/> Rick Santorum</p> <p><input checked="" type="radio"/> Newt Gingrich</p>   |          | <p><b>For Justice of the Supreme Court</b><br/>(Full Term Commencing 1-1-13)<br/>(Vote for Not More Than 1)<br/><b>Para Juez del Tribunal Supremo</b><br/>(Período Completo Comenzando el 1-1-13)<br/>(Vote por No Más De 1)</p> <p><input checked="" type="radio"/> Terrence O'Donnell</p> <p><b>For Justice of the Supreme Court</b><br/>(Full Term Commencing 1-2-13)<br/>(Vote for Not More Than 1)<br/><b>Para Juez del Tribunal Supremo</b><br/>(Período Completo Comenzando el 1-2-13)<br/>(Vote por No Más De 1)</p> <p><input type="radio"/> Robert R. Cupp</p> <p><b>For Justice of the Supreme Court</b><br/>(Unexpired Term Ending 12-31-14)<br/>(Vote for Not More Than 1)<br/><b>Para Juez del Tribunal Supremo</b><br/>(Período Inconcluso que Finaliza el 12-31-14)<br/>(Vote por No Más De 1)</p> <p><input type="radio"/> Sharon L. Kennedy</p> <p><b>For Judge of the Court of Appeals</b><br/>(8th District)<br/>(Full Term Commencing 1-1-13)<br/>(Vote for Not More Than 1)<br/><b>Para Juez del Tribunal de Apelaciones</b><br/>(Distrito 8)<br/>(Período Completo Comenzando el 1-1-13)<br/>(Vote por No Más De 1)</p> <p><input type="radio"/> Rick Perry</p> <p><b>No Valid Declaration of Candidacy Filed</b><br/><b>Declaración Válida de Candidatura No</b></p> <p><b>For Judge of the Court of Appeals</b><br/>(8th District)<br/>(Full Term Commencing 1-2-13)<br/>(Vote for Not More Than 1)<br/><b>Para Juez del Tribunal de Apelaciones</b><br/>(Distrito 8)<br/>(Período Completo Comenzando el 1-2-13)<br/>(Vote por No Más De 1)</p> <p><input checked="" type="radio"/> Kenneth R. Spanagel</p> <p><input type="radio"/> Elizabeth A. Harvey</p> |                        |
|   |                        | <p><b>For District Delegates and District Alternates to the National Convention</b><br/>(16th District)<br/>(Vote for Not More Than 1)<br/><b>Para Delegados del Distrito y Alternos del Distrito para la Convención Nacional</b><br/>(Distrito 16)<br/>(Vote por No Más De 1)</p> <p><input type="radio"/> Mitt Romney</p> <p><input type="radio"/> Rick Santorum</p> <p><input checked="" type="radio"/> Newt Gingrich</p> <p><input type="radio"/> Jon Huntsman</p> <p><input type="radio"/> Ron Paul</p> <p><input type="radio"/> Rick Perry</p> |          |  |                        |
|   |                        | <p><b>For U.S. Senator</b><br/>(Vote for Not More Than 1)<br/><b>Para Senador de Estados Unidos</b><br/>(Vote por No Más De 1)</p> <p><input checked="" type="radio"/> Donna K. Gilsman</p> <p><input type="radio"/> Eric LaMont Gregory</p> <p><input type="radio"/> Josh Mandel</p> <p><input type="radio"/> Michael L. Pryce</p> <p><input type="radio"/> David W. Dold</p> <p><input checked="" type="radio"/> <i>John Doe</i><br/>Write-in / Por Escrito</p>  |          |  |                        |
|   |                        | <p><b>For Representative to Congress</b><br/>(16th District)<br/>(Vote for Not More Than 1)<br/><b>Para Representante al Congreso</b><br/>(Distrito 16)<br/>(Vote por No Más De 1)</p> <p><input type="radio"/> Jim Renacci</p>  |          |  |                        |
|   |                        |  |          | <p>VOTE BOTH SIDES<br/>VOTE EN AMBOS LADOS</p>   |                        |

Do not remake ballot. Voter has marked the ballot more than the permissible number of times. Run as is.

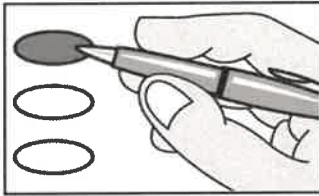
## Attachments

### Instructions to Voter (as they appear on the ballot)

#### Instructions to Voter

#### Instrucciones para el Elector

- **To vote: completely darken the oval (●) to the left of your choice.**  
Para votar: oscurezca completamente el óvalo (●) a la izquierda de su elección.



- **Note the permitted number of choices directly below the title of each candidate office. Do not mark the ballot for more choices than allowed.**  
Tenga en cuenta el número permitido de opciones directamente debajo del título de cada cargo para el que se postulan los candidatos. No marque en la papeleta más opciones de las permitidas.
- **If you mark the ballot for more choices than permitted, that contest or question will not be counted.**  
Si usted marca en la papeleta más opciones de las permitidas, no se contará esa candidatura o pregunta.
- **To vote for a write-in candidate: completely darken the oval (●) to the left of the blank line and write in the candidate's name. Only votes cast for candidates who filed as write-in candidates can be counted.**  
Para votar por un candidato por escrito: oscurezca completamente el óvalo (●) a la izquierda de la línea en blanco y escriba el nombre del candidato. Solo se pueden contar los votos emitidos para los candidatos que solicitaron ser candidatos por escrito.
- **Do not write in a candidate's name if that person's name already is printed on the ballot for that same contest.**  
No escriba el nombre del candidato si el nombre de esa persona ya está impreso en la papeleta para esa misma candidatura.
- **❗ If you make a mistake or want to change your vote: return your ballot to an election official and get a new ballot. You may ask for a new ballot up to two times.**  
Si comete un error o desea cambiar su voto: devuelva la papeleta a un funcionario electoral y obtenga una nueva. Puede pedir una nueva papeleta solo dos veces.

## Exhibit A: Ballot Manual Remake Team Checklist Procedure

### Review quantities of remake ballots by precinct

- Each team will work with one Remake Tally Sheet page at a time.
- Beginning with the first precinct listed on the Remake Tally Sheet carefully look inside the gray precinct remake envelope and remove the ballot pages inside.
  - Each team must work with only one precinct at a time.
- Compare the physical quantity of original ballot pages, inside the gray envelope, to the quantity of remake ballot pages listed on the Remake Tally Sheet, generated from the ballot scanning verification process.
- If the quantities do not match, contact a Supervisor for reconciliation.
- Compare the physical quantity of new blank ballot pages to the Remake Tally Sheet. If any blank ballots are missing contact a Supervisor for reconciliation.
  - Additional ballots may be ordered from the ballot print vendor or the In-house voting program.

### Compare the original ballot page with the new blank ballot page.

- Each team must work with one ballot page at a time.
- Confirm the ballot pages have matching CITY, WARD, and PRECINCT designations (and if applicable the correct PRIMARY PARTY BALLOT TYPE, SPLIT SEQUENCE CODE for active splits, and PAGE NUMBERS).

### Designate each ballot page as an Original or Remake

- In the Left Header Corner of the original ballot page, confirm an “O”, in green ink, has been listed previously by a ballot scanning team to designate as the **Original**. If there is no “O” listed, contact a Supervisor for reconciliation. Upon reconciliation an “O” must be listed, using a green pen, to designate as the **Original**. Do not write inside the scan area of the ballot.
- In the Left Header Corner of the new blank ballot page, using a green pen, list an “R” to designate as the **Remake**. Do not write inside the scan area of the ballot.

### Assign a matching ballot code that will identify the two ballot pages to each other.

- In the Right Header Corner of the Original ballot page and the Right Header Corner of the New Blank ballot page, using a green pen, place the matching ballot code. Do not write inside the scan area of the ballot.

- List the Ballot Code Letter (“A” for Absentee, “P” for Provisional, “E” for Election Day, “Z” for Post Absentee and “Y” for Post Election Day.)
- After the Ballot Code letter, list the Employee Remake ID Number of the Democratic team member.
- After the Democratic Employee Remake ID Number, list the Employee Remake ID Number for the Republican team member.
- After the Republican Employee Remake ID Number, list the next consecutive Ballot Remake Number (the process starts with “001”).
- Example of the Matching Ballot Code:** If the first ballot to be remake is from an Absentee delivery, the Democratic Employee Remake ID Numbers is “23”, the Republican Employee Remake ID Number is “24” and the next consecutive Ballot Remake Number is “001”. The newly formed code should look like this: **A2324001**.
- The code must be placed on both the original ballot and the new ballot.

#### Determine the Remake category of the ballot.

- Working as a team, determine the correct Category of the original ballot according to the remake categories listed in the Cuyahoga County Board of Elections Remake Policy.
- Enter the category number, using a green pen, onto the original ballot, in the center of the header area **Example: “Cat 1”**. Do not write inside the scan area of the ballot.
- Enter the category number, using a green pen, onto the remake ballot, in the center of the header area **Example: “Cat 1”**. Do not write inside the scan area of the ballot.
- Enter a tally mark on the Tally Sheet in the correct category column, on the correct precinct line.

#### Remaking the ballot

##### For “RUN AS IS” categories

- Stamp on top of the original ballot “RUN AS IS”. Do not stamp inside the scan area of the ballot.
- Place the ballot in the light green “TO BE SCANNED” envelope along with other remake ballots from the same precinct.
- Record the correct CITY, WARD, and PRECINCT on the envelope label.

- Write "VOID" on the unused blank ballot and place in the VOID box.

**For actual "Remake" categories:**

- The team member holding the original ballot will read aloud each race and the voter's choice for the office or question/issue.
- The other team member will then **FILL IN THE OVAL COMPLETELY**, using a black felt-tip pen, of the corresponding oval consistent with the voter's choice.
- At the completion of a ballot page, both members of the team will look and verify the entire ballot page (both sides if applicable) has been marked consistent to the voter's choice(s) and according to the remake policy.
- Place the new remake ballot into the precinct specific light green "TO BE SCANNED" envelope along with other remake ballots from the same precinct.
- Make sure the correct CITY, WARD, and PRECINCT is labeled on the envelope.
- Place original ballot in the original ballot basket.

**For any ballot page that cannot be categorized, referred to as "To The Board:"**

- Tag the race in Question with a Colored Adhesive Bookmarker. Do Not Mark Anything for That Race.
- For all other races on the ballot, the team member holding the original ballot will read aloud each race and the voter's choice for the office or question/issue.
- The other team member will then **fill in the oval completely**, using a black felt-tip pen, of the corresponding oval consistent with the voter's choice.
- At the completion of a ballot page, both members of the team will look and verify the entire ballot page (both sides if applicable), except for the race in question, has been marked consistent to the voter's choice(s) and according to the remake policy.
- Leave the Stub on the ballot.
- Clip together and place both remake ballot and the original ballot in the "To the Board" basket.

**At the Conclusion of a Precinct**

- Confirm the gray envelope is now empty (contains no ballots).
- Check to see that each ballot ready to scan has a designation of "R" remake or "O" with a run as is stamp, a category number listed, and a ballot matching code.

- Count the quantity of ballots inside each light green envelope of ballots ready to scan.
- Write the number of ballots to be scanned on the outside of the light green precinct envelope.
- Compare the number of ballots ready to scan to the quantity of ballots tallied on the precinct specific line of the Tally Sheet.
- Ensure the quantities of each category, per precinct, on the Tally sheet match the number of categories listed on the ballots contained inside the light green ready to scan envelope.
- If the quantities do not match, contact a Supervisor for reconciliation.
- Write "VOID" on any Unused Ballot and place in the void box.

**At the Conclusion of a Tally Sheet page**

- After finishing the precincts listed on one Tally Sheet, proof that each precinct line has been completed.
- Notify a Supervisor to pick up all the material.

**Category Number**

**Mark Ballot as the Original or Remade Ballot**      **Ballot Type and Team Number**

→ **O/R**                      ↓ **CAT#**                      → **A1234001**

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|  |  |                              |
|--|--|------------------------------|
| <b>Official Special Election Ballot</b><br>Cuyahoga County, Ohio<br>August 8, 2023 | Papeleta Oficial para la Elección Especial<br>Condado de Cuyahoga, Ohio<br>8 de agosto de 2023 | Page 1 of 1<br>Página 1 de 1 |
| CLEVELAND -15-B NON  | ED   | CLEVELAND -15-B NON          |
| <b>Instructions to Voter</b><br>Instrucciones para el Elector                      | <b>Issue 1</b><br>... and Constitutional Amendment   |                              |

| Ballot Types             | Code |
|--------------------------|------|
| <b>Absentee</b>          | A    |
| <b>Election Day</b>      | E    |
| <b>Provisional</b>       | P    |
| <b>Post Absentee</b>     | Z    |
| <b>Post Election Day</b> | Y    |

|                |               |      |
|----------------|---------------|------|
| Dem Print Name | Dem Signature | Date |
| Rep Print Name | Rep Signature | Date |



## Exhibit B: Ballot Adjudication Team Checklist Procedure

### Remove and categorize ballots to be adjudicated from PMB by scan batch.

- Each team will work with one Scan Batch at a time.
- Beginning with the first ballot identified to be adjudicated, remove the ballot from the PMB.
- In the Left Header Corner of the original ballot page, place an “O”, in green ink, in the upper left-hand corner to designate as the **Original**. Do not write inside the scan area of the ballot.
- In the Right Header Corner of the Original ballot page, using a green pen, place the ballot code. Do not write inside the scan area of the ballot.
  - List the Ballot Code Letter (“A” for Absentee, “P” for Provisional, “E” for Election Day, “Z” for Post Absentee and “Y” for Post Election Day.)
  - After the Ballot Code letter, list the Employee Remake ID Number of the Democratic team member.
  - After the Democratic Employee Remake ID Number, list the Employee Remake ID Number for the Republican team member.
  - After the Republican Employee Remake ID Number, list the next consecutive Ballot Remake Number (the process starts with “001”).
  - Example of the Matching Ballot Code:** If the first ballot to be remade is from an Absentee delivery, the Democratic Employee Remake ID Numbers is “23”, the Republican Employee Remake ID Number is “24” and the next consecutive Ballot Remake Number is “001”. The newly formed code should look like this: **A2324001**.
- Working as a team, determine the correct Category of the original ballot according to the remake categories listed in the Cuyahoga County Board of Elections Remake Policy.
- Enter the category number, using a green pen, onto the original ballot, in the center of the header area **Example: “Cat 1”**. Do not write inside the scan area of the ballot.

### Remaking the Ballot

- Click on Dashboard of correct/current election.
- Click on “Visual Resolution of Unreadable Cards” tab (the total number of cards to be adjudicated will be in **red**).

- Click on the correct “Card ID” to be adjudicated.
- Write down the ballot ID to be adjudicated (example: VBM-0010-0123).
- Find correct City, Ward & Precinct and Card Style (VBM, ED, EIP, etc.) from drop down menu.
- Under Card Status, select Votable.
- Select the Green “Vote” button.
  - If there are multiple races to be adjudicated on the same card (ballot), select the “Next” button located in the upper right-hand corner.
  - Repeat for each race to be adjudicated on that card (ballot).
- Select Save.
- Return to the Dashboard.
- Select the “# of Unreadable Cards” tab.
- Adjust the “Thumbnail” number to zero (0).
- Select “Change”.
- Under “Filter” table, type in the ballot ID that was adjudicated (example: VBM-0010-0123).
- Select “Side #1” image.
- Use Control + P or right click and select “Print” to print out a copy of adjudicated ballot.
- Take report from printer.
- Match “Original” ballot to “Adjudicated” ballot.
- Paper clip or binder clip the two (2) ballots together.
- Place both ballots into Green Remake envelope with correct City, Ward & Precinct plus the correct delivery number on the label.
- Place the Green envelope into the Blue Ploy Mailer Bag (PMB).

#### **At the conclusion of a precinct**

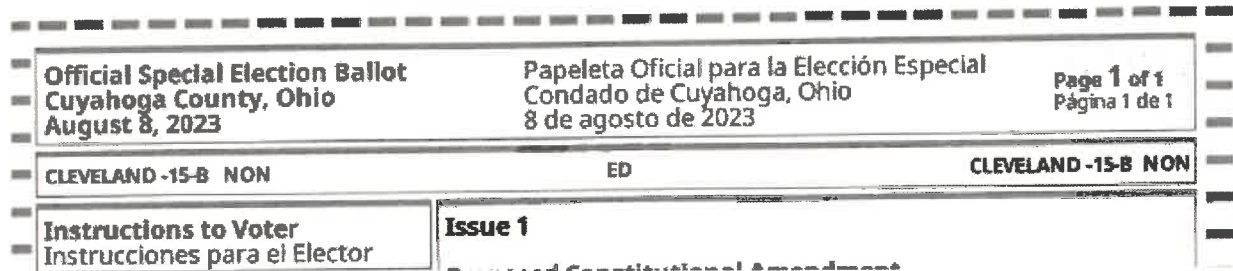
- Check to see that each ballot ready to scan has a designation of “R” remake or “O” with a run as is stamp, a category number listed, and a ballot matching code.
- Count the quantity of ballots inside each light green envelope.
- Write the number of ballots adjudicated for that scan batch on the outside of the

### Cuyahoga County Board of Elections Ballot Adjudication & Remake Policy

light green precinct envelope.

- Write "VOID" on any Unused/Incorrect Ballot and place in the void box.

**Category Number**  
**Mark Ballot as the Original or Remade Ballot** → **O/R**      **CAT#**      **Ballot Type and Team Number** → **A1234001**



| Ballot Types      | Code |
|-------------------|------|
| Absentee          | A    |
| Election Day      | E    |
| Provisional       | P    |
| Post Absentee     | Z    |
| Post Election Day | Y    |

\_\_\_\_\_  
Dem Print Name

\_\_\_\_\_  
Dem Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Rep Print Name

\_\_\_\_\_  
Rep Signature

\_\_\_\_\_  
Date

## **O.R.C. Applicable Sections**

### **O.R.C. 3505.28 Rejection of ballots**

No ballot shall be counted which is marked contrary to law, except that no ballot shall be rejected for any technical error unless it is impossible to determine the voter's choice. If two or more ballots are found folded together among the ballots removed from a ballot box, they shall be deemed to be fraudulent. Such ballots shall not be counted. They shall be marked "Fraudulent" and shall be placed in an envelope indorsed "Not Counted" with the reasons therefor, and such envelope shall be delivered to the board of elections together with other uncounted ballots.

No ballot shall be rejected because of being marked with ink or by any writing instrument other than one of the pencils provided by the board of elections.

Amended by 129th General Assembly File No.105, SB 295, §1, eff. 8/15/2012.

Amended by 129th General Assembly File No.40, HB 194, §1 Made subject to referendum in the Nov. 6, 2012 election. The version of this section thus amended was repealed by 129th General Assembly File No.105, SB 295, §1, eff. 8/15/2012.

Effective Date: 05-13-1976

### **O.R.C. 3506.21 Optical scan ballot marking requirements.**

(A) As used in this section, "optical scan ballot" means a ballot that is marked by using a specified writing instrument to fill in a designated position to record a voter's candidate, question, or issue choice and that can be scanned and electronically read to tabulate the vote.

(B) (1) In addition to marks that can be scanned and electronically read by automatic tabulating equipment, any of the following marks, if most of those marks are made in a consistent manner throughout an optical scan ballot, shall be counted as a valid vote:

- (a) A candidate, question, or issue choice that has been circled by the voter;
- (b) An oval beside the candidate, question, or issue choice that has been circled by the voter;
- (c) An oval beside the candidate, question, or issue choice that has been marked by the voter with an "x," a check mark, or other recognizable mark;
- (d) A candidate, question, or issue choice that has been marked with a writing instrument that cannot be recognized by automatic tabulating equipment.

(2) Marks made on an optical scan ballot in accordance with division (B)(1) of this section shall be counted as valid votes only if that optical scan ballot contains no marks that can be scanned and electronically read by automatic tabulating equipment.

(3) If automatic tabulating equipment detects that more marks were made on an optical scan ballot for a particular office, question, or issue than the number of selections that a voter is allowed by law to make for that office, question, or issue, the voter's ballot shall be invalidated for that office, question, or issue. The ballot shall not be invalidated for any other office, question, or issue for which the automatic tabulating equipment detects a vote to have been cast, in accordance with the law.

(C) The secretary of state may adopt rules under Chapter 119. of the Revised Code to authorize additional types of optical scan ballots and to specify the types of marks on those ballots that shall be counted as a valid vote to ensure consistency in the counting of ballots throughout the state.

(D)(1) A board of elections of a county that uses optical scan ballots and automatic tabulating equipment as the primary voting system for the county shall not tabulate the unofficial results of optical scan ballots voted on election day at a central location.

(2) A board of elections that provides for the tabulation at each precinct of voted ballots, and then, at a central location, combines those precinct ballot totals with ballot totals from other precincts, including optical scan ballots voted by absent voters, shall not be tabulating the unofficial results of optical scan ballots at a central location for the purpose of division (D)(1) of this section.

Effective Date: 05-02-2006; 2008 SB 286 02-27-2008

# Agenda Item

#4

# August 8, 2023 Special Election Official Canvass Certification Data

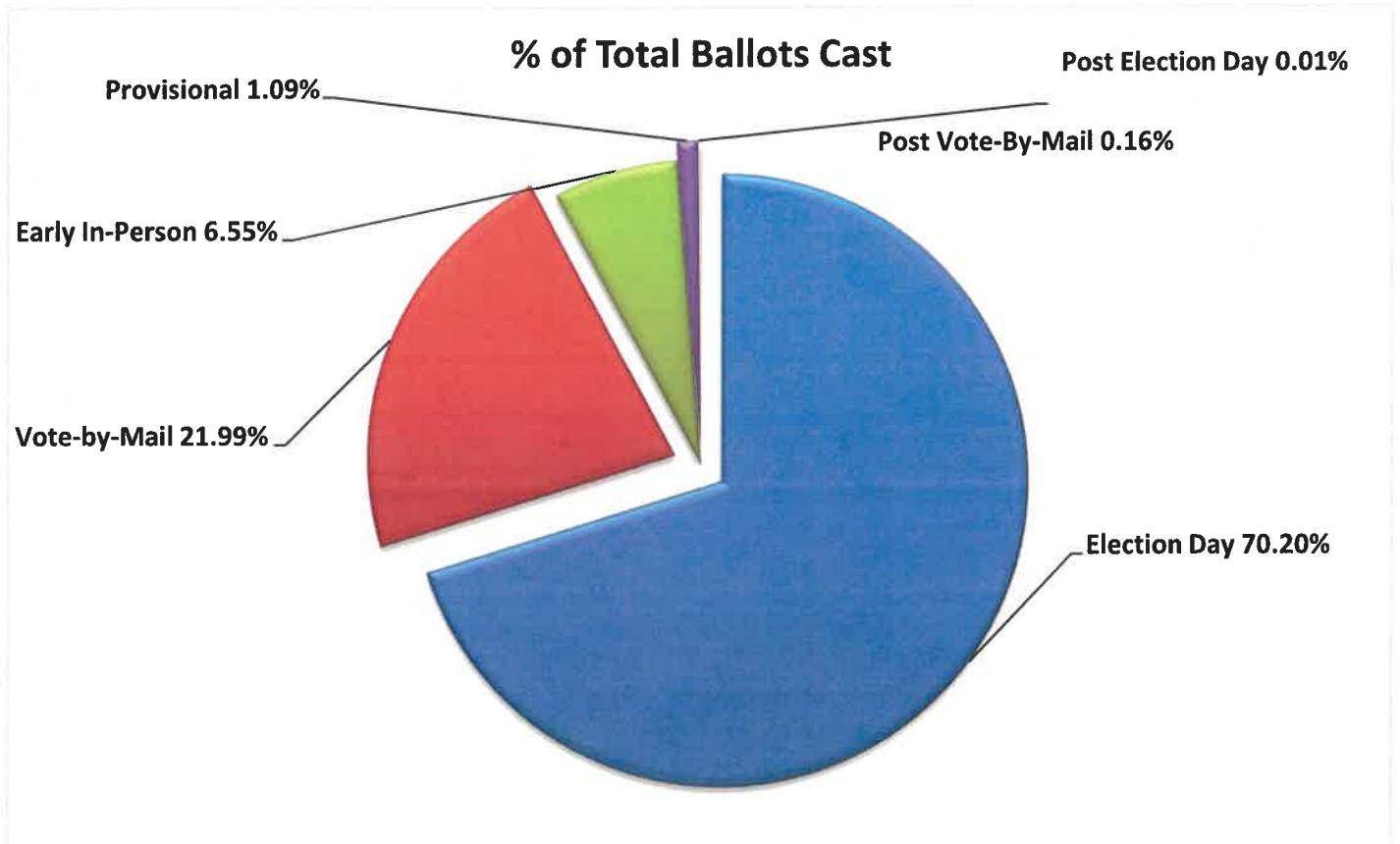
## FINAL RESULTS

Official Election Results for the August 8, 2023 Special Election are attached to the Election Summary Report.

## SUMMARY OF OFFICIAL CANVASS

There was a total of 335,356 ballots tabulated for the August 8, 2023 Special Election. Below is a breakdown of the ballots counted by category and a percentage of the total vote by category.

| Category                        | Ballots Cast   | % of Total Ballots Cast |
|---------------------------------|----------------|-------------------------|
| <b><i>Election Day</i></b>      | 235,429        | 70.20%                  |
| <b><i>Vote-by-Mail</i></b>      | 73,741         | 21.99%                  |
| <b><i>Early In-Person</i></b>   | 21,966         | 6.55%                   |
| <b><i>Provisional</i></b>       | 3,663          | 1.09%                   |
| <b><i>Post Election Day</i></b> | 37             | 0.01%                   |
| <b><i>Post Vote-By-Mail</i></b> | 520            | 0.16%                   |
| <b>Total</b>                    | <b>335,356</b> |                         |



## VOTE-BY-MAIL/EARLY IN-PERSON SUMMARY

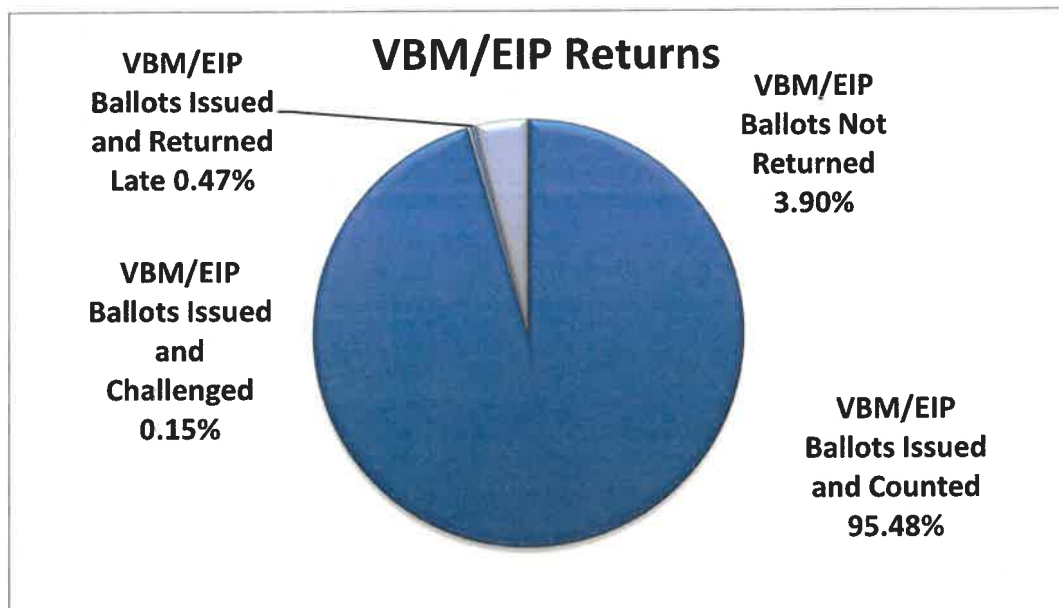
A total of 100,779 ballots were issued during Vote-by-Mail and Early In-Person voting. Of those ballots, 96,219 (95.48%) were returned and counted by the Ballot Department. There were 631 challenged or late VBM/EIP ballots, resulting in a 0.65%\* Challenge Rate for this election.

\*The Challenge Rate is 0.16% when voters who returned their ballot late are excluded.

| VBM/EIP Data                | Vote by Mail | Early In-Person | Military and Overseas | Total          |
|-----------------------------|--------------|-----------------|-----------------------|----------------|
| <b>Issued</b>               | 78,532       | 21,966          | 281                   | <b>100,779</b> |
| <b>Returned and Counted</b> | 74,064       | 21,966          | 189                   | <b>96,219</b>  |
| <b>Challenged</b>           | 155          | 0               | 0                     | <b>155</b>     |
| <b>Returned Late</b>        | 476          | 0               | 0                     | <b>476</b>     |
| <b>Not Returned</b>         | 3,837        | 0               | 92                    | <b>3,929</b>   |

| VBM/EIP Data - Challenge Rate        |        |
|--------------------------------------|--------|
| <b>Overall Return Rate</b>           | 96.10% |
| <b>Challenge Rate (Total)</b>        | 0.65%  |
| <b>Challenge Rate (Late Removed)</b> | 0.16%  |

| VBM/EIP Ballots Challenged           | Number of Challenged Ballots | % of Total Challenged VBM |
|--------------------------------------|------------------------------|---------------------------|
| Ballot Not Returned With ID Envelope | 61                           | 39.35%                    |
| ID Invalid                           | 43                           | 27.74%                    |
| Signature Not Provided               | 15                           | 9.68%                     |
| ID Not Provided                      | 14                           | 9.03%                     |
| ID Envelope Not Returned             | 10                           | 6.45%                     |
| Stub Not Returned With Ballot        | 5                            | 3.23%                     |
| ID Envelope Incomplete               | 3                            | 1.94%                     |
| Wrong Voter Completed ID Envelope    | 2                            | 1.29%                     |
| Signature Invalid                    | 2                            | 1.29%                     |
| <b>Total</b>                         | <b>155</b>                   |                           |



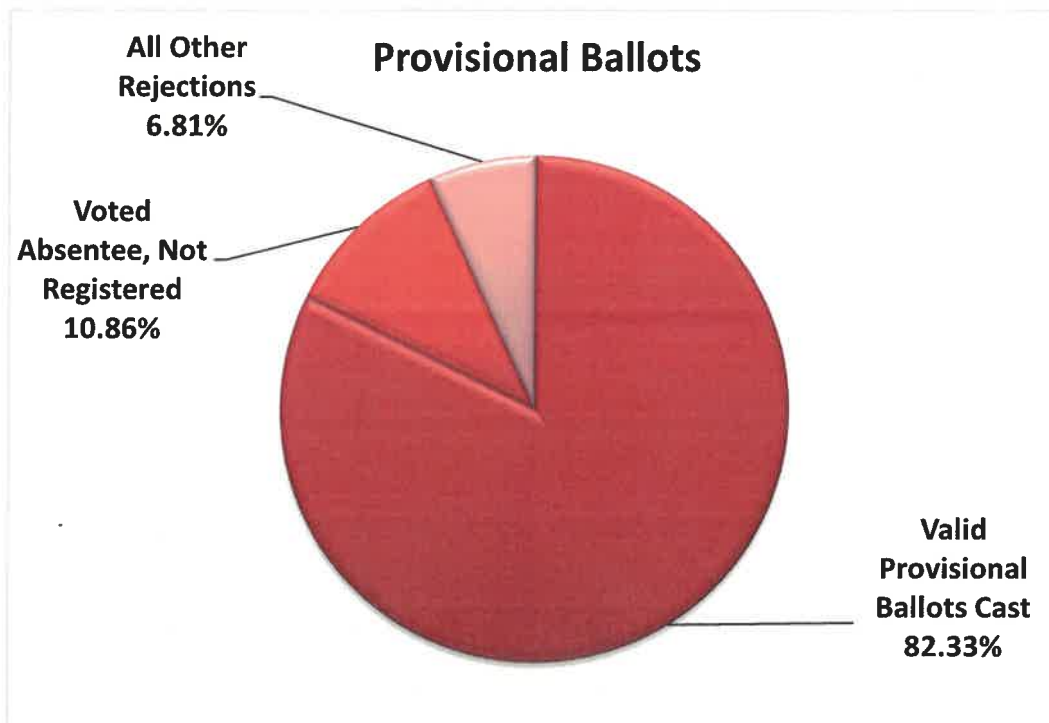


## PROVISIONAL VOTING SUMMARY

A total of 4,449 Provisional Ballots were cast during the August 8, 2023 Special Election. Of those ballots, 3,663 (82.33%) were valid and tabulated by the Ballot Department. There were 786 invalid Provisional Ballots, resulting in a 17.67%\* rejection rate for this election.

\*The Provisional Rejection Rate is 6.81% when provisional voters who have already cast a VBM Ballot or are Not Registered are excluded.

| Provisional Data                                       |          |                       |
|--|----------|-----------------------|
| Total Provisional Ballots Cast                         | 4,449    |                       |
| Valid Provisional Ballots                              | 3,663    | 82.33%                |
| Wrong Precinct, Correct Location of Valid Provisionals | 58       | 1.58%                 |
| Rejected Provisional Ballots                           | 786      | 17.67%                |
| Rejection Category                                     | Rejected | % of Total Rejections |
| Not Registered   | 452      | 57.51%                |
| Missing Identification                                 | 137      | 17.43%                |
| Wrong Precinct Wrong Location                          | 77       | 9.80%                 |
| Voted Absentee   | 31       | 3.94%                 |
| Non-Matching Identification                            | 29       | 3.69%                 |
| Missing Date of Birth                                  | 16       | 2.04%                 |
| Bad Address  | 12       | 1.53%                 |
| No Signature   | 9        | 1.15%                 |
| Empty Envelope   | 7        | 0.89%                 |
| Voted Absentee- Challenge                              | 5        | 0.64%                 |
| Missing Address  | 4        | 0.51%                 |
| Voter Voted in Wrong County                            | 4        | 0.51%                 |
| Non-Matching Signature                                 | 1        | 0.13%                 |
| No Printed Name  | 1        | 0.13%                 |
| Not Eligible for Election (17 Year Old Voter)          | 1        | 0.13%                 |



## BALLOT REMAKES

During the election, 249 ballot sheets were processed in accordance with the CCBOE Adjudication (presented to the Board on August 29, 2023). The overall remake rate for this election was 0.074%. Excluding UOCAVA & Voted For Ineligible Contest, the remake rate for this election was 0.018%.

| Onscreen Ballot Adjudication  | Number of Remakes        | % of Total Remakes        |
|---|--------------------------|---------------------------|
| 1 - Ballot folded, torn, or mutilated.  | 19                       | 7.63%                     |
| 2 - Ballot contains indeterminate marks not made by the voter   | -                        | 0.00%                     |
| 3 - UOCAVA Ballot   | 187                      | 75.10%                    |
| 4 - Ballot contains votes for ineligible contest(s).  | -                        | 0.00%                     |
| 5 - Inadvertent mark made by the voter, resulting in the scanner detecting an over vote or an indeterminate mark.   | 6                        | 2.41%                     |
| 6 - Voter marked entire ballot contrary to the instruction listed at the beginning of the ballot.   | 6                        | 2.41%                     |
| 7 - Voter marked part of the ballot according to the ballot marking instructions contained on the ballot, and part of the ballot contrary to the instructions.  | 31                       | 12.45%                    |
| <b>Manual Remake ONLY</b>   | <b>Number of Remakes</b> | <b>% of Total Remakes</b> |
| 8 - Voter marked part of the ballot in accordance with the ballot marking instructions contained on the ballot, and part of the ballot contrary to the instructions.  | -                        | 0.00%                     |
| 9 - Over vote, voter marked the ballot more than the permissible number of times for a particular contest, and there is no indication of contrary intent  | -                        | 0.00%                     |
| 10 - Voter filled in an oval next to a candidate for an office and also cast a write-in vote for a vote for a candidate for the same office by filling in the oval of, and the writing in of, the name of a write-in candidate. | -                        | 0.00%                     |
| <b>Total</b>  | <b>249</b>               | <b>100.00%</b>            |

| Category                                  | Remakes Removed | Remake Rate   |
|---|-----------------|---------------|
| Regular VBM & Provisional Ballot Scanning | 62              | 0.018%        |
| UOCAVA & Voted For Ineligible Contest     | 187             | 0.056%        |
| <b>Total</b>                              | <b>249</b>      | <b>0.074%</b> |

## OVER VOTES

There was a total of 13 over votes recorded, resulting in a 0.0039% over vote rate for the election.

## VOTER HISTORY / BALLOT RECONCILIATION

Nine hundred and sixty seven (967) precincts were involved in this election. Voter History is complete.

Ballot Reconciliation is ongoing.

## RECOUNTS

There is no automatic recount for this election.

The requested recount deadline is Tuesday, September 5, 2023 at 4:00 PM.

## AUDIT

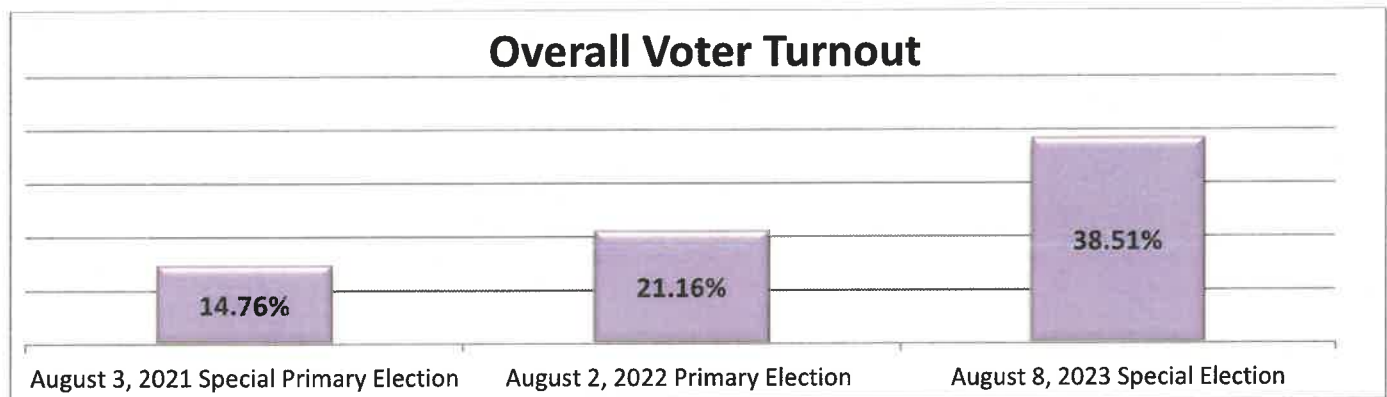
The post-election audit will be conducted beginning Wednesday, September 6, 2023 at 9:00 AM.

The audit will be conducted using the batch-based risk-limiting audit method.

## HISTORICAL DATA

The following data sets and graphs include similar election comparisons related to election information and voting method distributions (ballot categories).

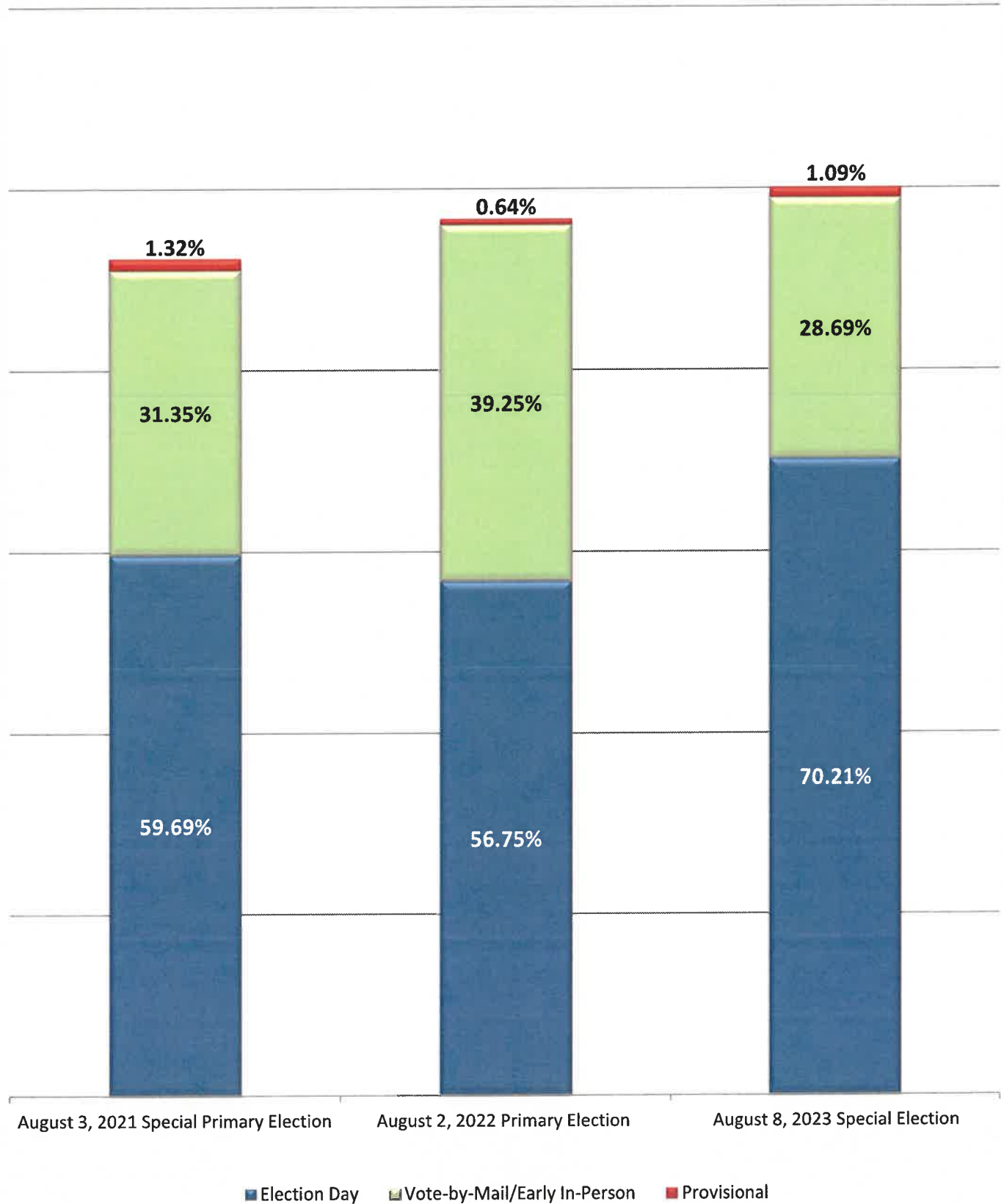
|                               | August 3, 2021<br>Special Primary Election | August 2, 2022<br>Primary Election | August 8, 2023<br>Special Election |
|-------------------------------|--|------------------------------------|------------------------------------|
| <b>Precincts</b>              | 513  | 975                                | 967                                |
| <b>Registered Voters</b>      | 421,712                                    | 873,795                            | 870,869                            |
| <b>Ballots Cast - Counted</b> | 75,091                                     | 92,042                             | 335,356                            |
| <i>Election Day</i>           | 44,591                                     | 52,090                             | 235,429                            |
| <i>Vote-by-Mail</i>           | 22,996                                     | 35,350                             | 73,741                             |
| <i>Early In-Person</i>        | 5,738                                      | 3,094                              | 21,966                             |
| <i>Provisional</i>            | 988  | 590                                | 3,663                              |
| <i>Post Election Day</i>      | 231  | 145                                | 37                                 |
| <i>Post Vote-by-Mail</i>      | 547  | 773                                | 520                                |
| <b>Voter Turnout</b>          | 14.76%                                     | 21.16%                             | 38.51%                             |



### Ballots Cast by Category - % of Total Ballots Cast

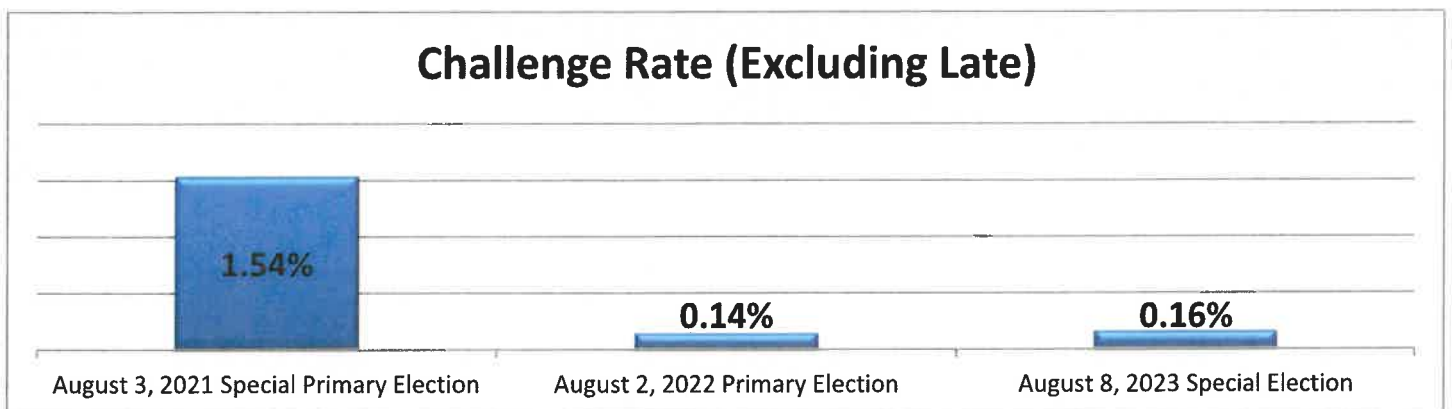
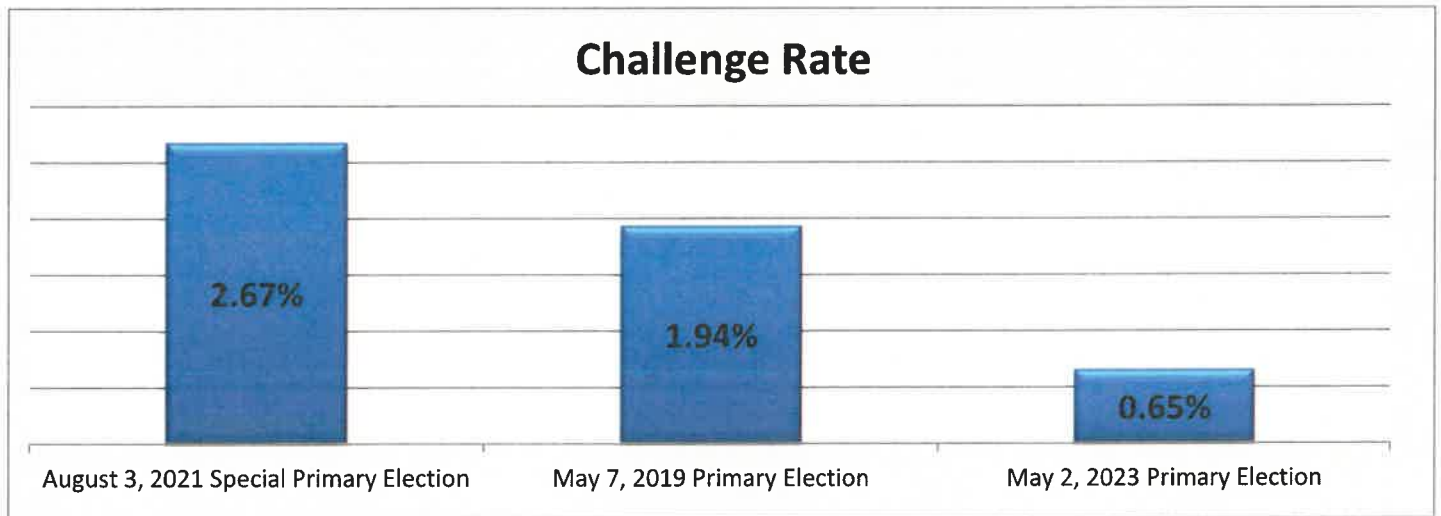
|                                     | August 3, 2021<br>Special Primary Election | August 2, 2022<br>Primary Election | August 8, 2023<br>Special Election |
|-------------------------------------|--|------------------------------------|------------------------------------|
| <b>Election Day</b>                 | 59.69%                                     | 56.75%                             | 70.21%                             |
| <b>Vote-by-Mail/Early In-Person</b> | 31.35%                                     | 39.25%                             | 28.69%                             |
| <b>Provisional</b>                  | 1.32%                                      | 0.64%                              | 1.09%                              |

### Voter Turnout by Category



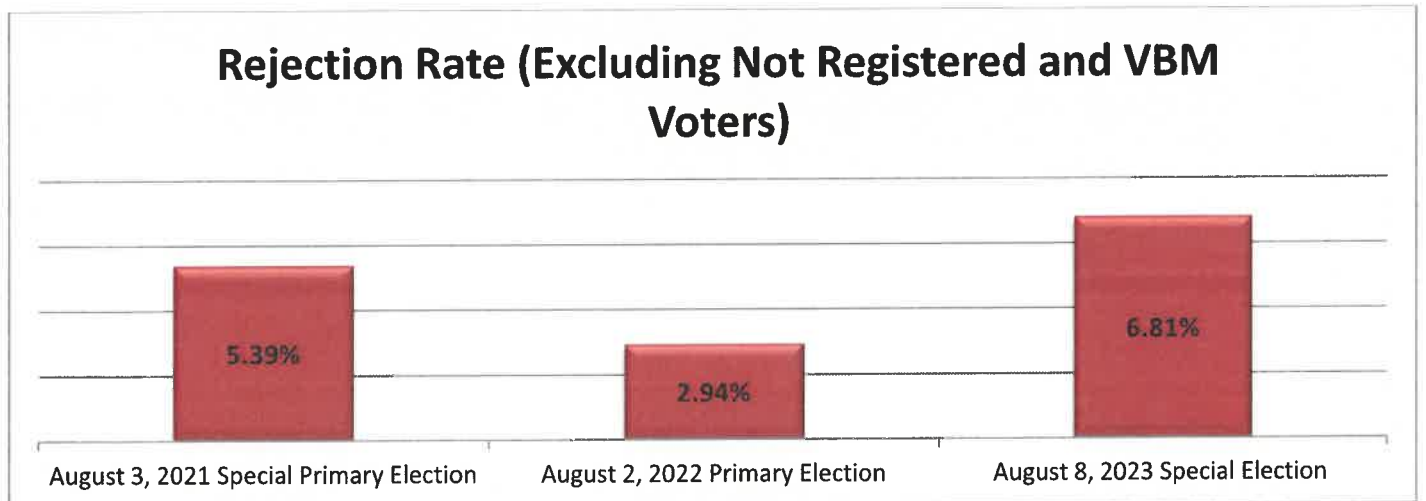
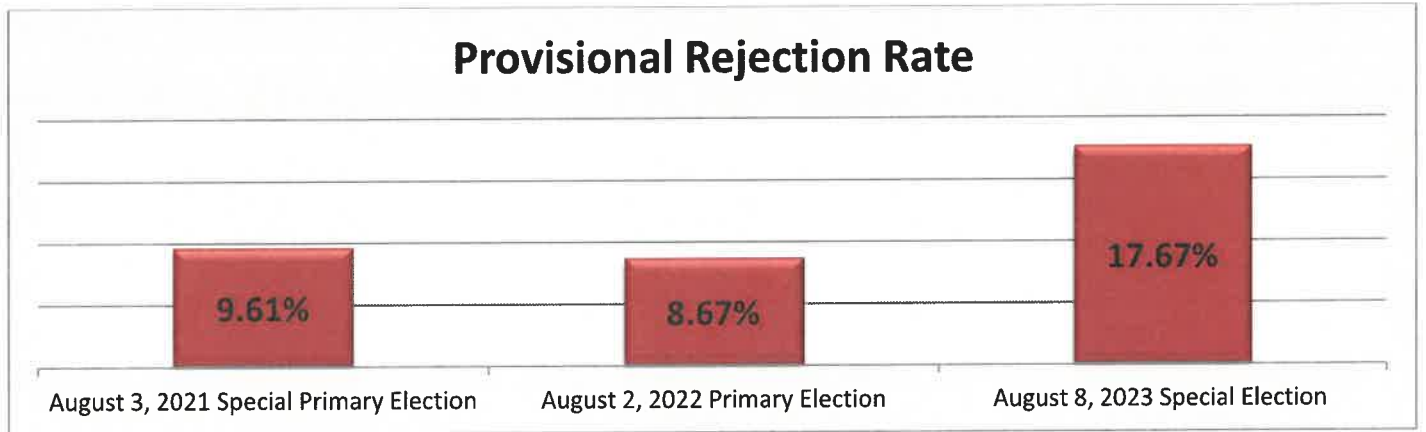
**Vote-by-Mail Data**

|  | August 8, 2021<br>Special Primary<br>Election | August 2, 2022<br>Primary Election | August 8, 2023<br>Special Election |
|--|---|------------------------------------|------------------------------------|
| VBM Ballots Issued                                   | 32,954  | 45,592                             | 100,779                            |
| VBM Ballots Returned                                 | 29,384  | 36,048                             | 96,850                             |
| VBM Ballots Counted                                  | 29,278  | 35,350                             | 96,219                             |
| VBM Ballots Challenged                               | 446   | 698                                | 155                                |
| VBM Ballots Returned Late                            | 340   | 647                                | 476                                |
| VBM Ballots Issued and Returned                      | 89.17%  | 79.07%                             | 96.10%                             |
| VBM Ballots Returned and Counted                     | 99.64%  | 98.06%                             | 99.35%                             |
| VBM Ballots Returned and Challenged                  | 0.36%   | 0.14%                              | 0.16%                              |
| VBM Ballots Issued and Returned Late                 | 1.16%   | 1.79%                              | 0.49%                              |
| VBM Ballots Returned and Challenged (excluding late) | 1.54%   | 0.14%                              | 0.16%                              |



**Provisional Data**

|  | August 3, 2021 Special Primary Election | August 2, 2022 Primary Election | August 8, 2023 Special Election |
|--|---|---------------------------------|---------------------------------|
| <b>Provisional Ballots - CAST</b>                                      | 1,093                                   | 646                             | 4,449                           |
| <b>Provisional Ballots - VALID</b>                                     | 988                                     | 590                             | 3,663                           |
| <b>Provisional Ballots - REJECTED</b>                                  | 105                                     | 56                              | 786                             |
| <b>Valid Provisional Ballots Cast</b>                                  | 90.39%                                  | 91.33%                          | 82.33%                          |
| <b>Rejected Provisional Ballots</b>                                    | 9.61%                                   | 8.67%                           | 17.67%                          |
| <b>VBM Voters</b>  | 15                                      | 13                              | 31                              |
| <b>Not Registered In The State of Ohio</b>                             | 46                                      | 24                              | 452                             |
| <b>Wrong Precinct, Wrong Location</b>                                  | 9                                       | 6                               | 77                              |
| <b>Correct Location Remakes</b>  | 18                                      | 28                              | 58                              |
| <b>Rejected Not Including VBM &amp; Not Registered of Ballots Cast</b> | 5.39%                                   | 2.94%                           | 6.81%                           |
| <b>Wrong Precinct, Wrong Location of Ballots Cast</b>                  | 0.82%                                   | 0.93%                           | 1.73%                           |



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OFFICIAL CANVASS - SUMMARY REPORT  
CUYAHOGA COUNTY, AUGUST 8, 2023 SPECIAL ELECTION  
All Precincts, All Districts, All Counter Groups, All ScanStations, All Contests, All Boxes  
Total Ballots Cast: 335356, Registered Voters: 870869, Overall Turnout: 38.51%  
967 precincts reported out of 967 total

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Page: 1 of 1  
2023-08-25  
08:32:09

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| <u>Choice</u> | <u>Votes</u> | <u>Vote %</u> |
|---------------|--------------|---------------|
|---------------|--------------|---------------|

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**All Precincts**

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**Issue 1 (Vote for 1)**

**335356 ballots (13 over voted ballots, 13 overvotes, 114 undervotes), 870869 registered voters, turnout 38.51%**

**967 precincts reported out of 967 total**

|            |        |         |
|------------|--------|---------|
| Yes        | 78637  | 23.46%  |
| No         | 256592 | 76.54%  |
| Total      | 335229 | 100.00% |
| Overvotes  | 13     |         |
| Undervotes | 114    |         |



# Agenda Item

#5

## Agenda Item #5:

Acknowledgment of the date, time, and place of the post-election audit for the August 8, 2023, Special Election

Analysis  
Agenda Items  
6 - 14

**Analysis of Protests: Cleveland Municipal Court Candidates  
November 7, 2023 General Election  
August 29, 2023 Board Meeting**

**Issue:** Requires 3,000 signatures for filing.  
**Protest filed by:** Jeffrey Mixon  
**Candidates protested:**

1. Jeff Johnson, Cleveland Judge FTC 1/5/24
2. Sheila Turner McCall, Cleveland Judge FTC 1/4/24

**Protests filed by:** Mariah Crenshaw  
**Candidates protested:**

1. Sydney Strickland Saffold, Cleveland Judge FTC 1/1/24
2. Joseph Russo, Cleveland Judge FTC 1/2/24
3. Jocelyn Conwell, Cleveland Judge FTC 1/3/24
4. Heather McCollough, Cleveland Judge FTC 1/5/24
5. Martin J. Sweeney, Cleveland Clerk of Courts
6. Earle B. Turner, Cleveland Clerk of Courts

**BOE Response**

- The Cleveland Municipal Court District is comprised of the City of Cleveland and the Village of Bratenahl.
- Ohio Revised Code 1901.07(1) states in relevant part “in the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices.
- Section 4 of the Cleveland charter conflicts with the ORC and states: *“Candidates for all offices to be voted for at any regular Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday in September prior to the regular Municipal election....”*.
- Thus, Cleveland Municipal judicial candidates file directly to the November General Election and have no primary election because the ORC states judges shall be “nominated by petition only.” For offices filing for primary elections, candidates file a Declaration of Candidacy and a Petition for Candidate, whereas candidates for a General Election file a Nominating Petition and Statement of Candidacy.

- If the protest’s argument is accepted by the CCBOE, Cleveland judicial candidates would be required to file 3,000 signatures and have a primary election in September. Neither of these instances have occurred in more than 23 years.
- *If the Board agrees that a judicial candidate is required to submit 3,000 valid signatures, then **all** candidates for Cleveland Judicial office should be removed from the ballot.*

| <b>Cleveland Municipal Court Judge</b> | <b>Candidate</b>          | <b>Signatures Submitted</b> |
|--|---------------------------|-----------------------------|
| Full Term Commencing 1/1/2024          | Sydney Strickland Saffold | 115                         |
| Full Term Commencing 1/2/2024          | Joseph F. Russo           | 105                         |
|  | Jazmin G. Torres-Lugo     | 150                         |
| Full Term Commencing 1/3/2024          | Jocelyn Conwell           | 111                         |
|  | TJ Dow                    | 89                          |
|  | Joanna N. Lopez Inman     | 98                          |
|  | Bridget M. O'Brien        | 94                          |
| Full Term Commencing 1/4/2024          | Timothy W. Clary          | 89                          |
|  | Shiela Turner McCall      | 163                         |
| Full Term Commencing 1/5/2024          | Jeff Johnson              | 138                         |
|  | Mark R. Majer             | 127                         |
|  | Heather McCollough        | 81                          |
| Full Term Commencing 1/6/2024          | Michelle D. Earley        | 69                          |
| <b>Cleveland Clerk of Courts</b>       | Brian C. Kazy             | 81                          |
|  | Martin J. Sweeney         | 85                          |
|  | Earle B. Turner           | 100                         |

**City of Cleveland Legal Analysis (full opinion provided)**

Cleveland Law Director Mark Griffin concludes that “...interpreting Section 5 to apply to candidates for the Cleveland Municipal Court would be inconsistent with state law,” and that nominating petitions for a Cleveland Municipal Court Judge or Clerk of Courts must be signed by at least 50 electors of the territory of the court.

**Issue:** Cleveland Charter requires 12-month residency prior to filing petition.

**Protest filed by:** Jeff Johnson

**Candidate protested:** Mark R. Majer, Cleveland Judge FTC 1/5/24

**Protest filed by:** Mariah Crenshaw

**Candidate protested:** Jocelyn Conwell, Cleveland Judge FTC 1/3/24

#### **BOE Response**

- Section 5 of the Cleveland Charter states in part: *“and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election .... Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.*
- The CCBOE ascertained a legal opinion from Cleveland Law Director Mark Griffin advising that Charter Section 5 only applies to candidates for Cleveland Mayor and Council.

#### **City of Cleveland Legal Analysis**

- City of Cleveland Law Director Mark Griffin’s Legal Opinion conclusion states in part that “because the geographic jurisdiction of the Cleveland Municipal Court includes the Village of Bratenahl, the Cleveland City Charter may not govern electors from outside of Cleveland’s boundaries” and that “statutes and regulations that limit an individual’s right to office must be liberally construed in favor of those seeking public office. In conclusion, candidates for judge for the Cleveland Municipal Court are not subject to Section 5 of the City’s Charter and the requirements contained therein.”

**Issue:** Candidate is not a resident of the City of Cleveland  
**Protest filed by:** Mariah Crenshaw  
**Candidate protested:** Jocelyn Conwell, Cleveland Judge FTC 1/3/24

**BOE Response**

- Jocelyn Conwell has been a registered voter at 3878 East 151<sup>st</sup> Street, Cleveland, OH, 44128 since December 5, 2022.
- The CCBOE has a signed voter registration confirmation notice signed by Ms. Conwell confirming said address.
- Ms. Conwell voted at her correct Cleveland polling location in-person most recently at the August 8, 2023 Special Election.
- Ms. Conwell filed petitions to run for Judge in 2023 that include a legal affirmation of said address.
- On August 16, 2023, a challenge of the right to vote at said address, filed against Ms. Conwell by Ms. Crenshaw, was denied by the CCBOE for lacking sufficient evidence.

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**Relevant Statutes Discussed**

**ORC Section 1901.07 | Term of office of judge - nomination, election.**

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. *The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices.* Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

**Cleveland Charter – Nominations**

§ 4 *Nominations Candidates for all offices to be voted for at any regular Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday in September prior to the regular Municipal election.* Candidates for all offices to be voted for

at any other Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the eighth Tuesday prior to the other Municipal elections.

§ 5 Nominating Petitions The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, *and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.* (Effective November 5, 2019)

### Supporting Documents

- Legal opinions – City of Cleveland
- Director Perlatti, letter to Crenshaw re: Conwell residency.
- ORC 1901.07
- Cleveland Charter
- Protests (Conwell, Johnson, Majer, McCall, McCollough, Russo, (Strickland Saffold, Sweeney, Turner)
- Protest Responses (Conwell, Majer, McCall, McCollough, Russo, Saffold)



# City of Cleveland

## Legal Opinion



City of Cleveland  
Justin M. Bibb, Mayor

---

Department of Law  
Mark Griffin, Director  
601 Lakeside Avenue, Room 106  
Cleveland, Ohio 44114-1077  
216/664-2800 – Fax: 216/664-2663  
[www.cleveland.oh.gov](http://www.cleveland.oh.gov)

August 17, 2023

Brent E. Lawler, Manager  
Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, OH 44115-2497

**Re: Section 5 of the Charter of the City of Cleveland and Candidates  
for the Cleveland Municipal Court Judge**

Dear Mr. Lawler,

Please accept this letter in your response to your requests for a legal opinion regarding whether Section 5 of the Charter of the City of the Cleveland ("Charter") applies to candidates for judge for Cleveland Municipal Court.

Briefly, municipal courts in Ohio are created by the Ohio Revised Code and are also governed by R.C. 1901.06, not by Cleveland City Charter Section 5. More specifically, because the geographic jurisdiction of the Cleveland Municipal Court includes the Village of Bratenahl, it is not possible for the Cleveland City Charter to govern electors from outside of Cleveland's boundaries.

Section 5 of the Charter provides as follows:

**§ 5 Nominating Petitions**

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at

In conclusion, candidates for judge for the Cleveland Municipal Court are not subject to Section 5 of the City's Charter and the requirements contained therein.

Please feel free to contact me with any questions regarding the above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Griffin". The signature is stylized and cursive.

Mark Griffin  
Director of Law



City of Cleveland  
Justin M. Bibb, Mayor

---

Department of Law  
Mark Griffin, Director  
Chief Legal Counsel  
601 Lakeside Avenue, Room 106  
Cleveland, Ohio 44114-1077  
216/664-2800 • Fax: 216/664-2663  
www.cleveland-ch.gov

August 23, 2023

Brent E. Lawler, Manager  
Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, OH 44115-2497

**Re: Section 5 of the Charter of the City of Cleveland and Candidates  
for the Cleveland Municipal Clerk of Court**

Dear Mr. Lawler,

Please accept this letter in your response to your requests for a legal opinion regarding whether Section 5 of the Charter of the City of the Cleveland ("Charter") applies to candidates for Cleveland Municipal Clerk of Court.

Briefly, municipal courts in Ohio are created by the Ohio Revised Code. Under R.C. 1901.31(A)(1)(a), the Cleveland Municipal Clerk of Court is nominated and elected by the qualified electors of the territory in the same manner that judges are nominated and elected under R.C. 1901.07. Thus, the required number of electors' signature for a Cleveland Municipal Clerk of Court petition is governed by R.C. 1901.07, which requires the signatures of at least fifty electors of the territory of the court, not by Cleveland City Charter Section 5. More specifically, because the geographic jurisdiction of the Cleveland Municipal Court includes the Village of Bratenahl, it is not possible for the Cleveland City Charter to govern electors from outside of Cleveland's boundaries.

Section 5 of the Charter provides as follows:

**§ 5 Nominating Petitions**

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been

an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.

Section 5 does not apply to candidates for Cleveland Municipal Clerk of Court for several reasons. First, this section applies to candidates running for City office that are provided for in the City's Charter as evidenced by the beginning of this section which states "[t]he name of any elector of the City shall be printed on the ballot." Under the Charter, the elected officers of the City are specifically council members and the Mayor. See Section 24 which provides in relevant part that "[m]embers of Council shall be elected for a term of four years" and Section 68, which provides in relevant part that the Mayor shall be elected for a term of four years. See also Section 15 which provides in relevant part that "[a]ll elections provided for by this Charter, whether **for the choice of officers or the submission of questions to voters**, shall be conducted by the election authorities prescribed by general law of the State; and the provisions of general election laws of the State shall apply to all the elections except as provision is otherwise made by this Charter. . . )(emphasis added). The Cleveland Municipal Clerk of Court is not included among the identified elected City officers under the City's Charter and, therefore, the requirements contained in Section 5 of the Charter do not apply to candidates for Cleveland Municipal Clerk of Court.

Second, interpreting Section 5 to apply to candidates for the Cleveland Municipal Clerk of Court would be inconsistent with state law. The Cleveland Municipal Court is established by R.C. 1901.01, under the authority of Article IV, Section 1 of the Ohio Constitution. Under R.C. 1901.02, the Cleveland Municipal Court's territorial jurisdiction includes the City of Cleveland and the Village of Bratenahl. Under R.C. 1901.31(A)(1)(a), the Cleveland Municipal Clerk of Court is nominated and elected by the qualified electors of the territory in the same manner that judges are nominated and elected under R.C. 1901.07. Under Division (C)(1) of this section, a nominating petition for a Cleveland Municipal Court judge must be signed by at least 50 electors of the territory of the court. Thus, a petition for Cleveland Municipal Clerk of Court must be signed by at least 50 electors of the territory of the court.

Third, because the geographic jurisdiction of the Cleveland Municipal Court includes the Village of Bratenahl, the Cleveland City Charter may not govern electors from outside of Cleveland's boundaries. See 2013 Op. Att'y Gen. No. 2013-009.

Finally, statutes and regulations that limit an individual's right to hold office must be liberally construed to favor those seeking public office. See State ex rel. O'Donnell v. Cuyahoga Cty. Bd. of Elections, 136 Ohio App.3d 584, 737 N.E.2d 541 (8<sup>th</sup> Dist. Cuyahoga County 2000).

In conclusion, candidates for Cleveland Municipal Clerk of Court are not subject to Section 5 of the City's Charter and the requirements contained therein.

Please feel free to contact me with any questions regarding the above.

Sincerely,

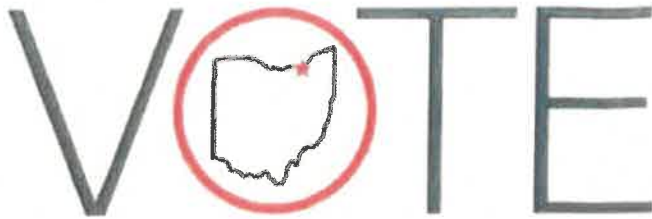
A handwritten signature in blue ink, appearing to read "Mark Griffin". The signature is fluid and cursive, with a prominent initial "M" and a long, sweeping tail.

Mark Griffin  
Director of Law

Challenge of Right to  
Vote Denial Letter from  
Director Perlatti to  
Crenshaw

Re:

Jocelyn Conwell



# CUYAHOGA COUNTY BOARD OF ELECTIONS

**Henry F Curtis, IV**  
Chairman

**Inajo Davis Chappell**  
Member

**Lisa M. Stickan**  
Member

**Terence M. McCafferty**  
Member

**Anthony W. Perlatti**  
Director

**Anthony N. Kaloger**  
Deputy Director

August 16, 2023

**Via US Mail and Email**

Ms. Maria Crenshaw  
3472 East 114<sup>th</sup> Street  
Cleveland, Ohio 44104

Dear Ms. Crenshaw,

The Cuyahoga County Board of Elections (CCBOE) has received and reviewed the Challenge of Right to Vote and Correction of Registration List, SOS Form No. 257 you filed with the CCBOE.

In your challenge you indicate that Jocelyn Conwell does not reside in the City of Cleveland, but at 4321 Bayard Road, South Euclid, Ohio, 44121. You point to campaign literature from 2014 in which Ms. Conwell states she is a long-term South Euclid resident, and you also note her voting history while she was a South Euclid resident. While the information you provided seems to be accurate for the respective period, Ms. Conwell has updated her voter registration information since that time and is no longer a registered South Euclid voter.

The CCBOE is in receipt of a voter registration card signed by Ms. Conwell dated December 5, 2022 changing her registration to 3878 East 151<sup>st</sup> Street, Cleveland, Ohio, 44128. The CCBOE also has a voter registration confirmation notice signed by Ms. Conwell confirming her registration address at the 3878 East 151<sup>st</sup> Street address. In the August 8, 2023 Special Election Ms. Conwell voted the correct Cleveland ballot associated with the 3878 East 151<sup>st</sup> Street address. Additionally, Ms. Conwell has filed candidate petitions in 2023 with the CCBOE that include an affirmation statement signed by her affirming her address at the 3878 East 151<sup>st</sup> Street address.

Based on the reasons stated above and the records held within the CCBOE, there is not sufficient information to proceed with your challenge and therefore this challenge is denied.

Sincerely,

Anthony Perlatti  
Director, Cuyahoga County Board of Elections



# Ohio Revised Code

## 1901.07 (C) 1

Term of office of judge  
– nomination, election



## Ohio Revised Code

### Section 1901.07 Term of office of judge - nomination, election.

Effective: June 13, 2017

Legislation: Senate Bill 25, House Bill 215 - 132nd General Assembly

(A) All municipal court judges shall be elected on the nonpartisan ballot for terms of six years. In a municipal court in which only one judge is to be elected in any one year, that judge's term commences on the first day of January after the election. In a municipal court in which two or more judges are to be elected in any one year, their terms commence on successive days beginning the first day of January, following the election, unless otherwise provided by section 1901.08 of the Revised Code.

(B) All candidates for municipal court judge may be nominated either by nominating petition or by primary election, except that if the jurisdiction of a municipal court extends only to the corporate limits of the municipal corporation in which the court is located and that municipal corporation operates under a charter, all candidates shall be nominated in the same manner provided in the charter for the office of municipal court judge or, if no specific provisions are made in the charter for the office of municipal court judge, in the same manner as the charter prescribes for the nomination and election of the legislative authority of the municipal corporation.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, all candidates for party nomination to the office of municipal court judge shall file a declaration of candidacy and petition not later than four p.m. of the ninetieth day before the day of the primary election in the form prescribed by section 3513.07 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.05 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court. If no valid declaration of candidacy is filed for nomination as a candidate of a political party for election to the office of municipal court judge, or if the number of persons filing the declarations of candidacy for nominations as candidates of one political party for election to the office does not exceed the number of candidates that that party is entitled to nominate as its candidates for election to the office, no primary election shall be held for the purpose of nominating candidates of that party



for election to the office, and the candidates shall be issued certificates of nomination in the manner set forth in section 3513.02 of the Revised Code.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, nonpartisan candidates for the office of municipal court judge shall file nominating petitions not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.257 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court.

The nominating petition or declaration of candidacy for a municipal court judge shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, the candidacies of the judges nominated shall be submitted to the electors of the territory on a nonpartisan, judicial ballot in the same manner as provided for judges of the court of common pleas, except that, in a municipal corporation operating under a charter, all candidates for municipal court judge shall be elected in conformity with the charter if provisions are made in the charter for the election of municipal court judges.

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(2) In the Toledo municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and



shall be filed in the manner and within the time prescribed by the charter of the city of Toledo for filing nominating petitions for city council. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(3) In the Akron municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Akron for filing nominating petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(4) In the Hamilton county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least one hundred electors of the judicial district of the county from which the candidate seeks election, which petitions shall be signed and filed not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. Unless otherwise provided in this section, the petition shall conform to the requirements provided for nominating petitions in section 3513.257 of the Revised Code. The judges shall be elected by the electors of the relative judicial district of the county at the regular municipal election and in the manner provided by law for the election of judges of the court of common pleas.

(5) In the Franklin county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. The petition shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Columbus for filing petitions of candidates for municipal offices. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(6) In the Auglaize, Brown, Carroll, Clermont, Crawford, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, Sandusky, and Wayne county municipal courts, the judges shall be nominated only by petition. The petitions shall be signed by at least fifty electors of



the territory of the court and shall conform to the provisions of this section.

(D) In the Portage county municipal court, the judges shall be nominated either by nominating petition or by primary election, as provided in division (B) of this section.

(E) As used in this section, as to an election for either a full or an unexpired term, "the territory within the jurisdiction of the court" means that territory as it will be on the first day of January after the election.

*The Legislative Service Commission presents the text of this section as a composite of the section as amended by multiple acts of the General Assembly. This presentation recognizes the principle stated in R.C. 1.52(B) that amendments are to be harmonized if reasonably capable of simultaneous operation.*

City of Cleveland  
Charter  
Nominations

### § 3 Elections

A general election for the choice of elective officers provided for in this Charter shall be held on the first Tuesday after the first Monday in November every four years commencing November 1981. Elections so held shall be known as regular Municipal elections. The other elections shall be held as may be required by law, or provided for in this Charter.

(Effective November 4, 2008)

### § 4 Nominations

Candidates for all offices to be voted for at any regular Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday in September prior to the regular Municipal election. Candidates for all offices to be voted for at any other Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the eighth Tuesday prior to the other Municipal elections.

(Effective November 4, 2008)

### § 5 Nominating Petitions

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.

(Effective November 5, 2019)

### § 6 Petition Form

The signatures to a nominating petition need not all be appended to one paper, but on each separate paper the circulator shall indicate the number of signatures contained on the petition, and shall sign a statement made under penalty of election falsification that the circulator witnesses the affixing of every signature, that all signers were to the best of the circulator's knowledge and belief qualified to sign, and that every signature is to the best of the circulator's knowledge and belief the signature of the person whose name it purports to be. Each signer of a petition shall sign his or her name in ink or indelible pencil, and shall place on the petition after his or her name the signer's place of residence by street and number, or other description sufficient to identify the place, and give the date when the signer's signature was made.

(Effective November 4, 2008)

### § 7 Candidacy and Nominating Petition Papers

The statement of candidacy and nominating petition papers shall be standard forms of the Secretary of State as required under the general law of the State.

(Effective November 5, 2019)

### § 8 Filing and Verification of Petitions

All separate papers comprising a statement of candidacy and nominating petition shall be assembled and filed with the election authorities as one instrument no later than four p.m. on the ninetieth (90th) day prior to the day of the primary election. Within ten (10) days after the filing of a nominating petition the election authorities shall notify the person named in the petition as a candidate whether the petition is found to be signed by the required number of qualified electors. If insufficient, the person named in the petition as candidate may amend the petition by filing additional petition papers within five (5) days after notification of insufficiency by the election authorities. Within five (5) days after the filing of the additional petition papers, the election authorities shall notify the person named in the petition as candidate whether the amended petition is found to be signed by the required number of qualified electors.

(Effective November 5, 2019)

### § 10 Selection of Candidates

The number of candidates for any office at any regular Municipal election in the City at large or in each ward, as the case may be, shall be the two candidates on the primary election ballot receiving the highest number of votes at the primary election. In case there shall not be for any office more than two persons who shall have filed petitions as provided for in this Charter, then said persons shall be the candidates at the regular Municipal election and the primary for the particular office shall not be held.

The name of each person who is nominated in compliance herewith shall be printed on the official ballot at the general election, and the names of no other candidates shall be printed thereon.

(Effective October 8, 1971)

### § 15 General Laws to Apply

All elections provided for by this Charter, whether for the choice of officers or the submission of questions to the voters, shall be

conducted by the election authorities prescribed by general law of the State; and the provisions of the general election laws of the State shall apply to all the elections except as provision is otherwise made by this Charter, and except further that the Council may, by ordinance, provide measures to promote and insure the purity and integrity of the ballot, and against corrupt practices in elections.

(Effective November 4, 2008)



# Agenda Item

#6

Protest

Jeff Johnson

Cleveland Judge FTC

1/5/24

**In the Cuyahoga County Board of Elections  
Candidacy Protest of Jeff Johnson for  
The City of Cleveland Municipal Court Judge**

Jeffrey Mixon,  
Petitioner

Vs.

Jeff Johnson,  
Respondent

I, Jeffrey Mixon, am an adult over the age of eighteen (18), resident and elector of the City of Cleveland, Ohio, Cuyahoga County, Ohio hereby submits this objection to the candidacy of Jeff Johnson for the candidacy of the Cleveland Municipal Court judge seat in the upcoming elections. Cleveland is a home-rule municipality and the City of Cleveland Charter requires persons interested in running for any at-large seat obtain three thousand (3,000) signatures of electors of the municipality. It is my understanding Jeff Johnson obtained the state minimum required signatures of electors and on December 21, 2022 submitted a total of One hundred thirty eight signatures. Mr. Johnson did not obtain the required Three thousand (3,000) signatures of electors of the municipality per the requirements of the City Charter. (See Exhibit 1) The City Charter states,

Section 3, chapter 5 which states:

Nominating Petitions states:

“The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector’s behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large,

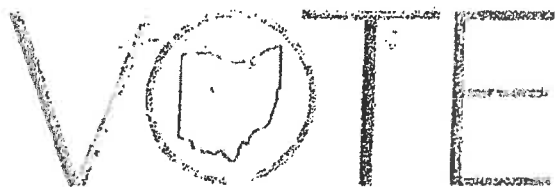
**In the Cuyahoga County Board of Elections  
Candidacy Protest of Jeff Johnson for  
The City of Cleveland Municipal Court Judge**

and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)" The voters spoke through the amendment in 2019 to require those running for a city wide race to obtain specific electors signatures. Mr. Johnson has violated the City charter by not obtaining and submitting the required signatures to be deemed an eligible and qualified elector in the upcoming races.

For these reasons I object to Respondents' name being on the upcoming ballot for municipal court judge and for voters' consideration and therefore must be removed for failing to comply with the requisite three thousand (3,000) signatures when running for an at-large seat in the municipality.

Humbly submitted,

Jeffrey B. Mixon  
Jeffrey Mixon  
1188 E 86<sup>th</sup> Street



# CUYAHOGA COUNTY BOARD OF ELECTIONS

## ***General Receipt, Candidate & Petition Services***

**Date Received:** 12.21.2022

**From:**

**Phone:** 216.536.3233

Jeff Johnson

9024 Parkgate Avenue


Cleveland, OH 44108

electjeffjohnsonforjudge@gmail.com

**Received:**

(8) part petitions for Cleveland Municipal Court FTC 1/5/24

(138) signatures

Signature: 

**Notes:**

*Petitioners' Exhibit 1*

DEC 21 '22 PM 12:19

**Received by Board of Elections-Staff: Patricia Lewis**



# Agenda Item

#7

Protest

Sheila Turner McCall

Cleveland Judge FTC

1/4/24

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Court Judge of Shiela Turner McCall**

Jeffrey Mixon,  
Relator/Petitioner

Vs.

Shiela Turner McCall,  
Respondent

I, Jeffrey Mixon, am an adult over the age of eighteen (18), resident and elector of the City of Cleveland, Ohio, Cuyahoga County, Ohio hereby submits this objection to the candidacy of incumbent Judge Sheila Turner McCall in the City of Cleveland Municipal Court race(s) for the at large seat of judge. Cleveland is a home-rule municipality and the City of Cleveland Charter requires persons interested in running for any at-large seat obtain three thousand (3,000) signatures of electors of the municipality. It is my understanding Judge McCall did not obtain the required amount of signatures and submitted the state minimum requirement of fifty (50) when she submitted one hundred twenty eight (128) electors signatures on February 10, 2023. The municipal requirement exceeds the state requirement and it appears from the General receipt marked as Exhibit 1, Judge McCall falls considerably short of the three thousand signatures and therefore must be removed for violating City of Cleveland Charter Section 3, chapter 5 which states:

Nominating Petitions states:

“The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of



**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Court Judge of Shiela Turner McCall**

the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)" The voters spoke through the amendment in 2019 to require those running for a city wide race to obtain specific electors signatures.

For these reasons I object to Judge McCalls' name being on the upcoming ballots for municipal court judge and for voters' consideration.

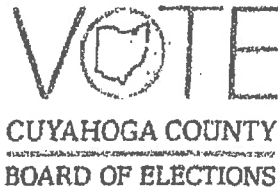
Humbly submitted,

*Jeffrey B. Minton*  
Jeffrey Minton

1188 E 86<sup>th</sup> Street  
Cleveland, Ohio 44108

216-971-7942

urbanpunditz1@gmail.com



CUYAHOGA COUNTY BOARD OF ELECTIONS
OFFICIAL CANDIDATE FILING RECEIPT

Receipt Number: 65714
Receipt Date: 02/09/2023
Election: November 7, 2023 General Election

Name to Appear on Ballot: TURNER MCCALL, SHIELA
Office Sought: CLEVE MUNI COURT JUDGE FTC 1/4/2024
City / Ward / Precinct: CLEVELAND -04-S
Party Affiliation: UNAFFILIATED

Address: 3077 LIVINGSTON RD
CLEVELAND, OH 44120

Phone Number: 216-751-3084

Email: stmesq2@att.net

Amount Filing Fee: \$ 50.00
Amount O.E.C: \$ 30.00
Total Filing Fee: \$80.00
Total Paid: \$80.00
Check Number: 4477
Total Due: 0.00

PAID
Cuyahoga County
Board of Elections

Part Petitions Filed: 9 pet.- 163 signatures

Minimum Signatures Required: 50

Valid Signatures on Petition: 128

Insufficient by No. of Signatures: N/A

Valid For Certification: Yes No

Candidate Approval: X [Signature]

Staff Approval: X [Signature]

Date: 2/16/23

Petitioner's Exhibit 1

# PROTEST RESPONSE

Shiela Turner McCall



**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

***General Receipt, Candidate & Petition Services***

**Date Received:** 8/25/2023

**From:**  
Shiela Turner McCall

**Phone:** 216-403-3647

**Received:**

Response to the Board regarding the protest filed against Sheila Turner McCall

**Notes:**

**Received by Board of Elections Staff:** Dodson, Abbie

CUYAHOGA COUNTY BOARD OF ELECTIONS  
2925 EUCLID AVE.  
CLEVELAND, OHIO

SHIELA TURNER McCALL,  
RESPONDENT,

) HENRY F. CURTIS, IV  
) BOARD CHAIRMAN  
)  
) INAJO DAVIS CHAPPELL  
) BOARD MEMBER  
)  
) LISA STICKAN  
) BOARD MEMBER  
)  
) TERRANCE MCCAFFERTY  
) BOARD MEMBER  
)  
) ANTHONY W. PERALITTI  
) DIRECTOR  
)  
) ANTHONY N. KALOGER  
) DEPUTY DIRECTOR  
)  
) RESPONDENT'S RESPONSE  
) TO THE PROTEST OF  
) CERTIFICATION FOR  
) CANDIDACY FOR JUDGE IN  
) THE CLEVELAND  
) MUNICIPAL COURT TERM  
) COMMENCING 1/4/2024

Now comes the Respondent, Shiela Turner McCall, ESQ., and respectfully submits the attached Memorandum for this Honorable Board's consideration. Respondent respectfully reserves the right to present any additional information, documents, evidence, or testimony at the hearing scheduled for August 29, 2023, at 9:30 am.

Respectfully submitted,

  
\_\_\_\_\_  
Shiela Turner McCall, Esq (0078681)

AUG 25 '23 AM 11:10

**MEMORANDUM**

**THE PROTEST OF RESPONDENT'S CANDIDACY FOR CLEVELAND MUNICIPAL COURT JUDGE FOR THE TERM COMMENCING JANUARY 4, 2024, IS INVALID AND MUST BE DENIED.**

Petitioner bases his entire argument on the signature requirement in Chapter 5 Charter of the City of Cleveland. Petitioner incorrectly asserts that the 2019 amendment requiring those running for a city-wide race requires three thousand elector signatures apply in this instance.

However, the 2019 amendment to Chapter 3, Section 5,7,8, of the Charter of the City of Cleveland only amended three specific provisions; 1) the twelve month residency requirement, 2) standardize forms, and 3) the deadline for filing petitions.

In fact, the Ohio Revised Code Title 19 preempts Chapter 3, Section 5 of the Charter of Cleveland. The Ohio revised Code Title 19 defines targeted preemptions into the nominating process for judicial candidates in the Cleveland Municipal Court. It explicitly defers to the Charter of the City of Cleveland on the issues of the manner and time provisions for Cleveland Municipal Court judicial candidates. The provisions of the Ohio revised code Title 19, with the City of Cleveland Charter and the 2023 Ohio Candidate Requirement guide of the Ohio Secretary of State Frank Larose all work together defining the nominating process and expressly establish which provisions of the Ohio Revised code and the City of Cleveland Charter control each part of the process.

Title 9 of the Ohio Revised code dictates the creation and election of the municipal courts, specifically, Ohio Revised Code 1901.01 establishes municipal courts in the State of Ohio. Further, Section 1901.02 includes the corporation of the Village of Bratenahl in the jurisdiction of the Cleveland Municipal Court.

The Ohio Revised Code 1901.07 (C)(1), established how judges of the Cleveland Municipal Court shall be nominated and elected;

(C)Notwithstanding divisions (A)and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

1. In the Cleveland Municipal Court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty (50) electors of the

territory of the court. It shall be the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

In this instance the Respondent filed one hundred and twenty-eight (128) signatures of which fifty (50) were validated by the Cuyahoga County Board of Elections. Additionally, the 2023 Candidate requirement Guide, provided by the Secretary of State Frank Larose, dictates the rules for the race for Cleveland Municipal Court judicial candidates, and states.

O.R.C. 1901.07 prescribes the method for nominating candidates for the municipal court based on the jurisdiction of the court and the applicability of municipal charter provisions. Candidates for the municipal court judge should review closely R.C. 1901.07 to determine filing requirements in their jurisdiction.

The Ohio Secretary of State annually publishes the candidate requirement guidebook that establishes the various election requirements for each elected position that will appear on the ballot in every jurisdiction throughout the State of Ohio. Those policies control how each elected office is to be sought and how each candidate is certified on the ballot. The Secretary of State's own policy for this election year expressly cites to the Ohio Revised Code 1901.07 as the definitive law which controls by which a candidate the Cleveland Municipal Court is to be qualified. ID at 12.

In his protest, the Petitioner relies upon a home rule argument, and in support of his argument, attempts to rely on the language of 2023 Ohio Candidate Requirement Guide stating, "the method for nominating candidates for municipal court judge based on the jurisdiction of the court and the applicability of municipal charter provisions...", Id. However, a review of the remaining relevant portions of the guide, along with the applicable provisions of the Ohio Revised Code, establish that Petitioner's argument is misplaced and or misinterpretation of law.

The Ohio Candidate Guide provides:

By nominating petition only: Municipal courts specified in ORC 1901.07 (C) (1)-(6): Akron, Cleveland, and Toledo Municipal Courts; and the Auglaize, Brown, Carroll, Clermont, Crawford, Franklin, /Hamilton, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, Sandusky, and Wayne County Municipal Courts.

Note: An individual who is interested in being a candidate for the Akron, Cleveland, or Toledo Municipal Court of the Franklin County Municipal Court are encouraged to review the Municipality's Charter for the appropriate filing deadline and any additional requirements. Id at 13.

Further as it relates to the argument of the Petitioner, Section 5 of the Charter of the City of Cleveland, is subject to targeted and express preemption by the Ohio Revised Code for the purposes of determining the signature requirement and the petition requirement, which must be in "statutory form", - the form mandated by the Ohio's election statutes under 1901.07 et seq, and not a City Charter.

Further, the Ohio Candidate Requirement Guide 2023 directs judicial candidates to comply with the Ohio Revised Code 1901.07 (C) (1) which mandates that petitions "shall be signed by at least fifty (50) electors of the territory of the court". Supra. In this instance, Respondent has strictly complied with both mandates by submitting their petition. In the statutory form and they were signed by no less than fifty (50) electors of the territory of the court and has complied with all other requirements.

Further, the Cuyahoga County Board of Elections prohibits candidates from submitting more than three (3) times the minimum required signatures, fifty (50) provided by the Ohio Revised Code and has in fact validated the signatures of behalf of this Respondent.

The Respondent incorporates all earlier arguments and provides that all guidelines and requirements are consistent and without conflict, and when taken together as intended result in the same conclusion- The Ohio State Law expressly requires a valid nomination petition for the election of Judge for the Cleveland Municipal Court Judge as described above.

Respondent has complied with all applicable state and municipal requirements and all applicable administrative



requirements regarding her candidacy for Judge on the Cleveland municipal Court term commencing January 4, 2024.

Wherefore, the Respondent respectfully requests this Honorable Board find that the protest by Petitioner to found invalid and continue the certification of candidacy of Shiela Turner McCall for reelection on the November 7, 2023, for the Office of Judge, Cleveland Municipal Court, for the term commencing January 4, 2024.

Respectfully submitted,

---

**Shiela Turner McCall, Esq. (0078681)**

016 25 23 AM 11:10

CUYAHOGA COUNTY BOARD OF ELECTIONS  
2925 EUCLID AVE.  
CLEVELAND, OHIO

|                       |   |                        |
|-----------------------|---|------------------------|
| SHIELA TURNER McCALL, | ) | HENRY F. CURTIS, IV    |
|                       | ) | BOARD CHAIRMAN         |
| RESPONDENT,           | ) |                        |
|                       | ) | INAJO DAVIS CHAPPELL   |
|                       | ) | BOARD MEMBER           |
|                       | ) |                        |
|                       | ) | LISA STICKAN           |
|                       | ) | BOARD MEMBER           |
|                       | ) |                        |
|                       | ) | TERRANCE MCCAFFERTY    |
|                       | ) | BOARD MEMBER           |
|                       | ) |                        |
|                       | ) | ANTHONY W. PERALITTI   |
|                       | ) | DIRECTOR               |
|                       | ) |                        |
|                       | ) | ANTHONY N. KALOGER     |
|                       | ) | DEPUTY DIRECTOR        |
|                       | ) |                        |
|                       | ) | RESPONDENT'S RESPONSE  |
|                       | ) | TO THE PROTEST OF      |
|                       | ) | CERTIFICATION FOR      |
|                       | ) | CANDIDACY FOR JUDGE IN |
|                       | ) | THE CLEVELAND          |
|                       | ) | MUNICIPAL COURT TERM   |
|                       | ) | COMMENCING 1/4/2024    |

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Shiela Turner McCall, Esq (0078681)

AUG 25 '23 AM 11:10

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However, the 2019 amendment to Chapter 3, Section 5,7,8, of the Charter of the City of Cleveland only amended three specific provisions; 1) the twelve month residency requirement, 2) standardize forms, and 3) the deadline for filing petitions.

In fact, the Ohio Revised Code Title 19 preempts Chapter 3, Section 5 of the Charter of Cleveland. The Ohio revised Code Title 19 defines targeted preemptions into the nominating process for judicial candidates in the Cleveland Municipal Court. It explicitly defers to the Charter of the City of Cleveland on the issues of the manner and time provisions for Cleveland Municipal Court judicial candidates. The provisions of the Ohio revised code Title 19, with the City of Cleveland Charter and the 2023 Ohio Candidate Requirement guide of the Ohio Secretary of State Frank Larose all work together defining the nominating process and expressly establish which provisions of the Ohio Revised code and the City of Cleveland Charter control each part of the process.

Title 9 of the Ohio Revised code dictates the creation and election of the municipal courts, specifically, Ohio Revised Code 1901.01 establishes municipal courts in the State of Ohio. Further, Section 1901.02 includes the corporation of the Village of Bratenahl in the jurisdiction of the Cleveland Municipal Court.

The Ohio Revised Code 1901.07 (C)(1), established how judges of the Cleveland Municipal Court shall be nominated and elected;

(C)Notwithstanding divisions (A)and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

1. In the Cleveland Municipal Court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty (50) electors of the

territory of the court. It shall be the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

In this instance the Respondent filed one hundred and twenty-eight (128) signatures of which fifty (50) were validated by the Cuyahoga County Board of Elections. Additionally, the 2023 Candidate requirement Guide, provided by the Secretary of State Frank Larose, dictates the rules for the race for Cleveland Municipal Court judicial candidates, and states.

O.R.C. 1901.07 prescribes the method for nominating candidates for the municipal court based on the jurisdiction of the court and the applicability of municipal charter provisions. Candidates for the municipal court judge should review closely R.C. 1901.07 to determine filing requirements in their jurisdiction.

The Ohio Secretary of State annually publishes the candidate requirement guidebook that establishes the various election requirements for each elected position that will appear on the ballot in every jurisdiction throughout the State of Ohio. Those policies control how each elected office is to be sought and how each candidate is certified on the ballot. The Secretary of State's own policy for this election year expressly cites to the Ohio Revised Code 1901.07 as the definitive law which controls by which a candidate the Cleveland Municipal Court is to be qualified. ID at 12.

In his protest, the Petitioner relies upon a home rule argument, and in support of his argument, attempts to rely on the language of 2023 Ohio Candidate Requirement Guide stating, "the method for nominating candidates for municipal court judge based on the jurisdiction of the court and the applicability of municipal charter provisions...", Id. However, a review of the remaining relevant portions of the guide, along with the applicable provisions of the Ohio Revised Code, establish that Petitioner's argument is misplaced and or misinterpretation of law.

AUG 25 '23 AM 11:10

The Ohio Candidate Guide provides:

By nominating petition only: Municipal courts specified in ORC 1901.07 (C)(1)-(6): Akron, Cleveland, and Toledo Municipal Courts; and the Auglaize, Brown, Carroll, Clermont, Crawford, Franklin, /Hamilton, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, Sandusky, and Wayne County Municipal Courts.

Note: An individual who is interested in being a candidate for the Akron, Cleveland, or Toledo Municipal Court of the Franklin County Municipal Court are encouraged to review the Municipality's Charter for the appropriate filing deadline and any additional requirements. Id at 13.

Further as it relates to the argument of the Petitioner, Section 5 of the Charter of the City of Cleveland, is subject to targeted and express preemption by the Ohio Revised Code for the purposes of determining the signature requirement and the petition requirement, which must be in "statutory form", - the form mandated by the Ohio's election statutes under 1901.07 et seq, and not a City Charter.

Further, the Ohio Candidate Requirement Guide 2023 directs judicial candidates to comply with the Ohio Revised Code 1901.07 (C)(1) which mandates that petitions "shall be signed by at least fifty (50) electors of the territory of the court". Supra. In this instance, Respondent has strictly complied with both mandates by submitting their petition. In the statutory form and they were signed by no less than fifty (50) electors of the territory of the court and has complied with all other requirements.

Further, the Cuyahoga County Board of Elections prohibits candidates from submitting more than three (3) times the minimum required signatures, fifty (50) provided by the Ohio Revised Code and has in fact validated the signatures of behalf of this Respondent.

The Respondent incorporates all earlier arguments and provides that all guidelines and requirements are consistent and without conflict, and when taken together as intended result in the same conclusion- The Ohio State Law expressly requires a valid nomination petition for the election of Judge for the Cleveland Municipal Court Judge as described above.

Respondent has complied with all applicable state and municipal requirements and all applicable administrative

AUG 25 '23 AM 11:10

requirements regarding her candidacy for Judge on the Cleveland municipal Court term commencing January 4, 2024.

Wherefore, the Respondent respectfully requests this Honorable Board find that the protest by Petitioner to found invalid and continue the certification of candidacy of Shiela Turner McCall for reelection on the November 7, 2023, for the Office of Judge, Cleveland Municipal Court, for the term commencing January 4, 2024.

**Respectfully submitted,**

---

**Shiela Turner McCall, Esq. (0078681)**

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City of Cleveland  
Justin M. Bibb, Mayor

---

Department of Law  
Mark Griffin, Director  
601 Lakeside Avenue, Room 106  
Cleveland, Ohio 44114-1077  
216/664-2800 – Fax: 216/664-2663  
www.cleveland.oh.gov

August 17, 2023

Brent E. Lawler, Manager  
Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, OH 44115-2497

**Re: Section 5 of the Charter of the City of Cleveland and Candidates  
for the Cleveland Municipal Court Judge**

Dear Mr. Lawler,

Please accept this letter in your response to your requests for a legal opinion regarding whether Section 5 of the Charter of the City of the Cleveland ("Charter") applies to candidates for judge for Cleveland Municipal Court.

Briefly, municipal courts in Ohio are created by the Ohio Revised Code and are also governed by R.C. 1901.06, not by Cleveland City Charter Section 5. More specifically, because the geographic jurisdiction of the Cleveland Municipal Court includes the Village of Bratenahl, it is not possible for the Cleveland City Charter to govern electors from outside of Cleveland's boundaries.

Section 5 of the Charter provides as follows:

**§ 5 Nominating Petitions**

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at

AUG 25 '23 11:10

large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.

Section 5 does not apply to candidates for judge for Cleveland Municipal Court for several reasons. First, this section applies to candidates running for City office that are provided for in the City's Charter as evidenced by the beginning of this section which states "[t]he name of any elector of the City shall be printed on the ballot." Under the Charter, the elected officers of the City are specifically council members and the Mayor. See Section 24 which provides in relevant part that "[m]embers of Council shall be elected for a term of four years" and Section 68, which provides in relevant part that the Mayor shall be elected for a term of four years. See also Section 15 which provides in relevant part that "[a]ll elections provided for by this Charter, whether **for the choice of officers or the submission of questions to voters**, shall be conducted by the election authorities prescribed by general law of the State; and the provisions of general election laws of the State shall apply to all the elections except as provision is otherwise made by this Charter. . . )(emphasis added). Cleveland Municipal Court judges are not included among the identified elected City officers under the City's Charter and, therefore, the requirements contained in Section 5 of the Charter do not apply to candidates for judges for Cleveland Municipal Court.

Second, interpreting Section 5 to apply to candidates for the Cleveland Municipal Court would be inconsistent with state law. The Cleveland Municipal Court is established by R.C. 1901.01, under the authority of Article IV, Section 1 of the Ohio Constitution. Under R.C. 1901.02, the Cleveland Municipal Court's territorial jurisdiction includes the City of Cleveland and the Village of Bratenahl. Division (C)(1) of R.C. 1901.07 requires that a nominating petition for a Cleveland Municipal Court judge be signed by at least 50 electors of the territory of the court. The minimum qualifications to serve as a municipal court judge are established in R.C. 1901.06.

One of the minimum requirements is that a municipal court judge must be a resident of the court to which the judge is elected. The territorial jurisdiction of the Cleveland Municipal Court extends beyond the geographical boundaries of the City and affects the electors of the Village of Bratenahl. Thus, under state law, a Cleveland Municipal Court judge may be a resident of the Village of Bratenahl. Thus, applying Charter Section 5's requirement that a judicial candidate must be an elector of the City of Cleveland would conflict with state law that permits judges of the Cleveland Municipal Court be electors of the Village of Bratenahl.

Finally, statutes and regulations that limit an individual's right to hold office must be liberally construed to favor those seeking public office. See *State ex rel. O'Donnell v. Cuyahoga Cty. Bd. of Elections*, 136 Ohio App.3d 584, 737 N.E.2d 541 (8<sup>th</sup> Dist. Cuyahoga County 2000).

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In conclusion, candidates for judge for the Cleveland Municipal Court are not subject to Section 5 of the City's Charter and the requirements contained therein.

Please feel free to contact me with any questions regarding the above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark D. Griffin".

Mark Griffin  
Director of Law



## Ohio Revised Code

### Section 1901.01 Organization of municipal courts.

Effective: September 23, 2022

Legislation: House Bill 518 - 134th General Assembly

(A) There is hereby established a municipal court in each of the following municipal corporations:

Akron, Alliance, Ashland, Ashtabula, Athens, Avon Lake, Barberton, Bedford, Bellefontaine, Bellevue, Berea, Bowling Green, Bryan, Bucyrus, Cambridge, Campbell, Canton, Carrollton, Celina, Chardon, Chesapeake, Chillicothe, Cincinnati, Circleville, Cleveland, Cleveland Heights, Columbus, Conneaut, Coshocton, Cuyahoga Falls, Dayton, Defiance, Delaware, East Cleveland, Eaton, Elyria, Euclid, Fairborn, Fairfield, Findlay, Franklin, Fremont, Gallipolis, Garfield Heights, Georgetown, Girard, Greenville, Hamilton, Hillsboro, Huron, Ironton, Jackson, Kenton, Kettering, Lakewood, Lancaster, Lebanon, Lima, Logan, London, Lorain, Lyndhurst, Mansfield, Marietta, Marion, Marysville, Mason, Massillon, Maumee, Medina, Mentor, Miamisburg, Middletown, Millersburg, Mount Gilead, Mount Vernon, Napoleon, Newark, New Lexington, New Philadelphia, Newton Falls, Niles, Norwalk, Oakwood, Oberlin, Oregon, Ottawa, Painesville, Parma, Paulding, Perrysburg, Port Clinton, Portsmouth, Ravenna, Rocky River, Sandusky, Shaker Heights, Shelby, Sidney, South Euclid, Springfield, Steubenville, Struthers, Sylvania, Tiffin, Toledo, Troy, Upper Sandusky, Urbana, Vandalia, Van Wert, Vermilion, Wadsworth, Wapakoneta, Warren, City of Washington in Fayette county, to be known as Washington Court House, Wauseon, Willoughby, Wilmington, Wooster, Xenia, Youngstown, and Zanesville.

(B) There is hereby established a municipal court within Clermont county in Batavia or in any other municipal corporation or unincorporated territory within Clermont county that is selected by the legislative authority of the Clermont county municipal court. The municipal court established by this division is a continuation of the municipal court previously established in Batavia by this section before the enactment of this division.

(C) There is hereby established a municipal court within Columbiana county in Lisbon or in any other municipal corporation or unincorporated territory within Columbiana county that is selected by the judges of the municipal court pursuant to division (I) of section 1901.021 of the Revised Code.



AUTHENTICATED,  
OHIO LEGISLATIVE SERVICE  
COMMISSION  
DOCUMENT #299391

(D) Effective January 1, 2008, there is hereby established a municipal court within Erie county in Milan or in any other municipal corporation or unincorporated territory within Erie county that is within the territorial jurisdiction of the Erie county municipal court and is selected by the legislative authority of that court.

(E) The Cuyahoga Falls municipal court shall remain in existence until December 31, 2008, and shall be replaced by the Stow municipal court on January 1, 2009.

(F) Effective January 1, 2009, there is hereby established a municipal court in the municipal corporation of Stow.

(G) Effective July 1, 2010, there is hereby established a municipal court within Montgomery county in any municipal corporation or unincorporated territory within Montgomery county, except the municipal corporations of Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Union, Vandalia, and West Carrollton and Butler, German, Harrison, Miami, and Washington townships, that is selected by the legislative authority of that court.

(H) Effective January 1, 2013, there is hereby established a municipal court within Sandusky county in any municipal corporation or unincorporated territory within Sandusky county, except the municipal corporations of Bellevue and Fremont and Ballville, Sandusky, and York townships, that is selected by the legislative authority of that court.



## Ohio Revised Code

### Section 1901.06 Qualifications and election of judge.

Effective: April 3, 2023

Legislation: Senate Bill 202

(A) A municipal judge during the judge's term of office shall be a qualified elector and a resident of the territory of the court to which the judge is elected or appointed. A municipal judge shall have been admitted to the practice of law in this state for at least one year preceding appointment or the commencement of the judge's term and, for a total of at least six years preceding appointment or the commencement of the judge's term, shall have either served as a judge of a court of record in any jurisdiction in the United States or done any of the following:

(1) Engaged in the practice of law in this state;

(2) Practiced in a federal court in this state, regardless of whether at the time of that practice the person was admitted to the practice of law in this state or practiced in the courts of this state;

(3) Engaged in the authorized practice of law as in-house counsel for a business in this state or as an attorney for a government entity in this state, regardless of whether at the time of that practice the person was admitted to the practice of law in this state or practiced in the courts of this state.

(B) Except as provided in section 1901.08 of the Revised Code, the first election of any newly created office of a municipal judge shall be held at the next regular municipal election occurring not less than one hundred days after the creation of the office. Except as otherwise provided in division (G) of section 1901.01 of the Revised Code, the institution of a new municipal court shall take place on the first day of January next after the first election for the court.



## Ohio Revised Code

### Section 1901.07 Term of office of judge - nomination, election.

Effective: June 13, 2017

Legislation: Senate Bill 25, House Bill 215 - 132nd General Assembly

(A) All municipal court judges shall be elected on the nonpartisan ballot for terms of six years. In a municipal court in which only one judge is to be elected in any one year, that judge's term commences on the first day of January after the election. In a municipal court in which two or more judges are to be elected in any one year, their terms commence on successive days beginning the first day of January, following the election, unless otherwise provided by section 1901.08 of the Revised Code.

(B) All candidates for municipal court judge may be nominated either by nominating petition or by primary election, except that if the jurisdiction of a municipal court extends only to the corporate limits of the municipal corporation in which the court is located and that municipal corporation operates under a charter, all candidates shall be nominated in the same manner provided in the charter for the office of municipal court judge or, if no specific provisions are made in the charter for the office of municipal court judge, in the same manner as the charter prescribes for the nomination and election of the legislative authority of the municipal corporation.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, all candidates for party nomination to the office of municipal court judge shall file a declaration of candidacy and petition not later than four p.m. of the ninetieth day before the day of the primary election in the form prescribed by section 3513.07 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.05 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court. If no valid declaration of candidacy is filed for nomination as a candidate of a political party for election to the office of municipal court judge, or if the number of persons filing the declarations of candidacy for nominations as candidates of one political party for election to the office does not exceed the number of candidates that that party is entitled to nominate as its candidates for election to the office, no primary election shall be held for the purpose of nominating candidates of that party



for election to the office, and the candidates shall be issued certificates of nomination in the manner set forth in section 3513.02 of the Revised Code.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, nonpartisan candidates for the office of municipal court judge shall file nominating petitions not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.257 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court.

The nominating petition or declaration of candidacy for a municipal court judge shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, the candidacies of the judges nominated shall be submitted to the electors of the territory on a nonpartisan, judicial ballot in the same manner as provided for judges of the court of common pleas, except that, in a municipal corporation operating under a charter, all candidates for municipal court judge shall be elected in conformity with the charter if provisions are made in the charter for the election of municipal court judges.

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(2) In the Toledo municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and



shall be filed in the manner and within the time prescribed by the charter of the city of Toledo for filing nominating petitions for city council. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(3) In the Akron municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Akron for filing nominating petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(4) In the Hamilton county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least one hundred electors of the judicial district of the county from which the candidate seeks election, which petitions shall be signed and filed not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. Unless otherwise provided in this section, the petition shall conform to the requirements provided for nominating petitions in section 3513.257 of the Revised Code. The judges shall be elected by the electors of the relative judicial district of the county at the regular municipal election and in the manner provided by law for the election of judges of the court of common pleas.

(5) In the Franklin county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. The petition shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Columbus for filing petitions of candidates for municipal offices. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(6) In the Auglaize, Brown, Carroll, Clermont, Crawford, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, Sandusky, and Wayne county municipal courts, the judges shall be nominated only by petition. The petitions shall be signed by at least fifty electors of



the territory of the court and shall conform to the provisions of this section.

(D) In the Portage county municipal court, the judges shall be nominated either by nominating petition or by primary election, as provided in division (B) of this section.

(E) As used in this section, as to an election for either a full or an unexpired term, "the territory within the jurisdiction of the court" means that territory as it will be on the first day of January after the election.

*The Legislative Service Commission presents the text of this section as a composite of the section as amended by multiple acts of the General Assembly. This presentation recognizes the principle stated in R.C. 1.52(B) that amendments are to be harmonized if reasonably capable of simultaneous operation.*



## CHAPTER 3 – NOMINATIONS AND ELECTIONS

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- § 3 Elections
- § 4 Nominations
- § 5 Nominating Petitions
- § 6 Petition Form
- § 7 Candidacy and Nominating Petition Papers
- § 8 Filing and Verification of Petitions
- § 9 Acceptance of Nomination – Repealed
- § 10 Selection of Candidates
- § 11 Ballots
- § 12 Rotation of Names
- § 13 Write-in Spaces on Ballots
- § 14 Rules for Counting Ballots
- § 15 General Laws to Apply
- § 16 Removal Procedure of Mayor or Member of Council
- § 17 Filing Recall Petition
- § 18 Recall Election Ordered
- § 19 Separate Recall Petitions Required
- § 20 Ballots in Recall Elections
- § 21 Result of Recall Election
- § 22 Election When Member Resigns
- § 23 Limitations on Recall Petitions
- § 23-1 Campaign Financing Laws
- § 23-2 Comprehensive Disclosure Rules – Repealed
- § 23-3 Fair Campaign Finance Commission – Repealed
- § 23-4 Penalties – Repealed
- § 23-5 Appeals Process – Repealed
- § 23-6 Review of Campaign Financing Laws – Repealed
- § 23-7 Passage of Legislation – Repealed

### § 3 Elections

A general election for the choice of elective officers provided for in this Charter shall be held on the first Tuesday after the first Monday in November every four years commencing November 1981. Elections so held shall be known as regular Municipal elections. The other elections shall be held as may be required by law, or provided for in this Charter.

(Effective November 4, 2008)

### § 4 Nominations

Candidates for all offices to be voted for at any regular Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday in September prior to the regular Municipal election. Candidates for all offices to be voted for at any other Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the eighth Tuesday prior to the other Municipal elections.

(Effective November 4, 2008)

### § 5 Nominating Petitions

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such



# OHIO

## CANDIDATE REQUIREMENT GUIDE

**Frank LaRose**  
*Ohio Secretary of State*

2023

**CERTIFICATE OF RESULT OF ELECTION ON QUESTION OR ISSUE**  
Revised Code 3501.11, 3503.33, 5703.19 - 5703.25

The State of Ohio, County of Cuyahoga, ss.

To: Cleveland City Council; Secretary of State Frank LaRose


We, the undersigned, Cuyahoga County Board of Elections, do hereby certify that at the election held in the City of Cleveland, on the 2<sup>nd</sup> day of November, 2019, the vote cast on the following issue was as follows:

Issue 28. Proposed Charter Amendment: Shall Sections 5, 7, and 8 of the Charter of the City of Cleveland be amended to provide that to be eligible to be a candidate for elected office in the City, a person must have been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular municipal election, or the next election required by law or Charter, whichever occurs first; to require that candidates use standard forms of the Secretary of State; and to provide that the filing deadline for nominating petitions be on the eleventh (11<sup>th</sup>) day before the primary election?

|                           |        |
|---------------------------|--------|
| Votes Yes                 | 24,771 |
| Votes No                  | 7,215  |
| Total votes cast on issue | 32,486 |

IN WITNESS WHEREOF, we have hereunto subscribed our names officially at Cleveland, Ohio, this 26<sup>th</sup> day of November, 2019.

  
Jeff Hastings, Chair

  
Enjo Davis Chappell

  
Robert S. Frost

  
David J. Wondolowski

Cuyahoga County, Ohio

Attest:  
  
Anthony W. Pavlotti, Director

VOTE  CUYAHOGA COUNTY  
BOARD OF ELECTIONS



# PETITION PROTOCOLS

Candidate and Petition Services



**Table of Contents**

Petition Criteria ..... 2  
 No Petition Pre-Checks ..... 2  
 Official Time and Location of Filing ..... 3

**Petition Criteria**

Prior to circulating petitions, the Cuyahoga County Board of Elections (CCBOE) will provide candidates who pull petitions from the CCBOE with general information regarding what needs to appear on petitions as well as information about the process of filing. Additionally, candidates are directed to review the Secretary of State’s (SOS) free publications, especially the [Ohio Candidate Requirement Guide](#).

*It is critical that candidates review the municipal charter for the jurisdictions they are seeking prior to circulating petitions. Not every municipality has the same petition criteria. The Law Department for each municipality is the subject matter expert for their municipality’s charter.*

If duplicate signatures are received in municipalities with elector signature limitations, the official petition filing timestamp is utilized to rank the order of petitions received. This timestamp and not the date the elector signed the petition will be reviewed to process duplicate signatures on multiple candidate petition filings.

**No Petition Pre-Checks**

Pursuant to SOS Directive<sup>1</sup>, no board of elections shall pre-check any petition to determine the petition’s validity and sufficiency before such time as the original petition has been filed, along with the appropriate filing fee, with a board of elections, the SOS Office, or other public office as provided by law.

While pre-checks may appear to be a public service that potential candidates might rely on to improve their chances of being certified to the ballot pre-checks provide a false sense of security for candidates and issue groups. It is a well-established principle of Ohio election law that the candidate is solely responsible for ensuring that his or her own petition satisfies the requirements of law. Candidates and issue groups are obligated to investigate, learn, and know the law governing the election process.

<sup>1</sup> <https://www.sos.state.oh.us/globalassets/elections/directives/2022/eom/dir2022-17-ch13.pdf>



### **Official Time and Location of Filing**

The CCBOE accepts petition filings at its offices at 2925 Euclid Avenue, Cleveland, OH 44115. To be considered as timely filed, candidates must obtain an official CCBOE timestamp no later than 4:00 p.m. on the date of the filing deadline. The timestamp clock(s) located in the CCBOE's Candidate and Petition Services Department holds the official time for petition filings.

Simply being on the Board's property (e.g., CCBOE parking lot) prior to the time of the filing deadline does not constitute a timely filing. Candidates' petitions must contain an official timestamp on or before the time of the filing deadline to be considered timely filed.

Petition filings will be accepted through mail/delivery service; however, the petition must arrive at the CCBOE offices by 4:00 p.m. on the date of the filing deadline with the applicable filing fee. A postmark is not a timestamp for the purpose of determining if a petition is timely filed. Any petition received via mail/delivery service without the applicable filing fee is considered an incomplete petition filing.

**No petition filed *in person* shall be timestamped or accepted for filing after 4:00 p.m. on the date of the filing deadline.**

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# Contents

|   |    |
|---|----|
| <i>Petitions</i> .....  | 4  |
| <i>Municipal Corporations</i> .....   | 6  |
| <i>Municipal Office Terms (Other Than Judge or Court Clerk)</i> .....   | 7  |
| <i>Municipal Offices in Villages with Less Than 2,000 Population</i> .....  | 8  |
| <i>Municipal Office in Villages with Population Over 2,000, but Less Than 5,000; Cities with Population or Registered Electors of 5,000 or More</i> ..... | 9  |
| <i>Municipal Court Judge</i> .....  | 12 |
| <i>Municipal Court Clerk</i> .....  | 14 |
| <i>Township Offices</i> .....   | 15 |
| <i>Board of Education</i> .....   | 16 |
| <i>Elimination of Primary Election</i> .....  | 18 |
| <i>Minor Parties</i> .....  | 18 |
| <i>Write-In Candidates</i> .....  | 19 |
| <i>Political Party Affiliation of Candidates for Party Nomination</i> .....   | 20 |
| <i>Independent Candidates</i> .....   | 20 |
| <i>Restrictions on Filing for Multiple Offices</i> .....  | 21 |
| <i>Protests</i> .....   | 23 |
| <i>Unexpired Term Elections (Vacancy in Office)</i> .....   | 24 |
| <i>Death or Withdrawal of Candidate</i> .....   | 24 |
| <i>Vacancies in Municipal Offices (Other Than Judge and Clerk of Courts)</i> .....  | 25 |
| <i>Vacancies in Municipal Court; Townships; and Boards of Education</i> .....   | 26 |
| <i>Education and Training Requirements</i> .....  | 27 |
| <i>Campaign Finance Reporting</i> .....   | 27 |
| <i>Securing your Campaign</i> .....   | 27 |
| <i>Personal Financial Disclosure Statement</i> .....  | 27 |
| <i>2023 Ohio Elections Calendar</i> .....   | 28 |

# Candidate Requirement Guide

If you are considering running for office in Ohio, this guide can help you navigate the legal requirements to get your name on the ballot. This guide is only a brief summary and not a complete digest of laws.

Legislative or judicial action may change the information in this guide. For the most up-to-date information, visit the Ohio Secretary of State's website at [www.OhioSoS.gov](http://www.OhioSoS.gov).

Refer to the sections below for the office you are seeking:

- [Municipal Offices \(other than judge or court clerk\)](#)
- [Municipal Court Judge](#)
- [Municipal Court Clerk](#)
- [Township Offices](#)
- [Board of Education](#)

Each of these sections contains information on the terms of office and the conditions candidates must meet, such as residency requirements, minimum or maximum ages, or other necessary qualifications, such as legal experience. Each office has different petition filing requirements, such as deadlines, forms, filing fees and locations, and number of signatures needed.

Within this guide:

- "U.S. Const." refers to the United States Constitution
- "OH Const." refers to the Ohio Constitution
- "R.C." refers to the Revised Code of Ohio
- "O.A.G." refers to an Opinion of the Ohio Attorney General



## Petitions

County boards of election will provide at least one copy of a candidate petition form upon request. Candidates may make additional copies of the form as it is provided by the county board of elections.

Once the candidate has completed filling out and signing the petition, this signed part-petition may be copied prior to obtaining any elector signatures on the part-petitions. However, this original signed part-petition must be filed with the other part-petitions at the office of the appropriate filing entity. ([R.C. 3513.09](#), [R.C. 3513.261](#)).

### Rules Governing Petitions

Below is an overview of the rules governing petitions. For additional information on rules governing petitions, please see [Chapter 11](#) of the Ohio Election Official Manual.

1. The Declaration or Statement of Candidacy portion of each petition paper must be completely filled out and signed by the candidate(s) before being circulated. ([R.C. 3513.07](#), [R.C. 3513.09](#), [R.C. 3513.261](#)).
2. Candidates must designate the correct term commencing date on the declaration of candidacy or nominating petition, if more than one seat of that office is to be elected at the election. ([R.C. 3513.08](#), [R.C. 3513.28](#)).
3. Only qualified electors who are eligible to vote on the candidacy may sign a petition. An elector's qualifications are determined as of the date the petition is filed. ([R.C. 3501.38\(A\)](#)).
4. Each signature, written in ink, must be an original signature of an elector or the elector's duly appointed attorney-in-fact who is acting pursuant to [R.C. 3501.382](#). Generally, signing or affixing a signature to petition requires a person's written, cursive-style legal mark written in that person's own hand unless the elector does not use a cursive-style mark during the course of their regular business or legal affairs. However, a voter with a disability may personally affix their signature through the use of a reasonable accommodation, including the use of assistive technology or an augmentative device such as a signature stamp. ([R.C. 3501.011](#), [R.C. 3501.382\(F\)](#) and related [O.A.G. 2015-012](#)).
5. Each signer's residence address and the date of signing must be placed on the petition after the elector's signature. The voting address written on the petition must be the address appearing in the registration records of the board of elections. ([R.C. 3501.38 \(C\)](#)).
6. Petitions for a candidate for party nomination must be signed and circulated by persons who are members of the same political party as the candidate. ([R.C. 3513.07](#)). An elector is considered to be a member of a political party if they voted in the primary election of that party within the preceding two calendar years, or if they did not vote in any other party's primary election within the preceding two calendar years. ([R.C. 3513.05](#), [7th ¶](#)).

7. A candidate may circulate their own petition, although they may not sign their own petition as an elector. For purposes of circulating their own petition, a candidate is exempt from the party affiliation requirements described in point number 6 of this section. ([R.C. 3513.191\(C\)\(4\)](#)). A circulator may not sign the same petition paper that they are circulating. A circulator who is not a candidate may, however, sign a petition paper being circulated for the same candidacy by a different circulator.
8. A circulator must be at least 18 years of age. ([R.C. 3503.06\(C\)](#)). (The Ohio residency requirement is not currently in place based on the preliminary injunction in *Citizens in Charge v. Husted*, Case: 2:13-CV-00935 (S.D. Ohio 11/13/13); See also, *Citizens in Charge v. Husted*, 810 F. 3d 437 (6th Cir 2016)).
9. After circulating the petition, the circulator must sign a statement, under penalty of election falsification, indicating the following:
  - a. The number of signatures contained on the petition;
  - b. That the circulator witnessed the affixing of each signature on the petition;
  - c. That all signers, to the best of the circulator's knowledge and belief, were qualified to sign;
  - d. That each signature is, to the best of the circulator's knowledge and belief, the signature of the person whose signature it purports to be; and
  - e. On the circulator's statement for a declaration of candidacy or nominating petition for a person seeking to become a statewide candidate, the circulator's name, the address of the circulator's permanent residence, and the name and address of the person employing the circulator to circulate the petition, if any.
10. If a circulator knowingly permits an unqualified person to sign a petition paper or permits a person to write a name other than the person's own on the petition paper, that petition paper is invalid; otherwise, the signature of a person not qualified to sign shall be rejected but shall not invalidate the other valid signatures on the petition paper. ([R.C. 3501.38\(F\)](#)).
11. Once a candidate's petition has been filed with the appropriate election official, it cannot be changed, supplemented, or returned to the candidate. ([R.C. 3501.38\(I\)](#)).
12. If the candidate's petition consists of more than one part-petition, the candidate may sign the declaration of candidacy on only one of such separate petition papers, but the signed declaration of candidacy must be copied on each other part-petition before the signature of electors are placed on it. The original petition with the candidate's original signature must be filed at the same time as all other part-petitions. ([R.C. 3501.38\(K\)](#), [R.C. 3513.09](#)).
13. Each petition paper shall be circulated by one person only and shall contain signatures of qualified electors of one county only. When petitions are circulated in a district that contains more than one county, separate petition papers must be circulated in each county. ([R.C. 3501.38](#), [R.C. 3513.05](#), [R.C. 3513.07](#), [R.C. 3513.261](#)).
14. No petition shall be accepted if it contains more than three times the minimum number of required signatures. ([R.C. 3513.05](#), [R.C. 3513.257](#), [R.C. 3513.259](#)). Or, in the case of a petition for county court judge, no nominating petition shall be accepted for filing or filed if it appears on its face to contain more than twice the minimum number of required signatures. ([R.C. 1907.13](#)).

15. All petitions must contain the following statement in boldface capital letters: **"WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE."** ([R.C. 3501.38\(J\)](#), [R.C. 3599.36](#)).  
**Note:** The penalties for a fifth degree felony conviction are six to 12 months in prison and/or a fine of \$2,500.
16. All petitions remain open for public inspection, under reasonable regulations, at the office of the county board of elections with which they were filed. ([R.C. 3513.05](#), [R.C. 3513.262](#)).
17. A signature on a nominating petition of a prospective independent candidate or nonpartisan candidate is not valid if it is dated more than one year before the date the petition was filed. ([R.C. 3513.262](#)).

## Municipal Corporations

### **Cities and Villages**

As used in Ohio law, the terms "municipal corporation" and "municipality" refer either to a city or a village. A municipal corporation's classification as a city or village is based on its population as determined by the most recent decennial (ten-year) federal census or, alternatively, the number of registered electors at the most recent general election. Municipal corporations that, at the last federal census, had a population of 5,000 or more, or at the last general election had 5,000 registered electors, are classified as cities. All other municipal corporations are classified as villages. ([R.C. 703.01](#), [R.C. 703.011](#)).

Although many of the elective offices of cities and villages share common names, those offices are governed by different statutes. A candidate should become familiar with the statutes that set forth the duties of, and eligibility requirements for, the specific office the candidate seeks.

Also, note that, for election purposes, the law distinguishes between villages with populations of fewer than 2,000, and those with populations between 2,000 and 4,999.

### **Municipal Limited Home Rule**

Ohio law allows municipal corporations to organize under one of four specific plans of government that provide a limited amount of home rule. These plans – the charter, commission, city manager, and federal plans – are provided for in [Article XVIII of the Ohio Constitution](#) and [Chapter 705 of the Revised Code of Ohio](#). A candidate seeking election to a municipal office governed by one of the home rule plans must be familiar with the constitutional and statutory provisions that set forth the duties of and eligibility requirements for that office.

## Municipal Office Terms (Other Than Judge or Court Clerk)

**Note:** The following provisions may not apply if a municipal corporation has adopted a charter or other form of limited home rule government. For more information about charter municipalities, contact your county board of elections or the law director/solicitor of the municipal corporation.

### **Terms of Office**

(unless a controlling home rule provision provides otherwise)

- **Mayor:** Four years, commencing January 1, 2024 ([OH Const. Art. XVIII §7](#); [R.C. 733.02](#), [R.C. 733.24](#)).
- **Member, Legislative Authority:**
  - **City:** Two years, commencing January 1, 2024 ([OH Const. Art. XVIII §7](#); [R.C. 731.03](#)).
  - **Village:** Four years, no statutory beginning date—generally commencing January 1, 2024 ([OH Const. Art. XVIII §7](#); [R.C. 731.09](#)).
- **President, Legislative Authority of a City:** Two or four years, commencing January 1, 2024 ([R.C. 733.09](#)).
- **City Director of Law:** Four years, commencing January 1, 2024 ([R.C. 733.49](#)).
- **City Auditor:** Four years, commencing January 1, 2024 ([R.C. 733.10](#)).
- **Treasurer:** Four years, commencing January 1, 2024 ([R.C. 733.42](#)).
- **Village Clerk:** Four years, commencing April 1, 2024 ([R.C. 733.26](#)).
- **Village Clerk-Treasurer:** Four years, commencing April 1, 2024 ([R.C. 733.261](#)).
- **Board of Trustees of Public Affairs:**
  - **Village:** Two or four years, no statutory beginning date—generally commencing January 1, 2024 ([R.C. 735.28](#)).

## Municipal Offices in Villages with Less Than 2,000 Population

In a statutory village with a population of less than 2,000, all candidates are nominated by petition unless the village voters adopted provisions to hold partisan primary elections pursuant to [R.C. 3513.01](#).<sup>1</sup> If the village has not adopted partisan elections, all candidates are designated as nonpartisan candidates.

### Qualifications and Filing Information

- **Residency Requirements:**
  - **Mayor:** One year in the village immediately preceding the election ([R.C. 733.24](#)).
  - **Legislative authority – council:** One year in the village immediately preceding the election ([R.C. 731.12](#)).
  - **All other offices:** Resident of the village ([R.C. 3.15](#), [R.C. 733.26](#), [R.C. 733.261](#), [R.C. 3513.05](#)).
- **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).
- **Other:** Registered elector of the village ([OH Const. Art. V §1](#), [Art. XV §4](#); [R.C. 3.15](#), [R.C. 731.09](#), [R.C. 731.12](#), [R.C. 733.10](#), [R.C. 733.24](#), [R.C. 733.26](#), [R.C. 733.261](#), [R.C. 733.42](#)).
- **Petition Filing Deadline:** By 4 p.m. on August 9, 2023 (90 days before the general election) ([R.C. 3513.251](#)).
- **Petition Forms:**
  - [Form 3-O: Nominating Petition - Nonpartisan Office - Municipalities](#) - for individual candidates
  - [Form 3-MA: Nominating Petition - Village Office - \(Several Candidates\)](#) - for a group of candidates

*See page 22 for additional information on group petitions.*

- **Signature Requirement:** 10 valid signatures ([R.C. 3513.251](#)).
- **Filing Fee:** \$30 ([R.C. 3513.10](#), [R.C. 3513.251](#), [R.C. 3513.261](#)).
- **File with:** Appropriate county board of elections office ([R.C. 3513.251](#)).

*Note: If the village is located in more than one county, the petition is filed with the board of elections in the most populous county.*

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<sup>1</sup> If a village has adopted provisions to hold partisan primaries, please follow the requirements listed in "Municipal Corporations in Villages with Population Over 2,000, but Less Than 5,000", beginning on the next page, with the one exception that the declaration of candidacy and petition requires 10 valid signatures.

## Municipal Office in Villages with Population Over 2,000, but Less Than 5,000; Cities with Population or Registered Electors of 5,000 or More

Candidates for municipal office will be nominated by petition as nonpartisan candidates unless one or more of the following applies: The electors of the municipal corporation have petitioned to have partisan elections, previous municipal elections in that municipality were partisan, or a municipal charter provides otherwise.

Candidates for nonpartisan office who want their names printed on the ballot will file nominating petitions.

Candidates for offices nominated through a partisan primary who want their names printed on the ballot will file either a declaration of candidacy (party candidates) or nominating petition (independent candidates).

### Party and Independent Candidates

#### Qualifications and Filing Information

- **Residency Requirements:**
    - **Mayor - Village with population of 2,000 - 4,999:** One year in the village immediately preceding election ([R.C. 3.15](#), [R.C. 733.24](#)).
    - **Mayor - City:** Resident of the city ([R.C. 3.15](#)).
    - **President - City legislative authority:** Resident of the city ([R.C. 3.15](#)).
    - **Legislative authority:** One year in the village, city, or ward immediately preceding election ([R.C. 3.15](#), [R.C. 731.02](#), [R.C. 731.12](#)).
    - **All other offices:** Resident of the city or village ([R.C. 3.15](#)).
  - **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).
  - **Other:**
    - **Registered elector of the city or village** ([OH Const. Art. V §1](#), [Art. XV §4](#), [R.C. 3.15](#), [R.C. 731.02](#), [R.C. 731.12](#), [R.C. 733.09](#), [R.C. 733.10](#), [R.C. 733.24](#), [R.C. 733.42](#), [R.C. 733.49](#)).
    - **Director of law:** Must be an attorney admitted to practice in this state ([R.C. 733.50](#)).
  - **Petition Filing Deadlines:**
    - By 4 p.m. on February 1, 2023 (90 days before the primary election); or
    - By 4 p.m. on May 1, 2023 (one day before the primary election) for independent candidates ([R.C. 3513.05](#), [R.C. 3513.257](#)).
- Note: Party candidates whose petitions are certified will run in the primary election, unless the primary is eliminated under [R.C. 3513.02](#) (see "Elimination of Primary Election" on page 18).*
- **Filing Fee:** \$30 for village office; \$45 for city office ([R.C. 3513.10](#)).

- **Petition Forms:**

- [Form 2-I: Declaration of Candidacy - Party Primary - Elective Offices of Cities or Villages](#) - **for party candidates**
- [Form 3-N: Nominating Petition - Municipal Office - Use in Cities or any Villages with a Population of 2,000 or More](#) - **for independent candidates**

- **Signature Requirements:**

**All offices except ward council representative:**

- **Major party candidates:** 50 valid signatures ([R.C. 3513.05](#)).
- **Minor party candidates:** 25 valid signatures ([R.C. 3513.05](#)).
- **Independent candidates:** Based on number of votes cast in the municipal corporation in the last general election for governor ([R.C. 3513.257](#), [R.C. 3513.261](#)):
  - If the number of votes cast in the municipal corporation in the last general election for governor was fewer than 5,000, the number of required signatures is 25, or a number equal to five percent of the vote (whichever is less).
  - If the number of votes cast in the municipal corporation in the last general election for governor was 5,000 or more, the number of required signatures is equal to one percent of the vote.

**Ward council representative:**

- **Major party candidates:** 25 valid signatures ([R.C. 3513.05](#)).
  - **Minor party candidates:** 13 valid signatures ([R.C. 3513.05](#)).
  - **Independent candidates:** Based on number of votes cast in the ward in the last general election for governor ([R.C. 3513.257](#), [R.C. 3513.261](#)):
    - If the number of votes cast in the ward in the last general election for governor was fewer than 5,000, the number of required signatures is 25, or a number equal to five percent of the vote (whichever is less).
    - If the number of votes cast in the ward in the last general election for governor was 5,000 or more, the number of required signatures is equal to one percent of the vote.
- **Filed With:** Appropriate county board of elections office ([R.C. 3513.05](#)).

**Note:** *If the municipal corporation is located in more than one county, the petition is filed with the board of elections in the most populous county.*

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## Nonpartisan Candidates

### Qualifications and Filing Information

- **Residency Requirement:**
  - **Mayor - Village with population of 2,000 - 4,999:** One year in the village immediately preceding election ([R.C. 3.15](#), [R.C. 733.24](#)).
  - **Mayor - City:** Resident of the city ([R.C. 3.15](#)).
  - **Legislative authority:** One year in the village, city, or ward immediately preceding election ([R.C. 3.15](#), [R.C. 731.02](#), [R.C. 731.12](#)).
  - **All other offices:** Resident of the city or village ([R.C. 3.15](#)).
- **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).
- **Other:**
  - **Registered elector of the city or village** ([OH Const. Art. V §1](#), [Art. XV §4](#), [R.C. 3.15](#), [R.C. 731.02](#), [R.C. 731.12](#), [R.C. 733.09](#), [R.C. 733.10](#), [R.C. 733.24](#), [R.C. 733.42](#), [R.C. 733.49](#)).
  - **Director of law:** Must be an attorney admitted to practice in this state ([R.C. 733.50](#)).
- **Petition Filing Deadline:** By 4 p.m. on August 9, 2023 (90 days before the general election) ([R.C. 3513.251](#), [R.C. 3513.261](#)).
- **Filing Fee:** \$30 for village office; \$45 for city office ([R.C. 3513.10](#), [R.C. 3513.261](#)).
- **Petition Form:** [Form 3-O: Nominating Petition - Nonpartisan Office - Municipalities](#)
- **Signature Requirement:** 50 valid signatures ([R.C. 3513.251](#)).
- **Filed With:** Appropriate county board of elections office ([R.C. 3513.05](#)).

**Note:** *If the municipal corporation is located in more than one county, the petition is filed with the board of elections in the most populous county.*



## Municipal Court Judge

[R.C. 1901.07](#) prescribes the method for nominating candidates for municipal court judge based on the jurisdiction of the court and the applicability of municipal charter provisions. Candidates for municipal court judge should review closely [R.C. 1901.07](#) to determine particular filing requirements in their jurisdiction. All candidates for municipal court judge are nominated either by nominating petition or by primary election. If two or more judges of the same court are to be elected, each person filing a declaration of candidacy or a nominating petition as a candidate for election to the office of judge of the municipal court must indicate which office is being sought by stating when the term of office commences.

### **Term of Office**

- Six years; commencement dates vary ([R.C. 1901.07](#)).

### **Qualifications and Filing Information**

- **Maximum Age:** 69 years ([OH Const. Art. IV §6](#): "No person shall be elected or appointed to any judicial office if on or before the day when he shall assume the office and enter upon the discharge of its duties he shall have attained the age of seventy years").
- **Residency Requirement:** Resident of the territorial jurisdiction of the court ([R.C. 3.15](#), [R.C. 1901.06](#)).
- **Experience:** Six years admitted to, and engaged in, the practice of law in this state, or prior service as a judge of a court of record in the United States, or both ([R.C. 1901.06](#)).
- **Other:**
  - Registered elector in the territorial jurisdiction of the court ([R.C. 1901.06](#)).
  - Candidates for judge must designate the term of office on the declaration of candidacy or nominating petition if more than one office of that court is to be elected at the election. ([R.C. 3513.08](#), [R.C. 3513.28](#)).
- **Petition Filing Deadlines:**
  - By 4 p.m. on February 1, 2023 (90 days before the primary election) **for party candidates**; or
  - By 4 p.m. on May 1, 2023 (one day before the primary election) for **independent or nonpartisan candidates** ([R.C. 1901.07](#), [R.C. 3513.05](#), [R.C. 3513.257](#), [R.C. 3513.261](#)).
- **Filing Fee:** \$80 ([R.C. 3513.10](#), [R.C. 3513.261](#)).
- **Petition Forms:**
  - [Form 2-H: Declaration of Candidacy - Party Primary - Judge or Clerk of the Municipal Court - for party candidates](#)
  - [Form 3-I: Nominating Petition - Judge or Clerk of the Municipal Court - for independent and nonpartisan candidates](#)

- **Signature Requirements:**

*Note: In certain charter municipal corporations, the petition, signature or filing requirements may differ. Please review the appropriate Revised Code or charter provisions for requirements specific to your court.*

- **Major party candidates:** 50 valid signatures ([R.C. 1901.07](#), [R.C. 3513.05](#)).
- **Minor party candidates:** 25 valid signatures ([R.C. 1901.07](#), [R.C. 3513.05](#)).
- **Independent or nonpartisan candidates:** 50 valid signatures, unless otherwise provided in law ([R.C. 1901.07](#), [R.C. 3513.05](#), [R.C. 3513.257](#)).
- **By nominating petition only:** Municipal courts specified in [R.C. 1901.07\(C\)\(1\)-\(6\)](#): Akron, Cleveland, and Toledo municipal courts; and the Auglaize, Brown, Carroll, Clermont, Crawford, Franklin, Hamilton, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, Sandusky, and Wayne county municipal courts.

*Note: An individual who is interested in being a candidate for the Akron, Cleveland, or Toledo municipal court or the Franklin County municipal court are encouraged to review the municipality's charter for the appropriate filing deadline and any additional filing requirements.*

- **Filed With:** Appropriate county board of elections office ([R.C. 3513.05](#)).

*Note: If the court is located in more than one county, the petition is filed with the board of elections in the most populous county unless otherwise provided for in law.*

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## Municipal Court Clerk

Requirements for candidates for municipal court clerk are specified in [R.C. 1901.31](#). Generally, municipal court clerks are elected in municipal court jurisdictions with populations of 100,000 or more and appointed in jurisdictions with populations under 100,000, but there are numerous exceptions (e.g., Akron, Barberton, and Toledo municipal courts, and the Hamilton, Miami, Montgomery, Portage and Wayne county municipal courts).

Elected clerks are nominated and elected in the same manner provided for judges of the court. Please review the appropriate code sections for requirements specific to your court.

**Note:** *In certain charter municipal corporations, the petition, signature or filing requirements may differ.*

### **Term of Office**

- Six years, commencing January 1, 2024 ([R.C. 1901.31](#)).

### **Qualifications and Filing Information**

- **Residency Requirement:** Resident of the territorial jurisdiction of the court ([R.C. 3.15](#), [1901.06](#)).
- **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).
- **Other:** Registered elector in the territorial jurisdiction of the court ([R.C. 1901.06](#), [R.C. 1901.31](#)).
- **Petition Filing Deadlines:**
  - By 4 p.m. on February 1, 2023 (90 days before the primary election) **for party candidates**; or
  - By 4 p.m. on May 1, 2023 (one day before the primary election) **for independent candidates** ([R.C. 1901.07](#), [R.C. 3513.05](#), [R.C. 3513.257](#), [R.C. 3513.261](#)).
- **Filing Fee:** \$80 ([R.C. 3513.10](#), [R.C. 3513.261](#)).
- **Petition Forms:**
  - [Form 2-H: Declaration of Candidacy - Party Primary - Judge or Clerk of the Municipal Court - for party candidates](#)
  - [Form 3-I: Nominating Petition - Judge or Clerk of the Municipal Court - for independent candidates](#)
- **Signature Requirements:**
  - **Major party candidates:** 50 valid signatures ([R.C. 1901.31](#), [R.C. 3513.05](#)).
  - **Minor party candidates:** 25 valid signatures ([R.C. 1901.31](#), [R.C. 3513.05](#)).
  - **Independent or nonpartisan candidates:** 50 valid signatures ([R.C. 1901.31](#), [R.C. 3513.05](#), [R.C. 3513.257](#)).
- **Filed With:** Appropriate county board of elections office ([R.C. 3513.05](#)).

**Note:** *If the court is located in more than one county, the petition is filed with the board of elections in the most populous county unless otherwise provided for in law.*

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## Township Offices

In 2023, the fiscal officer and one trustee will be elected to full terms in each township. Candidates for township office are nominated by nominating petition as nonpartisan candidates, unless a majority of the voters of the township have adopted provisions to hold a primary election. ([R.C. 3513.01](#), [R.C. 3513.253](#)).

### **Term of Office**

- **Fiscal Officer:** Four years, commencing April 1, 2024 ([R.C. 507.01](#))
- **Trustee:** Four years, commencing January 1, 2024 ([R.C. 505.01](#), [R.C. 507.01](#)).

### **Qualifications and Filing Information**

- **Residency Requirement:** Resident of the township ([R.C. 3.15](#)).
- **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).
- **Other:** Registered elector of the township ([OH Const. Art. V §1](#), [Art. XV §4](#)).
- **Petition Filing Deadline:** By 4 p.m. on August 9, 2023 (90 days before the general election) ([R.C. 3513.253](#)).
- **Filing Fee:** \$30 ([R.C. 3513.10](#), [R.C. 3513.261](#)).
- **Petition Forms:**
  - [Form 3-R: Nominating Petition – Township Office](#) - **for individual candidates**
  - [Form 3-S: Nominating Petition - Township Offices \(Several Candidates\)](#) - **for group of candidates**

*See page 22 for additional information on group petitions.*

- **Signature Requirement:** 25 valid signatures ([R.C. 3513.253](#)).
- **Filed with:** Appropriate county board of elections office ([R.C. 3513.253](#)).

## Board of Education

The number of members of a board of education to be elected in 2023 differs in each school district. Nomination of candidates for board of education may be made by: Nominating petition ([R.C. 3513.254, R.C. 3513.255](#)) or, if approved by the board of education, by a nonpartisan primary election held on the same day as the primary election for nominating all other candidates for public office in that year. ([R.C. 3513.256](#)).

### **Term of Office**

- Four years, commencing January 1, 2024 ([R.C. 3313.09](#)).

### **Qualifications and Filing Information**

- **Residency Requirement:** Resident in the territory comprising the district ([R.C. 3.15, R.C. 3313.01](#)).
- **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1, Art. XV §4](#)).
- **Other:** Registered elector in the territory comprising the district ([R.C. 3313.01](#)).
- **Petition Filing Deadlines:**
  - **Nonpartisan Primary:** By 4 p.m. on February 1, 2023 (90 days before the primary election) ([R.C. 3513.256\(A\)](#)).
  - **No primary:** By 4 p.m. on August 9, 2023 (90 days before the general election) ([R.C. 3513.254, R.C. 3513.255](#)).
- **Filing Fee:** \$30 ([R.C. 3513.10, R.C. 3513.261](#)).
- **Petition Forms:**

#### **City, local or exempted village board**

- [Form 3-T: Nominating Petition - Board of Education - City, Local or Exempted Village School District - for individual candidates](#)
- [Form 3-U: Nominating Petition - Board of Education - City, Local or Exempted Village School District \(Several Candidates\) - for group of candidates](#)
- [Form 3-V: Nominating Petition - Board of Education - Newly Formed Local School District - for newly formed local school board](#)

#### **Governing board of educational service center (ESC)**

- [Form 3-W: Nominating Petition - Board of Education - Educational Service Center - for individual candidates \(at-large or district\)](#)
- [Form 3-X: Nominating Petition - Board of Education - Educational Service Center - At-Large \(Several Candidates\) - for group of at-large candidates](#)
- [Form 3-Y: Nominating Petition - Board of Education - Educational Service Center - Newly Formed Governing Board - for newly formed ESC, individual candidates](#)
- [Form 3-YA: Nominating Petition - Newly Formed Governing Board of an Educational Service Center \(Several Candidates\) - for newly formed ESC, group of candidates](#)

- **Petition Forms:** [See page 22 for additional information on group petitions.](#)

**Non-Partisan Primary**

- [Form 2-V: Declaration of Candidacy - Non-Partisan Primary - Member of the Board of Education - city, local, exempted village](#) - **for city, local, exempted village (individual candidates)**
- [Form 2-W: Declaration of Candidacy - Non-Partisan Primary - Member of the Governing Board of an Educational Service Center](#) - **for individual ESC candidate**
- [Form 2-X: Declaration of Candidacy - Non-Partisan Primary - Member of a Newly Formed Governing Board of an Educational Service Center](#) - **for newly formed ESC**

*See page 22 for additional information on group petitions.*

- **Signature Requirements:**

- **City:** based on the population of the school district ([R.C. 3513.254](#)):

| <u>Population of city school district</u> | <u>Number of valid signatures required</u> |
|---|--|
| Fewer than 20,000                         | 25   |
| 20,000 – 49,999                           | 75   |
| 50,000 – 99,999                           | 150  |
| 100,000 or more                           | 300  |

- **Local school district:** 25 valid signatures ([R.C. 3513.254](#)).
- **Exempted Village:** 25 valid signatures ([R.C. 3513.254](#)).
- **ESC:** 50 valid signatures ([R.C. 3513.255](#)).

- **Filed With:** Appropriate county board of elections office ([R.C. 3513.254](#)):

**Non-ESC:** If the school district is in more than one county, the petition is filed in the most populous county of the school district.

**ESC:** If the ESC is in more than one county, the petition is filed with the board of elections of the county in which the ESC's central administrative offices are located. ([R.C. 3513.255](#)).

## Elimination of Primary Election

[Section 3513.02 of the Revised Code of Ohio](#) provides that a municipal partisan primary election shall not be conducted under certain circumstances.

No primary election will be conducted for a particular political party in an odd-numbered year if, in accordance with [R.C. 3513.02](#), the following occurs:

- No valid declaration of candidacy is filed by a candidate of a political party for election to any of the offices to be voted for at the general election in that year; or
- Not more than one party declaration of candidacy is filed for each office to be voted upon at the general election.

However, if the only office for which there is a primary contest is that of ward council member, a primary election will be held for that party only in the ward in which there is a contest, and only the names of the candidates for that ward office will appear on the party's ballot. ([R.C. 3513.02](#)).

## Minor Parties

Prospective candidates of a minor party that has filed a party formation petition should follow the signature requirements and filing deadlines outlined in [Chapter 14 of the Ohio Election Official Manual](#).<sup>\*</sup> Nominating petitions for use by prospective candidates of a minor party that has filed a party formation petition are available on the Secretary of State's website ([Form 4-G](#)).

Prospective candidates of a recognized minor party should follow the signature requirements and filing deadlines listed for minor party candidates in this guide below the office being sought.

*\*Following the 2020 General Election, no minor political party met the threshold for minor party recognition under Ohio law. As of the time of publication, no minor political party presently qualifies for ballot access as a legally recognized minor political party under Ohio law. See [Advisory 2021-01](#).*

## Write-In Candidates

Any person wanting to be a write-in candidate must file a declaration of intent to be a write-in candidate. Only write-in candidates who have filed a valid declaration of intent will have votes counted in the election for which the candidate filed. ([R.C. 3513.041](#)).

A write-in candidate must meet all of the qualifications of the office being sought. (Please review the qualifications above for the specific office being sought.)

- **Filing Deadlines:**

- **Write-In for Primary Election:** By 4 p.m. on February 21, 2023\* (72 days before the primary election) ([R.C. 3513.041](#)).
- **Write-In for General Election:** By 4 p.m. on August 28, 2023\* (72 days before the general election) ([R.C. 3513.041](#)).

*\*Note: The filing deadlines fall on a day when the county boards of elections are closed. Therefore, the deadline is extended to the next succeeding day when the appropriate office is open for regular business hours. ([R.C. 1.14](#)).*

- **Filing Fee:** A write-in candidate must pay the same filing fee as any other candidate for the office. Please review the filing fee information above for the specific office being sought. ([R.C. 3513.10](#)).
- **Form Number:** [Form 13: Declaration of Intent to be a Write-in Candidate \(all offices except U.S. president / vice president & Gov / Lt Gov\) - all offices](#)
- **Filed With:** A write-in candidate must file their declaration of intent to be a write-in candidate form with the appropriate county board of elections. Please review the "Filed With" section for the specific office being sought. ([R.C. 3513.05](#)).

*Note: In order to advance from a primary election ballot to a general election ballot, Ohio law requires a write-in candidate for party nomination in a contest where only write-in candidates filed to receive at least as many votes as the number of petition signatures that would have been required for the person's name to be printed on the primary ballot. ([R.C. 3513.23\(B\)](#); [R.C. 3513.05](#)).*



## Political Party Affiliation of Candidates for Party Nomination

A person may be a candidate for nomination of any political party at a primary election (regardless of party affiliation established by voting in a prior partisan primary) if either of the following apply:

- The person does not hold elective office, or
- The person holds an elective office for which candidates are not nominated at a primary election.

However, a person holding an elective office for which candidates are nominated at a party primary may become a candidate for a different political party if the person completes and files the Secretary of State's prescribed [Form 10-Y](#), Declaration of Intent to Change Political Party Affiliation, **by 4 p.m. on the 30<sup>th</sup> day before the filing deadline for the primary election**. The completed [Form 10-Y](#) must be filed with the same office (e.g., Secretary of State, county board of elections) with which the person is required to file the declaration of candidacy and petition.

A person may file such declaration of intent only once during a period of 10 years after first filing a declaration of intent. ([R.C. 3513.191](#)).

Please see [R.C. 3513.04](#) and [R.C. 3513.052](#) for further candidacy restrictions.

## Independent Candidates

An independent candidate must be unaffiliated from any political party, and the required claim of being unaffiliated must be made in good faith in order for the candidate to be qualified to run as an independent candidate. *Morrison v. Colley*, 467 F.3d 503 (6th Cir. 2006); *Jolivette v. Husted*, 694 F.3d 760 (6th Cir. 2012); *State ex rel. Davis v. Summit County Board of Elections*, 137 Ohio St.3d 222 (2013); *State ex rel. Morris v. Stark County Board of Elections*, 143 Ohio St.3d 507 (2015); *State ex rel. Cunnane v. LaRose*, Slip Opinion No. 2022-Ohio-2875.

At the time a prospective independent candidate (other than a candidate for judicial office) files their nominating petition, the candidate may request to have the designation "nonparty candidate" or "other party candidate" printed underneath the candidate's name on the ballot. The designation "independent" may not appear on the ballot. Such request must be given to the office at which the nominating petition was filed. ([R.C. 3505.03](#), [R.C. 3513.257](#)).

Please review the information regarding office qualifications, signature requirements, and filing deadlines for the specific office being sought. More information about independent candidates may also be found in [Advisory 2007-05](#).

## Restrictions on Filing for Multiple Offices

No person shall seek nomination or election to any of the following offices or positions at the same election by filing a declaration of candidacy and petition, Declaration of Intent to be a Write-In Candidate, or a nominating petition; by becoming a candidate through a party nomination in a primary election; or by filling of a vacancy under [R.C. 3513.30](#) or [R.C. 3513.31](#):

1. Two or more state offices;
2. Two or more county offices;
3. A state office and a county office;
4. A federal and a state or county office; or
5. Any combination of two or more municipal or township offices, positions as a member of a city, local, or exempted village board of education, or position as a member of a governing board of an educational service center. ([R.C. 3513.052](#)).

The only exception to this prohibition is if a person “timely withdraws” their candidacy. A candidate who timely withdraws their candidacy prior to board action on their petition and prior to the filing deadline may file a new petition for the same or a different office in the same election as the withdrawn petition. (*State ex rel. Coble v. Lucas County Board of Elections, et al.*, 130 Ohio St.3d 132 (2011)).

Pursuant to [R.C. 3513.052\(H\)\(2\)](#), “timely withdraws” means either of the following:

1. Withdrawing as a candidate before the applicable filing deadline for filing a declaration of candidacy, Declaration of Intent to be a Write-In Candidate, or nominating petition for the subsequent office for which the person is seeking to become a candidate at the same election, or
2. Withdrawing as a candidate before the applicable deadline for the filling of a vacancy under sections [R.C. 3513.30](#) or [R.C. 3513.31](#) of the Revised Code, if the person is seeking to become a candidate for a subsequent office at the same election under either of those sections.

A candidate may withdraw only their candidacy. Once filed, a candidate may not withdraw the petition or other forms used to initiate the candidacy.

Candidates may also review Chapter 14 of the Ohio Election Official Manual for information about candidacies and/or consult with private legal counsel.

## Group Petitions

Ohio law provides for a “group petition” to be used by candidates nominated only by nominating petition for the following offices: member of a board of education, township office, and offices of villages with under 2,000 population. ([R.C. 3513.261](#)).

If a group of candidates for one of these offices wants to jointly circulate and file a single petition, they may do so by using the appropriate form:

- [Form 3-S: Nominating Petition - Township Offices \(Several Candidates\)](#) - **township office**
- [Form 3-MA: Nominating Petition - Village Office - \(Several Candidates\)](#) - **offices in villages with under 2,000 population**
- [Form 3-U: Nominating Petition - Board of Education - City, Local or Exempted Village School District \(Several Candidates\)](#) - **city, local, or exempted village board of education**
- [Form 3-X: Nominating Petition - Board of Education - Educational Service Center - At-Large \(Several Candidates\)](#) - **at-large members of education service center**
- [Form 3-Y: Nominating Petition - Board of Education - Educational Service Center - Newly Formed Governing Board](#) - **members of newly formed educational service center**

Each of the candidates named in the group petition must sign the “Statement of Candidacy,” and each must pay a separate filing fee. All signatures affixed to the petition are credited to each candidate named on the petition. ([R.C. 3513.10](#), [R.C. 3513.261](#)).

## Protests

Protests against the candidacy of any person must be in writing, must set forth with specificity the legal ground(s) for the protest, and must be filed with the board of elections where the candidate filed their declaration of candidacy, nominating petition, or Declaration of Intent to be a Write-In Candidate. If the candidate filed with the Office of the Secretary of State, the protest must be filed with the Secretary of State. ([R.C. 3513.041](#), [R.C. 3513.05](#), [R.C. 3513.262](#), [R.C. 3513.263](#)).

After a valid protest is filed, the board of elections or, if applicable, the Secretary of State, must set a time and place for hearing the protest and give notice to both the person whose candidacy is being protested and the protestor. Both the protestor and the protested candidate, or their respective legal counsel, will have the opportunity to address the board or Secretary of State's hearing officer at the hearing. ([R.C. 3513.041](#), [R.C. 3513.05](#), [R.C. 3513.262](#), [R.C. 3513.263](#)).

## Partisan Primary Election

### Party Candidate

**Protest against a party candidate who filed a declaration of candidacy for the primary election:** Protests against a candidate who has filed a declaration of candidacy and petition in a partisan primary may be made by the controlling committee of that party, or by any qualified elector who is a member of the same party as the candidate and who is eligible to vote for the candidate whose petition is the subject of the protest. ([R.C. 3513.05](#)).

The deadline to file a protest against any party candidate who filed a declaration of candidacy for the primary election is 4 p.m. on February 17, 2023, or 74 days before the primary election. ([R.C. 3513.05](#)).

### Write-in Candidate

**Protest against a party candidate who filed a Declaration of Intent to Be a Write-In Candidate at the primary election:** Any elector eligible to vote on the candidacy of a write-in candidate may protest that candidacy.

The deadline to file a protest against a write-in candidate for the primary is 4 p.m. on February 24, 2023, or 67 days before the primary election. ([R.C. 3513.041](#)).

## General Election

### Independent Candidate

**Protest against an independent candidate who filed a nominating petition:** Protest may be made by any qualified elector who is eligible to vote for the candidate whose petition is the subject of the protest. The deadline to file a protest against any candidate who filed a nominating petition as an independent candidate is 4 p.m. on July 30, 2023. ([R.C. 3513.262](#)).

## Nonpartisan Candidate

**Protest against a nonpartisan candidate who filed a nominating petition:** Any elector eligible to vote on the nonpartisan office may protest a candidacy. The deadline to file a protest against any candidate who filed a nominating petition as a nonpartisan candidate is 4 p.m. on August 25, 2023, or 74 days before the general election. ([R.C. 3513.263](#)).

## Write-in Candidate

**Protest against a candidate who filed a Declaration of Intent to Be a Write-In Candidate for the general election:** Any elector eligible to vote on the candidacy of the write-in candidate may protest that candidacy.

The deadline to file a protest against a candidate who filed a Declaration of Intent to Be a Write-In Candidate for the general election is 4 p.m. on September 1, 2023, or 67 days before the general election. ([R.C. 3513.041](#)).

## Unexpired Term Elections (Vacancy in Office)

Several statutes govern candidacies for unexpired term elections. [R.C. 3513.31](#) is the general statute that must be consulted in connection with an unexpired term election for an office that, under Ohio law, is subject to party primaries. [R.C. 3513.31\(I\)](#) provides how and when party nominees are selected for unexpired term elections for such offices, while [R.C. 3513.31\(J\)](#) describes how persons become independent candidates for those unexpired term elections.

Candidates seeking nomination or election to an office for the balance of an unexpired term must include the unexpired term ending date on the petition. Ohio law requires each person filing a declaration of candidacy or nominating petition as a candidate for the remainder of an unexpired term to designate the date on which that unexpired term will end. ([R.C. 3513.08](#), [R.C. 3513.28](#)). Failure to provide the correct term ending date on the petition will result in the petition being invalidated.

## Death or Withdrawal of Candidate

An individual's candidacy may cease to exist due to the individual's death or decision to withdraw from the election. If a candidate withdraws from an election, they must file a written statement of withdrawal with the office where the original candidate petition was filed (county board of elections office or the Secretary of State's office).

If a candidate dies, the candidate's party organization, committee, or family should promptly notify the county board of elections or Secretary of State's office where the original candidate petition was filed of the candidate's death.

## Primary Election

Candidates may withdraw their candidacy at any time before the primary election by filing a written statement with the county board of elections or Secretary of State's office where the original candidate petition was filed. ([R.C. 3513.30\(B\)](#)).

## General Election

Candidates nominated in a primary election or by nominating petition as a candidate for the general election may withdraw their candidacy at any time before the general election by filing a written statement with the county board of elections or Secretary of State's office where the original candidate petition was filed. ([R.C. 3513.30\(D\)](#)).

If a candidate nominated in a primary election dies prior to the general election, the candidate's party organization, committee, or family should promptly notify the appropriate board of elections of the candidate's death.

The law provides procedures for the replacement of a candidate who dies or withdraws during the election cycle. The proper procedures are dictated by the specific facts surrounding the vacancy on the ballot (e.g., the office involved, when the vacancy occurred, why the vacancy occurred, the time remaining before the election, etc.). The two statutes that generally govern vacancies on the ballot are [R.C. 3513.30](#) and [R.C. 3513.31](#).

## Vacancies in Municipal Offices (Other Than Judge and Clerk of Courts)

### Villages

Vacancies in elective office of villages that have adopted a form of home rule will be filled as provided by the applicable home-rule and municipal charter provisions.

In all statutory (non-home rule) villages, the office of mayor is the only office requiring an election to fill an unexpired term, and then only if the following two conditions exist:

- The vacancy occurs more than 40 days before the next regular municipal election, and
- The unexpired term will end more than one year after that election.

Vacancies in other statutory village offices are filled by an appointment for the entire unexpired term. ([R.C. 731.43](#), [R.C. 733.25](#), [R.C. 733.31](#)).

### Cities

In all cities operating under a charter or other plan of home-rule government, the applicable provisions of the municipal charter or home-rule plan will control the filling of vacancies.

In statutory (non-home rule) cities, vacancies in municipal offices for mayor, director of law, auditor, treasurer, and president of council, are filled by an election for the unexpired term if the following two conditions exist:

- The vacancy occurs more than 40 days before the next regular municipal election, and
- The unexpired term will end more than one year after that election.

Vacancies in other offices are filled by an appointment for the remainder of the unexpired term. ([R.C. 731.43](#), [R.C. 733.08](#), [R.C. 733.31](#)).

# Vacancies in Municipal Court; Townships; and Boards of Education

## Judge

Except where otherwise provided by charter, a vacancy in the office of a municipal judgeship that would not otherwise appear on the ballot in 2023 and that occurs after January 22, 2023 (the 100<sup>th</sup> day before the May 2, 2023 primary election), and prior to September 28, 2023 (the 40<sup>th</sup> day before the November 7, 2023 general election), shall be filled by an election for the unexpired term. ([R.C. 3.02](#), [R.C. 1901.10](#)).

## Clerk

A vacancy in the office of an elected municipal court clerk is filled according to [R.C. 1901.31](#).

## Township Offices

A vacancy occurring in a township elective office that does not appear on the ballot in 2023 shall be filled by an election for the unexpired term if the vacancy occurs prior to September 28, 2023 (the 40<sup>th</sup> day before the November 7, 2023 general election). ([R.C. 503.24](#)).

## Boards of Education

Each person selected to fill a vacancy on a board of education shall hold office for the shorter of the following periods:

- Until the completion of the unexpired term, or
- Until the first day of January immediately following the next regular board of education election taking place more than 90 days after a person is selected to fill the vacancy.

If, prior to the 90<sup>th</sup> day before the general election (August 9, 2023), a person is appointed to a board of education term expiring on December 31, 2025, an election for the remainder of the unexpired term shall be held on November 7, 2023. ([R.C. 3313.11](#)).

## Education and Training Requirements

Many offices have education and training requirements that must be satisfied in order for a person to qualify as a candidate for the office, or in order for a person to qualify to hold the office. The Secretary of State's office cannot advise candidates or officials on what education and training requirements are required to obtain or hold an elective office.

Candidates should contact the office they seek to hold to receive additional information on education or training requirements.

## Campaign Finance Reporting

At the time petitions of candidacy are filed, each candidate should receive materials about campaign finance compliance and reporting.

Additional information regarding campaign finance rules, reporting requirements, and filing deadlines may be found on the [Ohio Secretary of State's website](#).

## Securing your Campaign

The Department of Homeland Security ("DHS") and Federal Bureau of Investigation ("FBI") provide valuable resources to help mitigate the risk of cyber influence in elections. Every campaign committee should review the DHS [Campaign Checklist](#) and the FBI's [Protected Voices](#) video series to learn valuable tools for how to reduce risk and how to respond to incidents.

State and local campaign staff should report suspicious activity to their local FBI field office (Cincinnati: 513.421.4310 or Cleveland: 216.522.1400) and the Department of Homeland Security's National Cybersecurity and Communications Integration Center at 888.282.0870 or [NCCICCustomerService@hq.dhs.gov](mailto:NCCICCustomerService@hq.dhs.gov).

For additional resources, the Harvard Kennedy School's Belfer Center for Science and International Affairs has published a [Campaign Playbook](#), as well as campaign handouts for [campaign staff](#) and [family members of the candidate](#).

## Personal Financial Disclosure Statement

Any individual who becomes a candidate for or holds a state, county, or city elected office, or the position of school board member in a school district with more than 12,000 students average daily membership, is required to file a personal financial disclosure statement. All public officials and candidates for elected office must file statements with the Ohio Ethics Commission, except members of and candidates for the General Assembly, who file with the Joint Legislative Ethics Committee, and judges and judicial candidates, who file with the Board of Commissioners on Grievances and Discipline of the Supreme Court.

For further information on the filing requirements and deadlines or to find a copy of a blank personal financial disclosure statement, visit the Ohio Ethics Commission's website at: [www.ethics.ohio.gov](http://www.ethics.ohio.gov). For further information, please contact the Ohio Ethics Commission at 614.466.7090.



Candidates for the Ohio General Assembly may obtain additional information by contacting the Joint Legislative Ethics Committee at: 614.728.5100 or <http://www.jlec-olig.state.oh.us>.

Judicial candidates can find information at: <https://www.bpc.ohio.gov/financial-disclosure-statements> or by calling the office of the Board of Professional Conduct at 614.387.9370.

## 2023 Ohio Elections Calendar

[Click here to access the 2023 Ohio Elections Calendar](#)

AUG 25 '23 4:11:11



**ELECTIONS DIVISION**

[OhioSOS.gov](http://OhioSOS.gov)

[elections@OhioSOS.gov](mailto:elections@OhioSOS.gov)

877-SOS-OHIO

TTY 877-889-6446

22 North Fourth Street  
Columbus, Ohio 43215

06/25/23 04:11:13

# Agenda Item

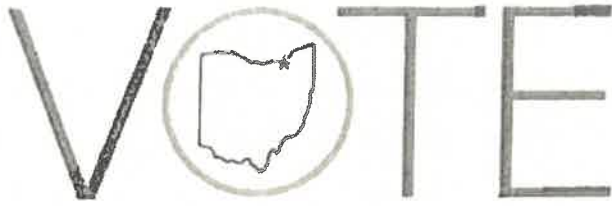
#8

# Protest

Mark R. Majer

Cleveland Court

Judge FTC 1/5/24



# CUYAHOGA COUNTY BOARD OF ELECTIONS

## ***General Receipt, Candidate & Petition Services***

**Date Received:** 8.4.23

**From:**

**Phone:** 216-536-3233

Jeff Johnson

9024 Parkgate Avenue

Cleveland, OH 44108

email attorneyjeffjohnson@gmail.com

**Received:**

- Protest candidacy of Mark R. Majer
- November 7, 2023 General Election
- Cleveland Municipal Court FTC 1/5/2024
- 

**Notes:**

**Received by Board of Elections-Staff:** Lawler, Brent E.

23 AUG 4 AM 10:23

AUGUST 4, 2023

**CUYAHOGA COUNTY BOARD OF ELECTIONS**  
2925 Euclid Avenue  
Cleveland, Ohio 44115

Jeffrey David Johnson

Protester,

- ) HENRY F. CURTIS, IV  
BOARD CHAIRMAN
- ) INAJO DAVIS CHAPPELL  
BOARD MEMBER
- ) LISA M. STICKAN  
BOARD MEMBER
- ) TERENCE M. MCCAFFERTY  
BOARD MEMBER
- ) ANTHONY W. PERLATTI  
DIRECTOR
- ) ANTHONY N. KALOGER  
DEPUTY DIRECTOR
- ) PROTEST AGAINST THE  
CERTIFICATION OF MARK R.  
MAJER'S NOMINATING PETITIONS  
AND STATEMENT OF CANDIDACY  
FOR THE ELECTED OFFICE OF  
MUNICIPAL COURT JUDGE IN THE  
CITY OF CLEVELAND'S NOVEMBER  
7, 2023, MUNICIPAL ELECTION

Jeffrey David Johnson, a qualified elector eligible to vote in the November 7, 2023, municipal general election in the City of Cleveland, Ohio, respectfully submits this written protest against the certification of the nominating petitions and statement of candidacy of Mark R. Majer for the elected office of Municipal Court Judge in the City of Cleveland.

Mark R. Majer is ineligible to be a certified candidate for the elected municipal office of Judge in Cleveland's Municipal Court because he has not been an elector within the City of Cleveland for at least twelve (12) consecutive months immediately prior to the November 7, 2023, regular Municipal election. The Cuyahoga County Board of Elections should decertify Mark R. Majer as

23 AUG 9 AM 10:04

a candidate for Cleveland Municipal Judge in the City of Cleveland's upcoming Municipal General Election occurring on November 7, 2023.

## **MEMORANDUM OF SUPPORT**

### **Ohio Revised Code – Title 19**

The Ohio Revised Code Chapter and Section 1901.01 established municipal courts throughout the municipal corporations in Ohio, including Cleveland. Section 1901.02 included the municipal corporation of the Village of Bratenahl as within the Cleveland municipal court jurisdiction.

Section 1901.07 (C)(1) establishes how judges for the Cleveland municipal court shall be nominated and elected:

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) **In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices.** Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

### **Cleveland Charter Amendment Issue 20**

On November 5, 2019, the City of Cleveland held a municipal election and included on the ballot Cleveland's Charter Amendment Issue 20. The city voters approved Issue 20 with 76.25% of the vote. The Issue 20 Amendment to the City of Cleveland Charter that the voters approved was:

*Shall Sections 5, 7, and 8 of the Charter of the City of Cleveland be amended to provide that to be eligible to be a candidate for elected office in the City, a person must have been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election, or the next election required by law or Charter, whichever occurs first; to require that candidates use standard forms of the Secretary of State; and to provide that the filing deadline for nominating petitions be on the ninetieth (90<sup>th</sup>) day before the primary election?*

The Cuyahoga County Board of Elections certified the voter approved Cleveland Charter Amendment Issue 20 on November 26, 2019, (Exhibit #1). The 2019 amendment has been included into sections 5, 7, and 8 of the Charter of the City of Cleveland, (Exhibit #2).

### **Nominating Petition and Statement of Candidacy**

Mark R. Majer did not become an elector within the City of Cleveland until **February 8, 2023**, via INET, (Exhibits #3 / #4). The Cuyahoga County voter registration report for Mark R. Majer provides that prior to February 8, 2023, he was an elector in the City of Gates Mills, Ohio. His voter report also reveals that he voted as an elector in the City of Gates Mills in the May 3<sup>rd</sup>, August 2<sup>nd</sup> and November 8<sup>th</sup> elections held in 2022, (Exhibit #5). Additionally, he filed in 2022 his declaration of candidacy for the office of Judge of the Cuyahoga County Court of Common Pleas which included on the nominating petitions his residence in Gates Mills, Ohio, (Exhibit #6). On June 14, 2023, he filed his nominating petition and statement of candidacy for the office of Cleveland Municipal Court Judge, (Exhibit #7).

### **Conclusion**

In the City of Cleveland, the manner prescribed by its Charter for filing nominating petitions for its Municipal elections include the requirement that a person must have been an elector of the city for at least 12 consecutive months immediately prior to its next Municipal election, or the next election required by law or Charter, whichever occurs first. The Ohio Revised Code establishes that municipal judges shall be nominated in the city of Cleveland by petition and filed in the manner as other municipal offices in the City of Cleveland. The other municipal offices, in addition to Judge, are the Mayor, City Council and the Clerk of Courts.

Mark R. Majer is not eligible to be a candidate for the elected municipal office of Judge in Cleveland's Municipal Court because he has not been an elector within the City of Cleveland for at least twelve (12) consecutive months immediately prior to the November 7, 2023, regular Municipal election. Consequently, for the reasons noted above, he should be decertified as a candidate to the November 7, 2023, City of Cleveland's Municipal General Election, (Exhibit #8). Thank you.

  
Jeffrey David Johnson  
9024 Parkgate Avenue  
Cleveland, OH 44108  
(216) 536-3233  
attorneyjeffjohnson@gmail.com

23 AUG 4 AM 10:05



# CERTIFICATE OF RESULT OF ELECTION ON QUESTION OR ISSUE

Revised Code 3501.11, 3505.33, 5705.19 - 5705.25

The State of Ohio, County of Cuyahoga, ss.

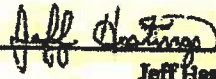
To: Cleveland City Council; Secretary of State Frank LaRose

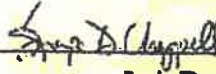
We, the undersigned, Cuyahoga County Board of Elections, do hereby certify that at the election held in the City of Cleveland, on the 5<sup>th</sup> day of November, 2019, the vote cast on the following issue was as follows:

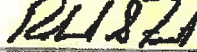
**Issue 20. Proposed Charter Amendment:** Shall Sections 5, 7, and 8 of the Charter of the City of Cleveland be amended to provide that to be eligible to be a candidate for elected office in the City, a person must have been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election, or the next election required by law or Charter, whichever occurs first; to require that candidates use standard forms of the Secretary of State; and to provide that the filing deadline for nominating petitions be on the ninetieth (90th) day before the primary election?

|                                  |               |
|----------------------------------|---------------|
| <b>Votes Yes:</b>                | <b>24,771</b> |
| <b>Votes No:</b>                 | <b>7,715</b>  |
| <b>Total vote cast on issue:</b> | <b>32,486</b> |

IN WITNESS WHEREOF, we have hereunto subscribed our names officially at Cleveland, Ohio, this 26<sup>th</sup> day of November, 2019.

  
\_\_\_\_\_  
Jeff Hastings, Chair


  
\_\_\_\_\_  
Inajo Davis Chappell

  
\_\_\_\_\_  
Robert S. Frost

  
\_\_\_\_\_  
David J. Wondolowski

Cuyahoga County, Ohio

Attest:

  
\_\_\_\_\_  
Anthony W. Perlati, Director

23 AUG 4 AM 10:00

# City of Cleveland Charter

## **CHAPTER 3 - NOMINATIONS AND ELECTIONS**

**§ 3 Elections**

**§ 4 Nominations**

**§ 5 Nominating Petitions**

**§ 6 Petition Form**

**§ 7 Candidacy and Nominating Petition Papers**

**§ 8 Filing and Verification of Petitions**

**§ 9 Acceptance of Nomination - Repealed**

**§ 10 Selection of Candidates**

**§ 11 Ballots**

**§ 12 Rotation of Names**

**§ 13 Write-in Spaces on Ballots**

**§ 14 Rules for Counting Ballots**

**§ 15 General Laws to Apply**

**§ 16 Removal Procedure of Mayor or Member of Council**

**§ 17 Filing Recall Petition**

**§ 18 Recall Election Ordered**

**§ 19 Separate Recall Petitions Required**

**§ 20 Ballots in Recall Elections**

**§ 21 Result of Recall Election**

**§ 22 Election When Member Resigns**

**§ 23 Limitations on Recall Petitions**

**§ 23-1 Campaign Financing Laws**

**§ 23-2 Comprehensive Disclosure Rules - Repealed**

**§ 23-3 Fair Campaign Finance Commission - Repealed**

**§ 23-4 Penalties - Repealed**

**§ 23-5 Appeals Process - Repealed**

**§ 23-6 Review of Campaign Financing Laws - Repealed**

## § 23-7 Passage of Legislation – Repealed

### § 3 Elections

A general election for the choice of elective officers provided for in this Charter shall be held on the first Tuesday after the first Monday in November every four years commencing November 1981. Elections so held shall be known as regular Municipal elections. The other elections shall be held as may be required by law, or provided for in this Charter.

(Effective November 4, 2008)

### § 4 Nominations

Candidates for all offices to be voted for at any regular Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday in September prior to the regular Municipal election. Candidates for all offices to be voted for at any other Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the eighth Tuesday prior to the other Municipal elections.

(Effective November 4, 2008)

### § 5 Nominating Petitions

**The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first.** Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.

(Effective November 5, 2019)

### § 6 Petition Form

The signatures to a nominating petition need not all be appended to one paper, but on each separate paper the circulator shall indicate the number of signatures contained on the petition, and shall sign a statement made under penalty of election falsification that the circulator witnesses the affixing of every signature, that all signers were to the best of the circulator's knowledge and belief qualified to sign, and that every signature is to the best of

the circulator's knowledge and belief the signature of the person whose name it purports to be. Each signer of a petition shall sign his or her name in ink or indelible pencil, and shall place on the petition after his or her name the signer's place of residence by street and number, or other description sufficient to identify the place, and give the date when the signer's signature was made.

(Effective November 4, 2008)

#### **§ 7 Candidacy and Nominating Petition Papers**

The statement of candidacy and nominating petition papers shall be standard forms of the Secretary of State as required under the general law of the State.

(Effective November 5, 2019)

#### **§ 8 Filing and Verification of Petitions**

All separate papers comprising a statement of candidacy and nominating petition shall be assembled and filed with the election authorities as one instrument no later than four p.m. on the ninetieth (90th ) day prior to the day of the primary election. Within ten (10) days after the filing of a nominating petition the election authorities shall notify the person named in the petition as a candidate whether the petition is found to be signed by the required number of qualified electors. If insufficient, the person named in the petition as candidate may amend the petition by filing additional petition papers within five (5) days after notification of insufficiency by the election authorities. Within five (5) days after the filing of the additional petition papers, the election authorities shall notify the person named in the petition as candidate whether the amended petition is found to be signed by the required number of qualified electors.

(Effective November 5, 2019)

#### **§ 9 Acceptance of Nomination – Repealed**

Note: This section was repealed by the electors on November 4, 2008.

#### **§ 10 Selection of Candidates**

The number of candidates for any office at any regular Municipal election in the City at large or in each ward, as the case may be, shall be the two candidates on the primary election ballot receiving the highest number of votes at the primary election. In case there shall not be for any office more than two persons who shall have filed petitions as provided for in this Charter, then said persons shall be the candidates at the regular Municipal election and the primary for the particular office shall not be held.

The name of each person who is nominated in compliance herewith shall be printed on the official ballot at the general election, and the names of no other candidates shall be printed thereon.

(Effective October 8, 1971)

#### **§ 11 Ballots**

All ballots used in elections held under authority of this Charter shall be without party marks or designations. Ballots used for the nomination or election of candidates shall contain a complete list of the offices to be filled, and the names of candidates for each office shall be arranged under the title thereof. Voters shall record their choices in the manner prescribed by the general law of the State.

(Effective November 4, 2008)

#### **§ 12 Rotation of Names**

The names of candidates to be nominated or elected shall be printed on the ballot in rotation in the manner prescribed by general law.

(Effective October 8, 1971)

#### **§ 13 Write-in Spaces on Ballots**

A write-in space shall be provided on the ballot in the manner prescribed by general law of the State.

(Effective November 4, 2008)

#### **§ 14 Rules for Counting Ballots**

Counting the ballots cast at every election held under the authority of this Charter shall be administered as provided by the general laws of the State of Ohio. The candidate having the largest number of votes for each office voted upon at the regular Municipal election shall be declared elected to the office. In case it cannot be determined which of two or more candidates shall be declared elected, by reason of the fact that they have received the same number of votes, the election authorities shall determine by lot which of the candidates shall be declared elected.

(Effective April 28, 2020)

## **§ 15 General Laws to Apply**

All elections provided for by this Charter, whether for the choice of officers or the submission of questions to the voters, shall be conducted by the election authorities prescribed by general law of the State; and the provisions of the general election laws of the State shall apply to all the elections except as provision is otherwise made by this Charter, and except further that the Council may, by ordinance, provide measures to promote and insure the purity and integrity of the ballot, and against corrupt practices in elections.

(Effective November 4, 2008)

## **§ 15-1 Balloting by Armed Forces - Repealed**

Note: This section was repealed by the electors on November 4, 2008.

## **§ 16 Removal Procedure of Mayor or Member of Council**

The Mayor or any member of the Council may be removed from office by the electors of the City. The procedure for effecting such a removal shall be as follows:

Any elector of the City may make and file with the Clerk of the Council an affidavit stating the name of the officer whose removal is sought and the grounds alleged for such removal. The Clerk shall thereupon deliver to the elector making the affidavit copies of petition papers for demanding such a removal, printed copies of which he shall keep on file for distribution as herein provided. In issuing any such petition paper, the Clerk shall enter in a record to be kept in his office the name of the elector to whom issued, the date of issuance, and the number of papers issued, and shall certify upon each such paper the name of the elector to whom issued and the date of issuance. No petition paper shall be accepted as part of a petition unless it bears such certificate of the Clerk and unless filed as hereinafter provided.

(Effective November 8, 1994)

## **§ 17 Filing Recall Petition**

A petition demanding the removal of the Mayor or a member of the Council shall be known as a recall petition. A recall petition to be effective must be returned and filed with the City Clerk within thirty days after the filing of the affidavit as provided in the next preceding section, and to be sufficient, must bear the signatures of not less than twenty percent of those who voted in the City or ward respectively at the last preceding regular Municipal election. Within ten (10) days from the date of the filing of such petition, the Clerk shall determine the sufficiency thereof and attach thereto a certificate showing the result of his examination. If the Clerk shall certify that the petition is insufficient he shall set

forth in the certificate the particulars in which the petition is defective, and shall return a copy of the certificate to the person designated in such petition to receive it. Such recall petition may be amended at any time within twenty (20) days after the return of a copy of the certificate of insufficiency by filing a supplementary petition upon additional petition papers, issued, signed and filed as provided herein for the original petition. The Clerk shall, within ten (10) days after such amendment is filed, make like examination of the amended petition, and if his certificate shall show the same to be still insufficient, he shall return it to the person designated in such petition to receive it, without prejudice, however, to the filing of a new petition for the same purpose.

(Effective November 9, 1931)

#### **§ 18 Recall Election Ordered**

If a recall petition, or amended petition, shall be certified by the Clerk to be sufficient he shall at once submit it to the Council with his certificate to that effect and shall notify the person whose removal is sought by such action. If the person whose removal is sought does not resign within five days after such notice the Council shall thereupon order and fix a day for holding a recall election. Any such election shall be held not less than forty nor more than sixty days after the petition has been presented to the Council, at the same time as any other general or special election held within such period but, if no such election be held within such period, the Council shall call a special election to be held within the time aforesaid.

(Effective November 9, 1931)

#### **§ 19 Separate Recall Petitions Required**

The question of recalling the Mayor and any number of members of the Council may be submitted at the same election, but as to each person whose removal is sought a separate petition shall be filed and provision shall be made for an entirely separate ballot.

(Effective November 9, 1931)

#### **§ 20 Ballots in Recall Elections**

Ballots used at a recall election shall conform to the following requirements: With respect to the officer whose removal is sought the question shall be submitted, "Shall (name of person) be removed from the Council (or from the office of Mayor) by recall". Immediately below such question there shall be printed on the ballots the two following propositions, one above the other, in the order here indicated:

"For the recall of (name of person)."

"Against the recall of (name of person)."

Immediately at the left of each proposition there shall be a square in which the elector by making a cross mark (X) may vote for either of such propositions.

(Effective November 9, 1931)

#### § 21 Result of Recall Election

If a majority of the votes cast on the question of recalling a member of the Council or Mayor shall be against his recall he shall continue in office for the remainder of his unexpired term, but subject to recall as before. If a majority of such votes be for the recall of the member indicated on the ballots he shall, regardless of any defect in the recall petition, be deemed removed from office. When a person is removed from office by recall, Council shall immediately provide for the nomination and election of his successor for the unexpired term by fixing the time of the elections. The nomination and election of a person to succeed a person so removed shall be held within one hundred and twenty days after the date of the recall election and shall be conducted in the same manner as provided for regular Municipal elections.

(Effective November 9, 1931)

#### § 22 Election When Member Resigns

If the Mayor or a member of the Council in regard to whom a recall petition is submitted to the Council shall resign within five days after notice thereof, the successor for the unexpired term shall be nominated and elected as hereinbefore provided and the recall election shall not be held.

(Effective November 9, 1931)

#### § 23 Limitations on Recall Petitions

No recall petition shall be filed against the Mayor or a member of the Council within three months after he takes office nor, in case of a person subjected to a recall election and not removed thereby, until at least six months after that election.

(Effective November 9, 1931)

#### § 23-1 Campaign Financing Laws

The Council shall provide by ordinance for limitations on campaign contributions made to the campaign committees for all candidates in all primary, regular and special elections for the office of Mayor and the office of member of Council. The Council shall by ordinance



**provide penalties for exceeding the campaign contribution limitations and an appeal process for persons alleged to have violated the campaign contribution limitations.**

**(Effective November 4, 2008)**

**§ 23-2 Comprehensive Disclosure Rules – Repealed**

**Note: This section was repealed by the electors on November 4, 2008.**

**§ 23-3 Fair Campaign Finance Commission – Repealed**

**Note: This section was repealed by the electors on November 4, 2008.**

**§ 23-4 Penalties – Repealed**

**Note: This section was repealed by the electors on November 4, 2008.**

**§ 23-5 Appeals Process – Repealed**

**Note: This section was repealed by the electors on November 4, 2008.**

**§ 23-6 Review of Campaign Financing Laws – Repealed**

**Note: This section was repealed by the electors on November 4, 2008.**

**§ 23-7 Passage of Legislation – Repealed**

**Note: This section was repealed by the electors on November 4, 2008.**

# VOTER INFORMATION REPORT

**MARK R MAJER**

**PRINTED ON: 7/24/2023**

**VOTER ID:** 770851  
**NAME:** MARK R MAJER  
**RESIDENCE:** 1343 W 114TH ST  
**CITY/STATE/ZIP:** CLEVELAND, OH 44102

**CARE OF:**  
**STREET/BX:**  
**MAIL CITY:**  
**MAIL STATE/ZIP:**  
**COUNTRY:**

**PHONE NUMBER:** [REDACTED]

**STATUS:** ACTIVE  
**PARTY:** REPUBLICAN  
**REG DATE:** 02/08/2023

**PRECINCT:** CLEVE15C.01  
**PRECINCT NAME:** CLEVELAND -15-C

**POLLING PLACE:** LOUISA MAY ALCOTT ELEMENTARY SCHOOL  
10308 BALTIC ROAD

**SIGNATURE:** 

I hereby certify that the above document is a true and correct copy of the original filed at the Cuyahoga County Board of Elections.



**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

**Election Official:** Darshan Johnson

**Title:** Registration Election official

**Date:** July 24, 2023

**Signature:** 

**EXHIBIT #3**

# VOTER INFORMATION REPORT

MARK R MAJER

PRINTED ON: 7/24/2023

## VOTER'S TRANSACTIONS

| <u>FIELD</u>              | <u>BEFORE</u>       | <u>AFTER</u>        | <u>TRANS DATE</u> |
|---------------------------|---------------------|---------------------|-------------------|
| VNC GENERATED             | GENERATED           | YES                 | 3/6/23 9:47 am    |
| VNC MAILED                | MAIL DATE           | 03/06/2023          | 3/6/23 9:47 am    |
| INET TRANS - STATE VOTE   | OH0014853981        |                     | 2/9/23 8:28 am    |
| INET TRANS - UPDATE VO1 N |                     | P                   | 2/9/23 8:28 am    |
| LAST TRANS DATE           | Dec 1 2022 4:37AM   | Feb 9 2023 8:28AM   | 2/9/23 8:28 am    |
| PHONE NUMBER 1            |                     |                     | 2/9/23 8:28 am    |
| PRE DIR                   |                     | W                   | 2/9/23 8:28 am    |
| PRECINCT                  | GATES00A.01         | CLEVE15C.01         | 2/9/23 8:28 am    |
| RECEIVE DATE              | Oct 7 2012 12:00AM  | Feb 8 2023 12:00AM  | 2/9/23 8:28 am    |
| REGISTRATION DATE         | Oct 7 2012 12:00AM  | Feb 8 2023 12:00AM  | 2/9/23 8:28 am    |
| SIGNATURE DATE            | Jan 1 1901 12:00AM  | Feb 8 2023 12:00AM  | 2/9/23 8:28 am    |
| SOURCE OF REGISTRATIO     | 626                 | INET                | 2/9/23 8:28 am    |
| STREET                    | WOODSTOCK           | 114TH               | 2/9/23 8:28 am    |
| STREET ID                 | 39048               | 62086               | 2/9/23 8:28 am    |
| TYPE                      | RD                  | ST                  | 2/9/23 8:28 am    |
| ZIP                       | 44040               | 44102               | 2/9/23 8:28 am    |
| CITY                      | GATES MILLS         | CLEVELAND           | 2/9/23 8:28 am    |
| EMAIL ADDRESS             |                     |                     | 2/9/23 8:28 am    |
| HOUSE NUMBER              | 1750                | 1343                | 2/9/23 8:28 am    |
| IMAGE ID NUMBER           | 770851              | 4928117             | 2/9/23 8:28 am    |
| VNC                       |                     | YES                 | 2/9/23 12:00 am   |
| INET TRANS - NEW RECOF    |                     |                     | 2/8/23 7:01 pm    |
| LAST TRANS DATE           | Aug 23 2022 8:31PM  | Dec 1 2022 4:37AM   | 12/1/22 4:37 am   |
| LAST TRANS DATE           | May 25 2022 11:03PM | Aug 23 2022 8:31PM  | 8/23/22 8:31 pm   |
| LAST TRANS DATE           | Nov 17 2021 11:07AM | May 25 2022 11:03PM | 5/25/22 11:03 pm  |
| LAST TRANS DATE           | Nov 24 2020 3:47PM  | Nov 17 2021 11:07AM | 11/17/21 11:07 am |
| LAST TRANS DATE           | Nov 29 2018 4:40AM  | Nov 24 2020 3:47PM  | 11/24/20 3:47 pm  |
| LAST TRANS DATE           | May 30 2018 4:56PM  | Nov 29 2018 4:40AM  | 11/29/18 4:40 am  |
| LAST TRANS DATE           | Dec 7 2016 3:18PM   | May 30 2018 4:56PM  | 5/30/18 4:56 pm   |
| LAST TRANS DATE           | Apr 20 2016 10:57AM | Dec 7 2016 3:18PM   | 12/7/16 3:18 pm   |
| LAST TRANS DATE           | Dec 15 2014 12:36PM | Apr 20 2016 10:57AM | 4/20/16 10:57 am  |
| LAST TRANS DATE           | Dec 12 2012 11:47AM | Dec 15 2014 12:36PM | 12/15/14 12:36 pm |
| LAST TRANS DATE           | Oct 9 2012 10:58AM  | Dec 12 2012 11:47AM | 12/12/12 11:47 am |
| VNC MAILED                | MAIL DATE           | 10/15/2012          | 10/15/12 1:12 pm  |
| VNC GENERATED             | GENERATED           | YES                 | 10/15/12 1:12 pm  |
| INET TRANS - UPDATE VO1 N |                     | P                   | 10/9/12 10:58 am  |
| FRAME                     |                     | 0                   | 10/9/12 10:58 am  |
| GIS X                     |                     | 0                   | 10/9/12 10:58 am  |
| GIS Y                     |                     | 0                   | 10/9/12 10:58 am  |
| LAST TRANS DATE           | Jun 26 2012 5:12PM  | Oct 9 2012 10:58AM  | 10/9/12 10:58 am  |
| RECEIVE DATE              |                     | Oct 7 2012 12:00AM  | 10/9/12 10:58 am  |
| STREET                    | GLENDON             | WOODSTOCK           | 10/9/12 10:58 am  |
| ZIP                       | 44118               | 44040               | 10/9/12 10:58 am  |
| CASSETTE                  |                     | 0                   | 10/9/12 10:58 am  |
| CITY                      | UNIVERSITY HTS      | GATES MILLS         | 10/9/12 10:58 am  |
| DELIVERY METHOD           | RD101               | INET                | 10/9/12 10:58 am  |
| EMAIL ADDRESS             |                     | DMAJER@MSN.COM      | 10/9/12 10:58 am  |
| STREET ID                 | 72403               | 39048               | 10/9/12 10:58 am  |

EXHIBIT #4

# VOTER INFORMATION REPORT

MARK R MAJER

PRINTED ON: 7/24/2023

## VOTER'S VOTING HISTORY

| <u>DATE</u> | <u>TITLE</u>                                   | <u>PRECINCT</u>          | <u>PARTY</u> |
|-------------|--|--------------------------|--------------|
| 11/8/22     | November 8, 2022 General Election              | GATES MILLS -00-A        |              |
| 8/2/22      | AUGUST 2, 2022 PRIMARY ELECTION                | GATES MILLS -00-A        | REP          |
| 5/3/22      | MAY 3, 2022 PRIMARY ELECTION                   | GATES MILLS -00-A        | REP          |
| 11/2/21     | November 2, 2021 General Election              | GATES MILLS -00-A        |              |
| 11/3/20     | November 3, 2020 Presidential General Election | GATES MILLS -00-A        |              |
| 11/6/18     | November 6, 2018 General Election              | GATES MILLS -00-A        |              |
| 5/8/18      | MAY 8, 2018 PRIMARY ELECTION                   | GATES MILLS -00-A        | REP          |
| 11/8/16     | NOVEMBER 8, 2016 PRESIDENTIAL GENERAL ELECTION | GATES MILLS -00-A        |              |
| 3/15/16     | MARCH 15, 2016 PRIMARY ELECTION                | GATES MILLS -00-A        | REP          |
| 11/4/14     | NOVEMBER 4, 2014 GENERAL ELECTION              | GATES MILLS -00-A        |              |
| 11/6/12     | NOVEMBER 6, 2012 PRESIDENTIAL GENERAL ELECTION | GATES MILLS -00-A        |              |
| 3/6/12      | MARCH 6, 2012 PRIMARY ELECTION                 | UNIVERSITY HEIGHTS -00-G | REP          |
| 11/8/11     | NOVEMBER 8, 2011 GENERAL ELECTION              | UNIVERSITY HEIGHTS -00-G |              |
| 11/2/10     | NOVEMBER 2, 2010 GENERAL ELECTION              | UNIVERSITY HEIGHTS -00-G |              |
| 9/7/10      | SEPTEMBER 7, 2010 PRIMARY ELECTION             | UNIVERSITY HEIGHTS -00-G | DEM          |
| 11/3/09     | NOVEMBER 3, 2009 GENERAL ELECTION              | UNIVERSITY HEIGHTS -00-G |              |
| 11/4/08     | 2008_NOV_GENERAL                               | UNIVERSITY HEIGHTS -00-J |              |
| 3/4/08      | 2008_MAR_PRIMARY                               | UNIVERSITY HEIGHTS -00-J | DEM          |
| 11/7/06     | 2006_NOV_GENERAL                               | UNIVERSITY HEIGHTS -00-J |              |
| 5/2/06      | 2006_MAY_PRIMARY                               | UNIVERSITY HEIGHTS -00-J | REP          |
| 11/8/05     | GENERAL_NOV_2005                               | UNIVERSITY HEIGHTS -00-J |              |
| 11/2/04     | GENERAL_NOV_2004                               | UNIVERSITY HEIGHTS -00-J |              |
| 3/2/04      | 2004_MAR_PRIMARY                               |                          | REP          |
| 11/4/03     | 2003_NOV_GENERAL                               |                          |              |
| 11/5/02     | 2002_NOV_GENERAL                               |                          |              |
| 11/7/00     | 2000_NOV_GENERAL                               |                          |              |
| 3/7/00      | 2000_MAR_PRIMARY                               |                          | REP          |
| 11/3/98     | GENERAL ELECTION                               |                          |              |
| 5/5/98      | PRIMARY ELECTION                               |                          | REP          |
| 11/5/96     | GENERAL ELECTION                               |                          |              |
| 11/8/94     | GENERAL ELECTION                               |                          |              |
| 11/3/92     | GENERAL ELECTION                               |                          |              |

23 AUG 4 AM 10:07

EXHIBIT #5

For Board of Elections use only - Do not write in this box:

Office sought: Common Pleas Judge, PTC 1/2/23 Gen. Div.

Filing Fee: \$80 - min \$50 - \$50 max

Signature Requirements: 2/2/22 2:21 pm

Last Filing Date/Time: 2/2/22 2:21 pm

**Declaration of Candidacy**  
**Party Primary Election**  
**For Judge of the Court of Common Pleas**

To be filed with the Board of Elections not later than 4 p.m. of the 90<sup>th</sup> day before the primary election.  
 R.C. 3513.05, .07, .08, .09, .10, .151, 3501.35

**Declaration of Candidacy**

NOTE - The candidate must fill in, sign and date this declaration of candidacy before the signatures of electors are affixed.

I, MARK MASTER, the undersigned, hereby declare under penalty of election falsification that  
 my voting residence address is 1750 WOODSTOCK RD, GAPO Mills, Ohio 44040  
 and I am a qualified elector.

I further declare that I desire to be a candidate for nomination to the office of Judge of the Court of Common Pleas  
 of Cuyahoga County, General Div Division as a member of the Republican Party  
 for the:  full term commencing 11/2/23 or  unexpired term ending \_\_\_\_\_  
 at the primary election to be held on the 3<sup>rd</sup> day of MAY, 2022.

Dated this 11 day of JANUARY, 2022

| BOARD USE ONLY        |                  |
|-----------------------|------------------|
| City, Ward & Precinct | <u>Gates PDA</u> |
| Voter ID              | <u>770851</u>    |
| SIGNATURE             | <u>OK</u>        |
| INITIALS              | <u>MM</u>        |

MARK R MASTER  
 (Print Name as it should appear on the ballot)  
 \*\*\* Case Sensitive \*\*\*

[Signature]  
 Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Petition for Candidate**

This petition shall be circulated only by a member of the same political party as stated above by the candidate.

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township, set opposite our names, and members of the Republican Party, hereby certify that MARK MASTER, whose declaration of candidacy is filed herewith, is in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

Signatures on this petition should be from only one county and must be written in ink. Signatures on this petition shall be of persons who are of the same political party as stated above by the candidate.

|    | SIGNATURE          | PRINTED NAME OF SIGNER   | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|----|--------------------|--------------------------|--|--------------------------------------|-----------------|
| 1. | <u>[Signature]</u> | <u>Anthony Axel</u>      | <u>6761 BROWN AVE</u>  | <u>Parma</u>                         | <u>1/24/22</u>  |
| 2. | <u>[Signature]</u> | <u>[Name]</u>            | <u>[Address]</u>   | <u>[City]</u>                        | <u>[Date]</u>   |
| 3. | <u>[Signature]</u> | <u>Lori Anne Dyke</u>    | <u>28961 Turnbridge Rd.</u>  | <u>Bay Village</u>                   | <u>1/24/22</u>  |
| 4. | <u>[Signature]</u> | <u>JAMES H. ALBISON</u>  | <u>12550 LAKE PARK UNIT 701</u>  | <u>LAKEWOOD</u>                      | <u>1/24/22</u>  |
| 5. | <u>[Signature]</u> | <u>DAVID R. GINSBERG</u> | <u>5320 RYAN WOOD DR. 4016</u>   | <u>PARMA</u>                         | <u>1-24-22</u>  |
| 6. |                    |                          |  |                                      |                 |

|     | SIGNATURE | PRINTED NAME OF SIGNER | FULL STREET ADDRESS<br>(Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP<br>(REQUIRED) | DATE OF SIGNING |
|-----|-----------|------------------------|---|---|-----------------|
| 7.  |           |                        |   |   |                 |
| 8.  |           |                        |   |   |                 |
| 9.  |           |                        |   |   |                 |
| 10. |           |                        |   |   |                 |
| 11. |           |                        |   |   |                 |
| 12. |           |                        |   |   |                 |
| 13. |           |                        |   |   |                 |
| 14. |           |                        |   |   |                 |
| 15. |           |                        |   |   |                 |
| 16. |           |                        |   |   |                 |
| 17. |           |                        |   |   |                 |
| 18. |           |                        |   |   |                 |
| 19. |           |                        |   |   |                 |
| 20. |           |                        |   |   |                 |

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Circulator Statement**

Must be completed and signed by the circulator.

I, Robert A. Weller, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am a member of the Republican Party; that I am the circulator of the foregoing petition containing 5 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

| BOARD USE ONLY |  |
|----------------|--|
| C.W. & PRCT    |  |
| PARTY / YEAR   |  |
| SIGNATURE      |  |
| PROBLEM        |  |
| OK PETITION    |  |
| INITIALS       |  |

Robert A. Weller  
Signature of Circulator

4911 Herman Ave.  
Permanent Residence Address

Cleveland OH 44102  
City or Village State Zip Code

For Board of Elections use only - Do not write in this box

# Nominating Petition and Statement of Candidacy

For Judge or Clerk of the Municipal Court

|                      |            |                 |
|----------------------|------------|-----------------|
| Office Sought: _____ |            |                 |
| Filing Fee           | Signatures | Filing Deadline |

①

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1801.07, 1801.31, 3501.38, 3513.281

## Statement of Candidacy

NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.

I, MARK MASER, the undersigned, hereby declare under penalty of election falsification that  
Printed Name of Candidate  
 my voting residence address is 1343 W. 114 (Dean), Cleveland, Ohio 44102,  
Street Number and Address (or rural route and number) City or Village Zip Code  
 and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Judge of the  
Insert "Judge" or "Clerk"  
Cleveland Municipal Court for the:  full term commencing 11/5/24  
Name of Municipal Court Full Term Commencing Date  
 or  unexpired term ending \_\_\_\_\_, in Cuyahoga County, Ohio at the general election  
Unexpired Term Ending Date County  
 election to be held on the 7<sup>th</sup> day of November, 2023  
Day Year

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 13 day of JUNE, 2023.  
Day Month Year

| BOARD USE ONLY        |                |
|-----------------------|----------------|
| City, Ward & Precinct | <u>040613C</u> |
| Voter ID              | <u>779951</u>  |
| Signature             | <u>OK</u>      |
| Initials              | <u>SM</u>      |

Mark R. Maser  
 Print name as it should appear on ballot  
 \*\*\* Case Sensitive \*\*\*

Mark R. Maser  
 Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:  
Printed Name of Candidate

| Name | Residence |
|------|-----------|
|      |           |
|      |           |
|      |           |
|      |           |
|      |           |

## Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate MARK R. MASER as a  
Printed Name of Candidate  
 candidate for election to the office of Judge of the Cleveland Municipal Court  
Insert "Judge" or "Clerk" Name of Municipal Court  
 Municipal Court, for the:  full term commencing 11/5/24 or  unexpired term ending \_\_\_\_\_  
Full Term Commencing Date  
 to be voted for at the next general election, and certify said person is, in our opinion,  
Unexpired Term Ending Date  
 well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE               | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|-------------------------|------------------------|--|--------------------------------------|-----------------|
| <u>Robert A. Welles</u> | Robert A. Welles       | 4911 Herman Ave  | Cleveland                            | 6/13/23         |
| <u>Kim A. Rankin</u>    | Kim A. Rankin          | 4911 Herman Ave  |                                      |                 |
|                         |                        |  |                                      |                 |

| SIGNATURE | PRINTED NAME OF SIGNER | FULL STREET ADDRESS<br>(Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|-----------|------------------------|---|--------------------------------------|-----------------|
| 4.        |                        |   |                                      |                 |
| 5.        |                        |   |                                      |                 |
| 6.        |                        |   |                                      |                 |
| 7.        |                        |   |                                      |                 |
| 8.        |                        |   |                                      |                 |
| 9.        |                        |   |                                      |                 |
| 10.       |                        |   |                                      |                 |
| 11.       |                        |   |                                      |                 |
| 12.       |                        |   |                                      |                 |
| 13.       |                        |   |                                      |                 |
| 14.       |                        |   |                                      |                 |
| 15.       |                        |   |                                      |                 |
| 16.       |                        |   |                                      |                 |
| 17.       |                        |   |                                      |                 |
| 18.       |                        |   |                                      |                 |
| 19.       |                        |   |                                      |                 |
| 20.       |                        |   |                                      |                 |

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Circulator Statement**

*Must be completed and signed by the circulator.*

I, MARK MASEK, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 2 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

**Written Acceptance of Nomination**  
(if required by municipal charter)

\_\_\_\_\_ 20 \_\_\_\_\_

I hereby accept the within nomination.

---


Signature of Candidate

---

Address

---

City and Zip Code

  
Signature of Circulator

1343 W. 114th (Downs)  
Permanent Residence Address

Cleveland OH 44102  
City or Village State Zip Code

23 AUG 4 PM 10:07



# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

## Certification of Candidates to the November 7, 2023 General Election

| Office  | Name              | Last Name   | Party       |
|---|-------------------|-------------|-------------|
| Brook Park Director of Law                      | Carol             | Horvath     | Nonpartisan |
| Brook Park Director of Finance UTE 12/31/25     | Jim               | Astorino    | Nonpartisan |
| Brook Park Director of Finance UTE 12/31/25     | Robert J.         | McGann      | Nonpartisan |
| Brook Park Council at Large                     | Chuck             | Buckholz Sr | Nonpartisan |
| Brook Park Council at Large                     | Nora              | Coyne       | Nonpartisan |
| Brook Park Council at Large                     | David             | McCorkle    | Nonpartisan |
| Brook Park Council at Large                     | George S.         | Teetzel     | Nonpartisan |
| Brook Park Council Ward 01                      | Kevin             | Rosala      | Nonpartisan |
| Brook Park Council Ward 01                      | Tom               | Troyer      | Nonpartisan |
| Brook Park Council Ward 03                      | Susan E.          | Adams       | Nonpartisan |
| Brook Park Council Ward 03                      | Steve             | Roberts     | Nonpartisan |
| Brook Park Council Ward 04                      | Richard D.        | Scott       | Nonpartisan |
| Cleveland Municipal Court Clerk FTC 1/1/2024    | Brian             | Kazy        | Nonpartisan |
| Cleveland Municipal Court Clerk FTC 1/1/2024    | Martin J.         | Sweeney     | Nonpartisan |
| Cleveland Municipal Court Clerk FTC 1/1/2024    | Earle B.          | Turner      | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/1/2024    | Sydney Strickland | Saffold     | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/2/2024    | Joseph F.         | Russo       | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/2/2024    | Jazmin G.         | Torres-Lugo | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/3/2024    | Jocelyn           | Conwell     | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/3/2024    | TJ                | Dow         | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/3/2024    | Joanna N.         | Lopez Inman | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/3/2024    | Bridget M.        | O'Brien     | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/4/2024    | Timothy W.        | Clary       | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/4/2024    | Shiela Turner     | McCall      | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/5/2024    | Jeff              | Johnson     | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/5/2024    | Mark R.           | Majer       | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/5/2024    | Heather           | McCollough  | Nonpartisan |
| Cleveland Municipal Court Judge FTC 1/6/2024    | Michelle D.       | Earley      | Nonpartisan |
| Cleveland Heights Muni Court Judge FTC 1/1/2024 | James J.          | Costello    | Nonpartisan |
| Cleveland Heights Member of Council             | Jon               | Benedict    | Nonpartisan |
| Cleveland Heights Member of Council             | Janine R.         | Boyd        | Nonpartisan |
| Cleveland Heights Member of Council             | Jeanne V.         | Gordon      | Nonpartisan |
| Cleveland Heights Member of Council             | Melody Joy        | Hart        | Nonpartisan |
| Cleveland Heights Member of Council             | Gall              | Larson      | Nonpartisan |
| Cleveland Heights Member of Council             | Jim               | Petras      | Nonpartisan |
| North Olmsted Council at Large                  | Duane             | Limpert     | Nonpartisan |
| North Olmsted Council at Large                  | Mark D.           | Madden      | Nonpartisan |
| North Olmsted Council at Large                  | Matthew           | Marrie      | Nonpartisan |
| North Olmsted Council at Large                  | Paul              | Shymske     | Nonpartisan |
| North Olmsted Council at Large                  | Angela M.         | Williamson  | Nonpartisan |

23 AUG 4 PM 10:00

Protest Response

Mark Majer

AUGUST 22, 2023  
CUYAHGOA COUNTY BOARD OF ELECTIONS  
2925 EUCLID AVENUE  
CLEVELAND, OHIO 44115

Mark Majer,  
Respondent,

) HENRY F. CURTIS, IV  
BOARD CHAIRMAN  
)  
) INAJO DAVIS CHAPPELL  
BOARD MEMBER  
)  
) LISA M. STICKAN  
BOARD MEMBER  
)  
) TERENCE M. MCCAFFERTY  
BOARD MEMBER  
)  
) ANTHONY W. PERALTTI  
DIRECTOR  
)  
) ANTHONY N. KALOGER  
DEPUTY DIRECTOR

**RESPONDENT'S RESPONSE**  
**TO THE PROTEST OF**  
**CERTIFICATION FOR**  
**CANDIDACY FOR JUDGE IN**  
**THE CLEVELAND MUNICIPAL**  
**COURT TERM COMMENCING**  
**1/5/2024**

Now comes the Respondent, Mark Majer and respectfully submits the attached Memorandum for this Honorable Board's consideration.

At the outset, I must respectfully object to the timeframe allotted for my response. I received this filing yesterday (8/21/23) via certified mail. I began reading the document last night at 9:30 p.m. The Board's Clerk has asked that I respond by 12:00 noon on 8/22/23. Allowing me 14.5 hours to present my response is simply not enough time. This is especially true after I have presided over a docket all day, and the great majority of the hours allotted for my response are in the nighttime hours. I note that the Rules on "Protest hearings" that was provided to me allow for the lesser of five business days or two days before the hearing. I will respectfully assume that is the timeframe I am to operate under. Respectfully, I must first ask that this response act as my answer subject to my right of supplementation both on brief as well as in person within the applicable time to protest. Respondent respectfully reserve the right to present additional

information, documents, evidence, testimony, arguments, and otherwise at the hearing before the Board currently scheduled for August 29, 2023, at 9:30 a.m.

Respectfully submitted,

Mark Majer

## MEMORANDUM

The protest of Respondent's candidacy for Cleveland Municipal Court Judge, term commencing January 5, 2024, is so utterly lacking merit it must be denied as a matter of law.

ORC Section 1901.07(B) indicates:

“...The nominating petition or declaration of candidacy for a municipal court judge shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, the candidacies of the judges nominated shall be submitted to the electors of the territory on a nonpartisan, judicial ballot in the same manner as provided for judges of the court of common pleas, except that, in a municipal corporation operating under a charter, all candidates for municipal court judge shall be elected in conformity with the charter if provisions are made in the charter for the election of municipal court judges.”(Emphasis added)

There are no provisions in the Charter controlling the election of municipal judges, so as a matter of law, the nominating process is controlled by State law.

The Charter amendment does not apply to Judges in the City of Cleveland. City of Cleveland Charter Chapter 3, sec. 4 captioned “Nominations” states that Candidates for all offices to be voted for at any regular Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday in September prior to the regular Municipal election. Candidates for all offices to be voted for at any other Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the eighth Tuesday prior to the other Municipal elections.

**Provisions for the election of municipal judges are not mentioned in Charter. Therefore, no “provision” has been made as required by R.C. 1901.07(B). “Counsel” (City Counsel) is mentioned in the Charter. The “Executive” (the Mayor) is mentioned in the Charter. But there are no provisions for Judges listed in the Charter. Therefore, they are not voted for under the provisions of the Charter. The Charter is applicable only to the Mayor and Council. It is not applicable to Judges.**

If the Charter was applicable to Cleveland Municipal Judge elections the following illogical, unjust and illegal results would occur:

- Every sitting Municipal Judge elected in the 2021 election would have to be stripped of their office because the Issue 20 Charter Amendment was effective November 5, 2019 and its provisions were not applied in the 2021 election cycle.

- Mr. Johnson would equally be unable to sit for election as he has not filed 3,000 signatures as required by the very Charter he seeks to use as a weapon. The law does not allow for a “cherry picking” approach to applicability under the law.
- Further, at the time of filing for the 2021 it is my understanding that no candidate had to comply with the one-year residency requirement, nor were they required to file 3,000 signatures with the Board of Elections.
- Further, at the time of filing for the 2023 it is my understanding that no candidate had to comply with the one-year residency requirement, nor were they required to file 3,000 signatures with the Board of Elections.
- Given no candidate has filed with 3,000 signatures, under Mr. Johnson’s logic every candidate for the 2023 Cleveland Municipal Court race would be ineligible to hold office, again-including Mr. Johnson.
- Additionally, it is my understanding in judicial races the Board of Elections only accepts 150 signatures, not 3,000 signatures.
- Further, if we adopt the argument of the movant and apply the Charter, the Administrative Judge of the Cleveland Municipal Court would have to be removed from her Office as well as she is a resident of Bratenahl, not the City of Cleveland. Of note, Ohio Revised Code § 1901.02 includes incorporation of the Village of Bratenahl as within the Cleveland Municipal Court jurisdiction. However, the Charter is silent as to that, further clear evidence of its inapplicability to Cleveland Municipal Court elections.

Logic, prior practice, and simply a plain and honest reading of the Charter and the Ohio Revised Code demonstrate the movants position is clearly illogical and is so untenable as a matter of law one would have to willingly abandon all common sense to agree with it. The argument is so hollow it strains credulity.

Further, it is abundantly clear that Ohio Revised Code Title 19 dictates the creation and election process with municipal courts. Ohio Revised Code § 1901.01 establishes municipal courts throughout the state of Ohio. Ohio Revised Code § 1901.07(C)(1) establishes how judges in the Cleveland Municipal Court shall be nominated and elected:

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least **fifty electors** of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges

shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.(Emphasis added).

Under this statute, clearly the only issue the Charter can control is the statutory form and filing manner- **nothing more**. Evidence of this interpretation and its applicability can be found in the Secretary of State's own stated policy for this election year explicitly citing to the Ohio Revised Code § 1901.07 as the prescriptive and controlling law by which a candidate for the Cleveland Municipal Court is to be qualified.

In conclusion, State election law is clearly controlling. logic, prior Board of Elections practices, and simply a plain and honest reading of the Charter and the Ohio Revised Code demonstrate the Charter does not apply to Cleveland Municipal Court elections. That is clearly supported by the stated opinion of the Secretary of State. Respondent has complied with all applicable requirements in his candidacy for Judge in the Cleveland Municipal Court term commencing January 5, 2024.

WHEREFORE, the Respondent respectfully requests this Honorable Board to find the Protest by Petitioner to be invalid and certify the candidacy of Mark Majer onto the November 7, 2023, ballot for the office of Judge in the Cleveland Municipal Court, term commencing January 5, 2024.

CERTIFICATE OF SERVICE

A copy of the foregoing Respondent's Response to The Protest for Candidacy for Cleveland Municipal Court Judge Term Commencing 1/5/2024 was filed electronically on this 22nd day of August, 2023, and served upon:

Mary Bejjani  
Clerk to the Cuyahoga County Board of Elections  
Email: [mbejjani@cuyahogacounty.gov](mailto:mbejjani@cuyahogacounty.gov)

Jeffrey Johnson  
Movant  
[attorneyjeffjohnson@gmail.com](mailto:attorneyjeffjohnson@gmail.com)

Mark Majer (0058504)  
Respondent



# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

***General Receipt, Candidate & Petition Services***

**Date Received:** 8/22/2023

**From:**

**Phone:** 216-971-7942

Jeffrey Mixon

1188 E. 86th St.

Cleveland, OH 44108

urbanpunditz1@gmail.com

**Received:**

Protest of candidacy for Jeff Johnson and Shiela Turner McCall, for the office of

Cleveland Municipal Court Judge

**Notes:**

**Received by Board of Elections Staff:** Dodson, Abbie

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Court Judge of Shiela Turner McCall**

Jeffrey Mixon,  
Relator/Petitioner

Vs.

Shiela Turner McCall,  
Respondent

I, Jeffrey Mixon, am an adult over the age of eighteen (18), resident and elector of the City of Cleveland, Ohio, Cuyahoga County, Ohio hereby submits this objection to the candidacy of incumbent Judge Sheila Turner McCall in the City of Cleveland Municipal Court race(s) for the at large seat of judge. Cleveland is a home-rule municipality and the City of Cleveland Charter requires persons interested in running for any at-large seat obtain three thousand (3,000) signatures of electors of the municipality. It is my understanding Judge McCall did not obtain the required amount of signatures and submitted the state minimum requirement of fifty (50) when she submitted one hundred twenty eight (128) electors signatures on February 10, 2023. The municipal requirement exceeds the state requirement and it appears from the General receipt marked as Exhibit 1, Judge McCall falls considerably short of the three thousand signatures and therefore must be removed for violating City of Cleveland Charter Section 3, chapter 5 which states:

Nominating Petitions states:

“The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Court Judge of Shiela Turner McCall**

the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)" The voters spoke through the amendment in 2019 to require those running for a city wide race to obtain specific electors signatures.

For these reasons I object to Judge McCall's' name being on the upcoming ballots for municipal court judge and for voters' consideration.

Humbly submitted,

*Jeffrey B. Minton*  
Jeffrey Minton

1188 E 86<sup>th</sup> Street  
Cleveland, Ohio 44108

216-971-7942

urbanpunditz1@gmail.com



CUYAHOGA COUNTY  
BOARD OF ELECTIONS

CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT

Receipt Number: 65714  
Receipt Date: 02/09/2023  
Election: November 7, 2023 General Election

Name to Appear on Ballot: TURNER MCCALL, SHIELA  
Office Sought: CLEVE MUNI COURT JUDGE FTC 1/4/2024  
City / Ward / Precinct: CLEVELAND -04-S  
Party Affiliation: UNAFFILIATED

Address: 3077 LIVINGSTON RD  
CLEVELAND, OH 44120

Phone Number: 216-751-3084  
Email: stmesq2@att.net

Amount Filing Fee: \$ 50.00  
Amount O.E.C: \$ 30.00  
Total Filing Fee: \$80.00  
Total Paid: \$80.00  
Check Number: 4477  
Total Due: 0.00

PAID  
Cuyahoga County  
Board of Elections

Part Petitions Filed: 9 pet.- 163 signatures

Minimum Signatures Required: 50

Valid Signatures on Petition: 128

Insufficient by No. of Signatures: N/A

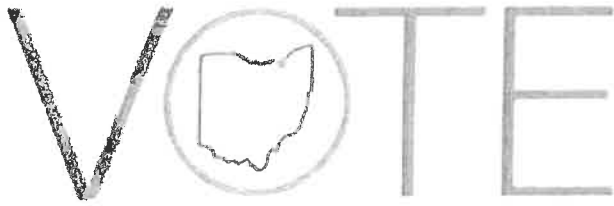
Valid For Certification:  Yes  No

Candidate Approval: X *Shiela M. Call*

Staff Approval: X *[Signature]*

Date: 2/16/23

*Petitioner's Exhibit 1*



# CUYAHOGA COUNTY BOARD OF ELECTIONS

## ***General Receipt, Candidate & Petition Services***

**Date Received:** 8/22/2023

**From:**

**Phone:** 216-971-7942

Jeffrey Mixon

1188 E. 86th St.

Cleveland, OH 44108

urbanpunditz1@gmail.com

**Received:**

Protest of candidacy for Jeff Johnson and Shiela Turner McCall, for the office of

Cleveland Municipal Court Judge

**Notes:**

**Received by Board of Elections Staff:** Dodson, Abbie

**In the Cuyahoga County Board of Elections  
Candidacy Protest of Jeff Johnson for  
The City of Cleveland Municipal Court Judge**

Jeffrey Mixon,  
Petitioner

Vs.

Jeff Johnson,  
Respondent

I, Jeffrey Mixon, am an adult over the age of eighteen (18), resident and elector of the City of Cleveland, Ohio, Cuyahoga County, Ohio hereby submits this objection to the candidacy of Jeff Johnson for the candidacy of the Cleveland Municipal Court judge seat in the upcoming elections. Cleveland is a home-rule municipality and the City of Cleveland Charter requires persons interested in running for any at-large seat obtain three thousand (3,000) signatures of electors of the municipality. It is my understanding Jeff Johnson obtained the state minimum required signatures of electors and on December 21, 2022 submitted a total of One hundred thirty eight signatures. Mr. Johnson did not obtain the required Three thousand (3,000) signatures of electors of the municipality per the requirements of the City Charter. (See Exhibit 1) The City Charter states,

Section 3, chapter 5 which states:

Nominating Petitions states:

“The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large,

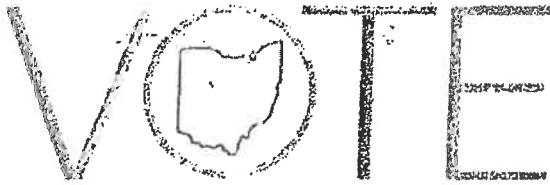
**In the Cuyahoga County Board of Elections  
Candidacy Protest of Jeff Johnson for  
The City of Cleveland Municipal Court Judge**

and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)" The voters spoke through the amendment in 2019 to require those running for a city wide race to obtain specific electors signatures. Mr. Johnson has violated the City charter by not obtaining and submitting the required signatures to be deemed an eligible and qualified elector in the upcoming races.

For these reasons I object to Respondents' name being on the upcoming ballot for municipal court judge and for voters' consideration and therefore must be removed for failing to comply with the requisite three thousand (3,000) signatures when running for an at-large seat in the municipality.

Humbly submitted,

Jeffrey B. Nixon  
Jeffrey Nixon  
1188 E 86<sup>th</sup> Street



# CUYAHOGA COUNTY BOARD OF ELECTIONS

### ***General Receipt, Candidate & Petition Services***

**Date Received:** 12.21.2022

**From:**

**Phone: 216.536.3233**

Jeff Johnson  
9024 Parkgate Avenue  
Cleveland, OH 44108  
electjeffjohnsonforjudge@gmail.com

**Received:**

(8) part petitions for Cleveland Municipal Court FTC 1/5/24

(138) signatures

Signature: *Jeffrey D. Johnson*

**Notes:**

*Petitioners' Exhibit 1*

DEC 21 '22 PM 12:19

**Received by Board of Elections-Staff: Patricia Lewis**



2022-12-21 12:19 PM



# Agenda Item

#9

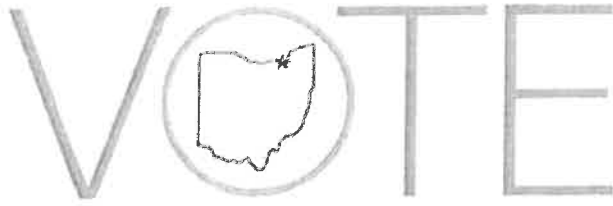
# Protest

Sydney Strickland

Saffold

Cleveland Court

Judge FTC 1/3/24



# CUYAHOGA COUNTY BOARD OF ELECTIONS

## ***General Receipt, Candidate & Petition Services***

**Date Received:** 8.15.23

**From:**

**Phone:** 216.609.7554

Mariah Crenshaw

3472 East 114th Street

Cleveland, OH 44104

Email: mariahcren@gmail.com

**Received:**

- Protest of Candidacy
- Sydney Strickland-Saffold, Cleveland Judge FTC 1/1/24
- November 7, 2023 General Election
- 

**Notes:**

**Received by Board of Elections-Staff:** Lawler, Brent E.

**In the Cuyahoga County Board of Elections  
Candidate Protest Sydney Strickland-Saffold**

**Mariah Crenshaw,  
Petitioner**

**Vs.  
Sydney Strickland-Saffold  
Respondent**

**Primary Election September 12, 2023  
General Election November 7, 2023**

**Elected Office: City of Cleveland Municipal Court Judge**

Now comes Mariah Crenshaw, (hereinafter referred to as "Crenshaw" and or "Petitioner") in the above aforementioned captioned case seeking to protest the candidacy of Sydney Strickland-Saffold, (hereinafter referred to as "Respondent" or "Saffold") for the City of Cleveland City of Cleveland Municipal Court Judge in the upcoming primary and general elections. Petitioner is a lifelong resident of the City of Cleveland, Cuyahoga County, Ohio and over the age of eighteen (18), and a homeowner within the municipality. Crenshaw has a vested interest in the city and the overall quality of life as a resident, homeowner, and tax payer. It is with this interest in mind Petitioner objects to Respondent being able to run for elected office in the City of Cleveland for failure to comply with the requisites of the City of Cleveland Charter. The City of Cleveland is a municipal corporation that is ruled by its charter. In the instant matter the City charter requires candidates running for elected office in which the City residents at large would vote are required to meet certain criteria. Chapter 3, § 5 Nominating Petitions states:

"The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12)

23 AUG

**In the Cuyahoga County Board of Elections  
Candidate Protest Sydney Strickland-Saffold**

consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)" The voters spoke through the amendment in 2019 to require those running for a city wide race have obtained specific electors signatures.

Respondent registered as a Cleveland resident November 1, 2022 and voted for the first time in the November 8, 2022 general election. (See Exhibit 1) Respondents' historical voting record reflects she voted in Bratenahl and Shaker Heights. Saffold submitted seven (7) petitioners to the Cuyahoga County Board of Elections containing a total of One hundred fifteen (115) signatures. (See Exhibit 2) Though Saffold registered in the City of Cleveland and met the one (1) year requirement she did not meet the required signatures as required by the charter to contain at least three thousand (3,000) electors of the City when running for a City wide race. Respondent is not running for a county court of common pleas seat which only requires fifty (50) signatures but must comply with the home rule of three thousand (3,000) signatures to qualify as a candidate for the judicial office.

Petitioner further states the Secretary of State, Frank Larose, published the Ohio Candidate Requirement Guide 2023 on October 13, 2022 prior to Respondent changing her address and voting in the November 2022 general election. The guide, page 13, provides a "NOTE" to potential candidates:

**In the Cuyahoga County Board of Elections  
Candidate Protest Sydney Strickland-Saffold**

**“Note: An individual who is interested in being a candidate for the Akron, Cleveland, or Toledo municipal court or the Franklin County municipal court are encouraged to review the municipality’s charter for the appropriate filing deadline and any additional filing requirements.” (See Exhibit 2)**

**Respondent had a duty to ensure she complied with the requisites of the City Charter prior to submitting the petitions and failed to meet that duty. The City of Cleveland Charter does not allow persons interested in being elected to a judicial seat to submit less than the three thousand (3,000) signatures. It is for this reason Petitioner objects to Respondents’ name being on the rolls for the consideration of the municipal voters and seeks this body to remove her name for failure to provide the required number of signatures to be qualified as a candidate in the upcoming election.**

**Humbly submitted,**

**/s/ Mariah Crenshaw, Resident and Protestor  
3472 E 114th Street  
Cleveland, Ohio 44104  
(216) 609-7554  
[mariahcren@gmail.com](mailto:mariahcren@gmail.com)**



1. Are you a U.S. citizen?  Yes  No  
 2. Will you be at least 18 years of age on or before the next general election?  
 If you answered NO to either of the questions, do not complete this form.  Yes  No

1817

3. Last Name: **SAFOLD** First Name: **SYDNEY** Middle Name or Initial: **STRICKLAND** Jr., Jr., etc.

4. House Number and ZIP (Enter new address if changed): **3319 GREENWAY ROAD** Apt or Lot #: **SHAKER HEIGHTS** 5. City or Post Office: **SHAKER HEIGHTS** 6. Zip Code: **44122**

7. Additional Rural or Mailing Address (if no box): **CUYAHOGA** County where you live

9. Birthdate (MO-DAY-YR): **12/19/19** 10. Ohio driver's license No. OR last 4 digits of Social Security No. (required): **121919** 11. Phone No. (voluntary)

12. PREVIOUS ADDRESS (APPLICABLE ONLY IN RE-SIGNATURE)  
 Previous House Number and Street: **8 W. MATHER LN** County: **CUYAHOGA** State: **OHIO**

13. CHAIRMAN OF BOARD ONLY: **DRATENHIL** Former Agent Name: **DRATENHIL** Former Signature: **DRATENHIL**

Signature: *[Handwritten Signature]* Date: **12/19/19**  
 I declare that I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and I will be at least 18 years of age at the time of the general election.

14. Your Signature

Date: **12 / 19 / 2019**  
 MO DAY YR

FOR BOARD  
 USE ONLY  
 SEC4010 (Rev. 8/08)  
 City, Village, Twp.  
 WED  
 Precinct  
 School Dist.  
 Cong. Dist.  
 Senate Dist.  
 House Dist.

DEC 24 '19 AM 10:36

Shaker Hts License Bureau



OCT 06 2008

1. Are you a U.S. citizen? Yes  No
2. Will you be at least 18 years of age on or before the next general election? Yes  No
- If you answered NO to either of the questions, do not complete this form.

SECRETARY OF STATE

3. Last Name **GAFFOLD** First Name **SYDNEY** Middle Name or Initial **STRICKLAND** Jr., II, Etc.

4. House Number and Street (Enter new address if changed) **8 W MATHER LANE** Apt or Lot # 5. City or Post Office **BRATENAH** 6. ZIP Code **44108**

7. Additional Rural or Mailing Address (if necessary) 8. County where you live **CUYAHOGA**

9. Birthdate (MO, DAY-YR) **12-20-78** 10. Ohio driver's license No. OR last 4 digits of Social Security No. **6666** 11. Phone No. (optional) **419-264-1010**

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street **55 N MARGINAL RD**

Previous City or Post Office **CLEVELAND** County **CUYAHOGA** State **OH**

13. CHANGE OF NAME ONLY Former Legal Name Former Signature

I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

14. YOUR SIGNATURE  
Date **10 11 08**  
MO DAY YR

*Sydney Gaffold*

FOR BOARD USE ONLY  
SEC 0210 (Rev. 02/08)

|                     |
|---------------------|
| City, village, twp. |
| Ward                |
| Precinct            |
| School Dist.        |
| Cong. Dist.         |
| Senate Dist.        |
| House Dist.         |

1. Are you a U.S. citizen?  Yes  No  
 2. Will you be at least 18 years of age on or before the next general election?  Yes  No  
 If you answered NO to either of the questions, do not complete this form.

3. Last Name: SAPPOLD Surname Initial: S  
 4. First Name: SYDNEY  
 5. House Number and Street (OR new address if changed): 8 W. MATHER LANE Apt. or Lot #: \_\_\_\_\_  
 6. City or Post Office: BRATENAHL ZIP Code: 44108

7. Additional Rural or Mailing Address (if necessary): \_\_\_\_\_  
 8. County where you live: Cuyahoga  
 9. Ohio driver license No. OR last 4 digits of Social Security No. (required to be listed if you have one): [REDACTED] If Phone No. (voluntary): \_\_\_\_\_

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION Previous House Number and Street: \_\_\_\_\_  
 Previous City or Post Office: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_

13. CHANGE OF NAME ONLY Former Legal Name: \_\_\_\_\_ Former Signature: \_\_\_\_\_

I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

14. Your Signature → [Signature]  
 Date: 7.25.08  
 MO DAY YR

|   |
|---|
| FOR BOARD USE ONLY<br>SF-CAD10 (REV. 8/07)<br>City, Village, Twp. |
| Ward  |
| Precinct  |
| School Dist.  |
| Gen. Dist.  |
| Sen. Dist.  |
| House Dist.   |

For Board of Elections use only - Do not write in this box

# Nominating Petition and Statement of Candidacy

For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1901.31, 3501.35, 3513.201

|   |
|---|
| Office Sought: <u>Cleveland Municipal Court</u> |
| Filing Fee: <u>40</u>                           |
| Signatures: <u>10/20/12</u>                     |
| Filing Deadline: <u>6-11-13</u>                 |

## Statement of Candidacy

NOTE - The candidate must fill in, sign and date this statement of candidacy before the signature affixed.

PLAINTIFF/RELATORS' EXHIBIT 2

I, [Name], the undersigned, hereby declare under penalty of election law that I am

Printed Name of Candidate  
my voting residence address is [Address], Ohio [City]  
Street Number and Address (for mail route and number) City or Village Zip Code

and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of [Office] of the

Municipal Court for the:  full term commencing [Date] of the

Name of Municipal Court or  unexpired term ending [Date] in [County] County, Ohio at the general election

election to be held on the [Day] day of November, [Year]

I further declare that I am an elector qualified to vote for the office I seek.

Dated this [Day] day of [Month], [Year]

| BOARD USE ONLY        |                    |
|-----------------------|--------------------|
| City, Ward & Precinct | <u>[Signature]</u> |
| Voter ID              | <u>[Initials]</u>  |
| Signature             |                    |
| Initials              |                    |

Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

Signature of Candidate

### WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, [Name], hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Residence |
|---------------------------|-----------|
|                           |           |
|                           |           |
|                           |           |

## Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate [Name] as a

candidate for election to the office of [Office] of the

Municipal Court, for the:  full term commencing [Date] of the

Name of Municipal Court or  unexpired term ending [Date]

, to be voted for at the next general election, and certify said person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <u>[Signature]</u> | Kathryn Weber          | 1624 Treadway Ave (Cleveland)  | Cleveland                            | 12/15/12        |
| <u>[Signature]</u> | Alexander Spill        | 14329 Adrian Ave   | Cleveland                            | 12/15/12        |
| <u>[Signature]</u> | Elizabeth Dugan        | 10509 Melburn Ave  | Cleveland                            | 12/15/12        |

|  | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--|------------------------|--|--------------------------------------|-----------------|
|  |                        | 1600 ...   |                                      |                 |
|  |                        | 31 ...   |                                      |                 |
|  |                        | 14701 ...  |                                      |                 |
|  |                        | 163 ...  | City                                 |                 |
|  |                        | 1100 ...   | City                                 |                 |
|  |                        | 5701 ...   | City                                 |                 |
|  | Deborah Stauder        | 521 ...  | City                                 | 12/15/11        |
|  | Raymond Reed           | 3713 E. 119  | City                                 | 12-15-11        |
|  |                        | 1522 ...   | City                                 | 12/15/11        |
|  |                        | 1400 ...   | City                                 |                 |
|  |                        | <del>1135 ...</del>  | <del>City</del>                      | <del></del>     |
|  |                        | 1135 ...   | City                                 | 12/15/11        |
|  |                        | 1135 ...   | City                                 | 12/15/11        |
|  |                        | 1135 ...   | City                                 | 12/15/11        |
|  |                        | 1135 ...   | City                                 | 12/15/11        |
|  |                        | 1135 ...   | City                                 | 12/15/11        |

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

**Circulator Statement**

Must be completed and signed by the circulator.

I, [Signature], declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 19 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3601.382 of the Revised Code.

Acceptance of Nomination  
(If required by municipal charter)

, 20 \_\_\_\_\_

I hereby accept the within nomination.

Signature of Circulator

[Signature]  
Permanent Residence Address

City or Village

Signature of Candidate

Address

City and Zip Code

For Board of Elections use only - Do not write in this box

Office Sought: Cleveland Municipal Court Judge

Filing Fee: \$90      Signatures: 50/150      Filing Deadline: 6-14-23

### Nominating Petition and Statement of Candidacy

For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1901.31, 3501.38, 3513.201

#### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, SYDNEY STRICKLAND SAFFOLD, the undersigned, hereby declare under penalty of election falsification that

my voting residence address is 215 East 124th Street, CLEVELAND, Ohio 44120.

and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of JUDGE of the

CLEVELAND Municipal Court for the:  full term commencing 1/1/2024

or  unexpired term ending \_\_\_\_\_ in \_\_\_\_\_ County, Ohio at the general election

election to be held on the 7 day of November, 2023

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5 day of DECEMBER, 2022

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

SYDNEY STRICKLAND SAFFOLD  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

Signature of Candidate

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Residence |
|---------------------------|-----------|
| Name                      |           |
|                           |           |
|                           |           |
|                           |           |
|                           |           |

#### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city,

village, or township set opposite our names, hereby nominate SYDNEY STRICKLAND SAFFOLD as a

candidate for election to the office of JUDGE of the CLEVELAND

Municipal Court, for the:  full term commencing 1/1/2024 or  unexpired term ending \_\_\_\_\_

, to be voted for at the next general election, and certify said person is, in our opinion,

well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|-----------|------------------------|--|--------------------------------------|-----------------|
|           |                        |  |                                      |                 |
|           |                        |  |                                      |                 |
|           |                        |  |                                      |                 |

| SIGNATURE   | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|-------------|------------------------|--|--------------------------------------|-----------------|
| [Signature] | David Sinterbery       | 2072 E 14th St   | Cleveland                            | 12/8/22         |
| [Signature] | Anthony Winton         | 201 W 7th St   | Cleveland                            | 12/8/22         |
| [Signature] | David Brock            | 4120 W 194th St  | Cleveland                            | 12/8/22         |
| [Signature] | [Name]                 | 1730 W 21st St   | Cleveland                            | 12/5/22         |
| [Signature] | Marissa Price          | 2556 W 12th St   | Cleveland                            | 12/8/22         |
| [Signature] | Sarah O'Shaughnessy    | 2556 W 12th St   | Cleveland                            | 12/8/22         |
| [Signature] | Walter [Name]          | 201 W 7th St   | Cleveland                            | 12/8/22         |
| [Signature] | Gregory [Name]         | 357 Belmont St   | Cleveland                            | 12/8/22         |
| [Signature] | [Name]                 | [Address]  | [City]                               | [Date]          |
| [Signature] | [Name]                 | [Address]  | [City]                               | [Date]          |

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

**Circulator Statement**

*Must be completed and signed by the circulator:*

I, \_\_\_\_\_, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing \_\_\_\_\_ signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Acceptance of Nomination (if required by municipal charter)

I hereby accept the within nomination

Signature of Candidate

Address

City and Zip Code

Signature of Circulator

Permanent Residence Address

City or Village State Zip Code

For Board of Elections use only Do not write in this box

Office Sought: Cleveland Municipal Court Judge

Filing Fee: \$40 Signatures: 50/100 Filing Deadline: 6-14-23

### Nominating Petition and Statement of Candidacy

#### For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1901.31, 3501.36, 3513.281

#### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, SYDNEY STRICKLAND SAFFOLD, the undersigned, hereby declare under penalty of election falsification that

my voting residence address is 3115 121<sup>ST</sup> STREET, CLEVELAND, Ohio 44120.

and I am a qualified elector.  
I further declare that I desire to be a candidate for election to the office of JUDGE of the CLEVELAND Municipal Court for the:  full term commencing 1/1/2024 or  unexpired term ending \_\_\_\_\_ in \_\_\_\_\_ County, Ohio at the general election election to be held on the 7 day of November, 2024.

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5 day of DECEMBER, 2022.

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

SYDNEY STRICKLAND SAFFOLD  
Print name as it should appear on ballot  
[Signature]  
Signature of Candidate

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Residence |
|---------------------------|-----------|
|                           |           |
|                           |           |

#### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate SYDNEY STRICKLAND SAFFOLD as a candidate for election to the office of JUDGE of the CLEVELAND Municipal Court, for the:  full term commencing 1/1/2024 or  unexpired term ending \_\_\_\_\_, to be voted for at the next general election, and certify said person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <u>[Signature]</u> | <u>[Name]</u>          | <u>[Address]</u>   | <u>[City]</u>                        | <u>[Date]</u>   |
| <u>[Signature]</u> | <u>[Name]</u>          | <u>[Address]</u>   | <u>[City]</u>                        | <u>[Date]</u>   |
| <u>[Signature]</u> | <u>[Name]</u>          | <u>[Address]</u>   | <u>[City]</u>                        | <u>[Date]</u>   |

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <i>[Signature]</i> | James Powell           | 16304 Greenwood  | Cleveland                            | 12/14/22        |
| <i>[Signature]</i> | William [unclear]      | 1097 E 125 St  | Cleveland                            | 12/14/22        |
| <i>[Signature]</i> | Michelle [unclear]     | 1554 E 167 St  | Cleveland                            | 12/14/22        |
| <i>[Signature]</i> | Paul [unclear]         | 1234 G 176 St  | Cleveland                            | 12/14/22        |
| <i>[Signature]</i> | Suzon M. [unclear]     | 301 E 151 St   | Cleveland                            | 12/14/22        |
| <i>[Signature]</i> | Colleen [unclear]      | 9077 W 110   | Cleveland                            | 12/15/22        |
| <i>[Signature]</i> | Michelle [unclear]     | 50 Hatch Dr  | Cleveland                            | 12/15/22        |
|                    |                        |  |                                      |                 |
|                    |                        |  |                                      |                 |
|                    |                        |  |                                      |                 |
|                    |                        |  |                                      |                 |
|                    |                        |  |                                      |                 |
|                    |                        |  |                                      |                 |
|                    |                        |  |                                      |                 |
|                    |                        |  |                                      |                 |
|                    |                        |  |                                      |                 |
|                    |                        |  |                                      |                 |

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

**Circulator Statement**

Must be completed and signed by the circulator.

I, LAURENCE R. WALSH declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 10 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.362 of the Revised Code.

Acceptance of Nomination (if required by municipal charter)

20

I hereby accept the within nomination.

*[Signature]*  
Signature of Circulator

4921 FAIRLAWN RD  
Personal Residence Address

LYNDHURST  
City or Village

OH  
State

44124  
Zip Code

Signature of Candidate

Address

City and Zip Code



For Board of Elections use only - Do not write in this box

### Nominating Petition and Statement of Candidacy

For Judge or Clerk of the Municipal Court

Office Sought: Cleveland Municipal Court Judge  
 Filing Fee: \$90      Signatures: 50/150      Filing Deadline: 6-14-23

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1001.07, 1201.31, 3501.30, 3513.261

#### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, SYDNEY STRICKLAND SAFFOLD, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 7915 EIGHT 12<sup>TH</sup> STREET, CLEVELAND, Ohio 44120, and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of JUDGE of the CLEVELAND Municipal Court for the:  full term commencing 1/1/2024 or  unexpired term ending \_\_\_\_\_ in \_\_\_\_\_ County, Ohio at the general election election to be held on the 7 day of November, 2023.

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5 day of DECEMBER, 2022.

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

SYDNEY STRICKLAND SAFFOLD  
 Print name as it should appear on ballot  
 \*\*\* Case Sensitive \*\*\*

[Signature]  
 Signature of Candidate

#### WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Residence        |
|---------------------------|------------------|
| <u>Name</u>               | <u>Residence</u> |

#### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate SYDNEY STRICKLAND SAFFOLD as a candidate for election to the office of JUDGE of the CLEVELAND Municipal Court, for the:  full term commencing 1/1/2024 or  unexpired term ending \_\_\_\_\_ to be voted for at the next general election, and certify said person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE          | PRINTED NAME OF SIGNER   | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|--------------------------|--|--------------------------------------|-----------------|
| <u>[Signature]</u> | <u>Patrick Walls</u>     | <u>12509 Maple</u>   | <u>Cleveland</u>                     | <u>12/14/22</u> |
| <u>[Signature]</u> | <u>Tom Hatcher</u>       | <u>5400 150th</u>  | <u>Cleveland</u>                     | <u>12/14/22</u> |
| <u>[Signature]</u> | <u>Michael [unclear]</u> | <u>10215 [unclear]</u>   | <u>Cleveland</u>                     | <u>12/14/22</u> |

| Form No. 27 (2017) | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY or VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--|-----------------|
| 1                  | James D. Quinn         | 1795 BELAM   | CLEVELAND                              | 12/1/17         |
| 2                  | Thomas M. Quinn        | 1795 BELAM   | CLEVELAND                              | 12/1/17         |
| 3                  | Thomas M. Quinn        | 1795 BELAM   | CLEVELAND                              | 12/1/17         |
| 4                  | Thomas M. Quinn        | 1795 BELAM   | CLEVELAND                              | 12/1/17         |
| 5                  | Thomas M. Quinn        | 1795 BELAM   | CLEVELAND                              | 12/1/17         |
| 6                  | Thomas M. Quinn        | 1795 BELAM   | CLEVELAND                              | 12/1/17         |
| 7                  | Thomas M. Quinn        | 1795 BELAM   | CLEVELAND                              | 12/1/17         |
| 8                  | Thomas M. Quinn        | 1795 BELAM   | CLEVELAND                              | 12/1/17         |
| 9                  | Thomas M. Quinn        | 1795 BELAM   | CLEVELAND                              | 12/1/17         |
| 10                 | Thomas M. Quinn        | 1795 BELAM   | CLEVELAND                              | 12/1/17         |
| 11                 |                        |  |  |                 |
| 12                 |                        |  |  |                 |
| 13                 |                        |  |  |                 |
| 14                 |                        |  |  |                 |
| 15                 |                        |  |  |                 |
| 16                 |                        |  |  |                 |
| 17                 |                        |  |  |                 |
| 18                 |                        |  |  |                 |
| 19                 |                        |  |  |                 |
| 20                 |                        |  |  |                 |

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

**Circulator Statement**

Must be completed and signed by the circulator.

I, Lawrence D. Wascak, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition consisting of 9 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3601.392 of the Revised Code.

Acceptance of Nomination (if required by municipal charter)

20

I hereby accept the within nomination.

Signature of Candidate

Address

City and Zip Code

Lawrence D. Wascak  
Signature of Circulator

4921 FAIRLAWN RD  
Permanent Residence Address

LYNDONHURST OH 44124  
City or Village State Zip Code

For Board of Elections use only - Do not write in this box

### Nominating Petition and Statement of Candidacy

For Judge or Clerk of the Municipal Court

Office Sought: Cleveland Municipal Court Judge  
 Filing Fee: \$40      Signature: [Signature]      Filing Deadline: 6-14-23

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1501.07, 1501.21, 3201.36, 3213.201

### Statement of Candidacy

NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.

I, SYDNEY STRICKLAND SAFFOLD, the undersigned, hereby declare under penalty of election falsification that

my voting residence address is 7515 EAST 179TH STREET, CLEVELAND, Ohio 99120.  
Street Number and Address (or rural route and number)      City or Village      Zip Code

and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of JUDGE of the

CLEVELAND Municipal Court for the:  full term commencing 11/1/2024  
Name of Municipal Court      Insert "Judge" or "Clerk"      Full Term Commencing Date

or  unexpired term ending \_\_\_\_\_ in \_\_\_\_\_ County, Ohio at the general election

election to be held on the 7 day of November, 2024.  
Unexpired Term Ending Date      Day      Year

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5 day of DECEMBER, 2022.  
Day      Month      Year

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

SYDNEY STRICKLAND SAFFOLD  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

[Signature]  
Signature of Candidate

### WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Name | Residence |
|------|-----------|
|      |           |
|      |           |
|      |           |

### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city,

village, or township set opposite our names, hereby nominate SYDNEY STRICKLAND SAFFOLD as a

candidate for election to the office of JUDGE of the CLEVELAND

Municipal Court, for the:  full term commencing 11/1/2024 or  unexpired term ending \_\_\_\_\_  
Insert "Judge" or "Clerk"      Name of Municipal Court      Full Term Commencing Date

to be voted for at the next general election, and certify said person is, in our opinion,

well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <u>[Signature]</u> | <u>[Name]</u>          | <u>3489 W 121st St</u>   | <u>Cleveland</u>                     | <u>10/20/22</u> |
| <u>[Signature]</u> | <u>[Name]</u>          | <u>[Address]</u>   | <u>Cleveland</u>                     | <u>10/20/22</u> |
| <u>[Signature]</u> | <u>[Name]</u>          | <u>[Address]</u>   | <u>Cleveland</u>                     | <u>12/18/22</u> |

| NO. | NAME OF SIGNER   | FULL STREET ADDRESS<br>(Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP | DATE OF SIGNING |
|-----|--|---|---------------------------|-----------------|
| 1   | J. J. DeF...<br>10403 Federal Ave<br>Cleveland, OH 44130 | Cleveland   | 12-8-22                   |                 |
| 2   | Robert Wilson<br>3205 East Blvd<br>Cleveland, OH 44114   | Cleveland   | 12/8/22                   |                 |
| 3   | David S...<br>1455...<br>Cleveland, OH                   | Cleveland   | 12/8/22                   |                 |
| 4   | Margaret LaRosa<br>1455...<br>Cleveland, OH              | CLEVELAND, OH   | 12/8/22                   |                 |
| 5   | Shirley Allen<br>1455...<br>Cleveland, OH                | CLEVELAND   | 12/8/22                   |                 |
| 6   | Daniel H. Woodruff<br>1455...<br>Cleveland, OH           | Cleveland   | 12/8/22                   |                 |
| 7   | Chris S...<br>1455...<br>Cleveland, OH                   | Cleveland   | 12/8/22                   |                 |
| 8   | Dale Miller<br>1455...<br>Cleveland, OH                  | Cleveland   | 12/8/22                   |                 |
| 9   | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 10  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 11  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 12  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 13  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 14  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 15  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 16  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 17  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 18  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 19  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |
| 20  | 1455...<br>Cleveland, OH                                 | Cleveland   | 12/8/22                   |                 |

WHOEVER COMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

Circulator Statement

Must be completed and signed by the circulator.

I, LAWRENCE A. WALLACE, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 19 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.362 of the Revised Code.

Acceptance of Nomination  
(if required by municipal charter)

20

I hereby accept the within nomination.

---

Signature of Candidate

---

Address

---

City and Zip Code

L. Wallace  
Signature of Circulator

4721 FARLINGS RD  
Permanent Residence Address

LYNDHURST OH 44134  
City or Village State Zip Code

For Board of Elections use only - Do not write in this box

# Nominating Petition and Statement of Candidacy

## For Judge or Clerk of the Municipal Court

Office Sought: Cleveland Municipal Court Judge  
 Filing Fee: \$20  
 Signatures: 10/1/23  
 Filing Deadline: 6-14-23

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1901.31, 3501.38, 3512.201

### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, SYDNEY STRICKLAND SAFFOLD, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 2115 EAST 121<sup>ST</sup> STREET, CLEVELAND, Ohio 44120, and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of JUDGE of the CLEVELAND Municipal Court for the:  full term commencing 1/1/2024 or  unexpired term ending \_\_\_\_\_ in \_\_\_\_\_ County, Ohio at the general election election to be held on the 7 day of November, 2023.

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5 day of DECEMBER, 2022.

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

SYDNEY STRICKLAND SAFFOLD  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

[Signature]  
Signature of Candidate

### WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate<br>Name | Residence |
|-----------------------------------|-----------|
|                                   |           |
|                                   |           |

### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate SYDNEY STRICKLAND SAFFOLD as a candidate for election to the office of JUDGE of the CLEVELAND Municipal Court, for the:  full term commencing 1/1/2024 or  unexpired term ending \_\_\_\_\_ to be voted for at the next general election, and certify said person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <u>[Signature]</u> | <u>[Name]</u>          | <u>[Address]</u>   | <u>[City]</u>                        | <u>[Date]</u>   |
| <u>[Signature]</u> | <u>[Name]</u>          | <u>[Address]</u>   | <u>[City]</u>                        | <u>[Date]</u>   |

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <i>[Signature]</i> | Michael Hardy          | 12442 Lorain Rd  | Cleveland                            | 12/15/2022      |
| <i>[Signature]</i> | MICHAEL J. EVANS       | 17271 KENNEDY RD   | CLEVELAND                            | 12/15/2022      |
| <i>[Signature]</i> | Mark Ryan              |  | Cleveland                            | 12/15/2022      |
| <i>[Signature]</i> | Matthew Anthony        | 3702 Lorain 12915  | Cleveland                            | 12/15/2022      |
| <i>[Signature]</i> | Lonelle Jones          | 14418 Parkview Ave   | Cleveland                            | 12/15/2022      |
| <i>[Signature]</i> | Nora Kullberg          | 7410 W 148th   | CLEVELAND                            | 12/18/2022      |
| <i>[Signature]</i> | John Myers             | 17217 Emerald  | Cleveland                            | 12/18/2022      |
| <i>[Signature]</i> | MARY KILYAN            | 17217 EMERALD  | Cleveland                            | 12/18/2022      |
| <i>[Signature]</i> | Sara Kullberg          | 1401 W 148th   | Cleveland                            | 12/18/2022      |
| <i>[Signature]</i> | John Kullberg          | 1401 W 148th   | Cleveland                            | 12/18/2022      |
| <i>[Signature]</i> | Tracy Jackson          | 4 Wood Meadow  | Parabola                             | 12/18/22        |
| <i>[Signature]</i> | Angela L. Baker        | 17217 Emerald  | Cleveland                            | 12/18/2022      |
| <i>[Signature]</i> | Kim Nguyen             | 424 E. 85th  | Cleveland                            | 12/19/2022      |
| <i>[Signature]</i> | Kim Casey              | 1426 E. 33th   | Cleveland                            | 12/20/22        |
| <i>[Signature]</i> | Greg Jones             | 170176 13th Lane   | Cleveland                            | 12/20/22        |
| <i>[Signature]</i> | VINCENT J. ROMANO      | 3717 N. 56 COVE  | CLEVELAND                            | 12/20/22        |

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

**Circulator Statement**

Must be completed and signed by the circulator.

I, Angela L. Baker, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 19 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Acceptance of Nomination (if required by municipal charter)

20

I hereby accept the within nomination

Signature of Candidate

Address

City and Zip Code

*[Signature]*  
Signature of Circulator

4921 Franklin Rd  
Homeost Residence Address

CLEVELAND OH 44114  
City or Village State Zip Code

For Board of Elections use only - Do not write in this box

# Nominating Petition and Statement of Candidacy

Office Sought: Cleveland Municipal Court Judge  
 FTE: 1-1-23  
 480 Filing Fee  
 50/100 Signatures  
 6-14-23 Filing Deadline

For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1507.07, 1501.21, 3501.38, 3513.261

## Statement of Candidacy

NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.

I, SYDNEY STRICKLAND SAFFOLD, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 7-15 WEST 121<sup>ST</sup> STREET, CLEVELAND, Ohio 44120.  
Printed Name of Candidate  
Street Number and Address (for rural roads use number) City or Village Zip Code

and I am a qualified elector.  
I further declare that I desire to be a candidate for election to the office of JUDGE of the CLEVELAND Municipal Court for the:  unexpired term ending 11/1/2024 or  full term commencing 1/1/2024 of the CLEVELAND County, Ohio at the general election.  
Name of Municipal Court Insert "Judge" or "Clerk" Full Term (i.e. beginning date)  
or unexpired term ending Unexpired Term Ending Date County

election to be held on the 7 day of NOVEMBER, 2022.  
Day Month Year  
I further declare that I am an elector qualified to vote for the office I seek.

**BOARD USE ONLY**  
 City, Ward & Precinct  
 Voter ID  
 Signature  
 Initials

Dated this 5 day of DECEMBER, 2022.  
Day Month Year

SYDNEY STRICKLAND SAFFOLD  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*  
Signature of Candidate

### WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, SYDNEY STRICKLAND SAFFOLD, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Residence |
|---------------------------|-----------|
|                           |           |
|                           |           |
|                           |           |

## Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate SYDNEY STRICKLAND SAFFOLD as a candidate for election to the office of JUDGE of the CLEVELAND Municipal Court, for the:  unexpired term ending 11/1/2024 or  full term commencing 1/1/2024 to be voted for at the next general election, and certify said person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.  
Printed Name of Candidate Name of Municipal Court Full Term Commencing Date Unexpired Term Ending Date

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING   |
|--------------------|------------------------|--|--------------------------------------|-------------------|
| <i>[Signature]</i> | <u>[Name]</u>          | <u>123 Main Street Cleveland, OH 44101</u>                                 | <u>Cleveland</u>                     | <u>12-13-2022</u> |
| <i>[Signature]</i> | <u>[Name]</u>          | <u>19 West 121st Street Cleveland, OH 44120</u>                            | <u>Cleveland</u>                     | <u>12/13/22</u>   |

| SIGNATURE | PRINTED NAME OF SIGNER | FULL STREET ADDRESS<br>(Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP<br>(REQUIRED) | DATE OF SIGNING |
|-----------|------------------------|---|---|-----------------|
| 4.        |                        |   |   |                 |
| 5.        |                        |   |   |                 |
| 6.        |                        |   |   |                 |
| 7.        |                        |   |   |                 |
| 8.        |                        |   |   |                 |
| 9.        |                        |   |   |                 |
| 10.       |                        |   |   |                 |
| 11.       |                        |   |   |                 |
| 12.       |                        |   |   |                 |
| 13.       |                        |   |   |                 |
| 14.       |                        |   |   |                 |
| 15.       |                        |   |   |                 |
| 16.       |                        |   |   |                 |
| 17.       |                        |   |   |                 |
| 18.       |                        |   |   |                 |
| 19.       |                        |   |   |                 |
| 20.       |                        |   |   |                 |

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Circulator Statement**

*Must be completed and signed by the circulator.*

I, \_\_\_\_\_ declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing \_\_\_\_\_ signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Acceptance of Nomination  
(If required by municipal charter)

20

I hereby accept the within nomination.

Signature of Circulator

Permanent Residence Address

City or Village State Zip Code

Signature of Candidate

Address

City and Zip Code



Protest Response  
Sydney Strickland  
Saffold

AUGUST 22, 2023

CUYAHGOA COUNTY BOARD OF ELECTIONS  
2925 EUCLID AVENUE  
CLEVELAND, OHIO 44115

|    |                            |   |                                |
|----|----------------------------|---|--------------------------------|
| 1  |                            |   |                                |
| 2  |                            |   |                                |
| 3  |                            |   |                                |
| 4  |                            |   |                                |
| 5  |                            |   |                                |
| 6  | SYDNEY STRICKLAND SAFFOLD, | ) | HENRY F. CURTIS, IV            |
| 7  |                            | ) | BOARD CHAIRMAN                 |
| 8  | Respondent,                | ) | INAJO DAVIS CHAPPELL           |
| 9  |                            | ) | BOARD MEMBER                   |
| 10 |                            | ) | LISA M. STICKAN                |
| 11 |                            | ) | BOARD MEMBER                   |
| 12 |                            | ) | TERENCE M. MCCAFFERTY          |
| 13 |                            | ) | BOARD MEMBER                   |
| 14 |                            | ) | ANTHONY W. PERALTTI            |
| 15 |                            | ) | DIRECTOR                       |
| 16 |                            | ) | ANTHONY N. KALOGER             |
| 17 |                            | ) | DEPUTY DIRECTOR                |
| 18 |                            | ) | <u>RESPONDENT'S RESPONSE</u>   |
| 19 |                            | ) | <u>TO THE PROTEST OF</u>       |
| 20 |                            | ) | <u>CERTIFICATION FOR</u>       |
| 21 |                            | ) | <u>CANDIDACY FOR JUDGE IN</u>  |
| 22 |                            | ) | <u>THE CLEVELAND MUNICIPAL</u> |
| 23 |                            | ) | <u>COURT TERM COMMENCING</u>   |
| 24 |                            | ) | <u>1/1/2024</u>                |

Now comes the Respondent, Sydney Strickland Saffold, Esq., by and through undersigned counsel, Larry W. Zukerman, Esq., and respectfully submits the attached Memorandum for this Honorable Board's consideration. Respondent respectfully reserves the right to present additional information, documents, evidence, testimony, arguments, and otherwise at the hearing before the Board currently scheduled for August 29, 2023, at 9:30 a.m.

Respectfully submitted,  
/s/ Larry W. Zukerman  
Larry W. Zukerman (0029498)  
ZUKERMAN LEAR & MURRAY  
3912 Prospect Avenue, East  
Cleveland, Ohio 44115  
Phone: (216) 696-0900  
Email: [lwzi@zukerman-law.com](mailto:lwzi@zukerman-law.com)

*Attorney for Respondent Sydney Strickland  
Saffold*

## MEMORANDUM

### **1. The protest of Respondent's candidacy for Cleveland Municipal Court Judge, term commencing January 1, 2024, is facially invalid and therefore must be denied.**

Petitioner bases the entirety of her argument on the signature requirement in Chapter 3 Section 5 of the Charter for the City of Cleveland. Petitioner incorrectly asserts “[t]he voters spoke through the amendment in 2019 to require those running for a city wide race have obtained specific elector signatures,” citing to the three thousand elector signatures provision. In reality, the 2019 amendment to Chapter 3 Sections 5, 7, and 8, of the Charter of the City of Cleveland only amended three specific provisions: (1) a twelve-month residency requirement, (2) standardize forms, and (3) the deadline for filing petitions. Indeed, the three thousand elector signature provision has been in place for years prior to the 2019 amendment to which Petitioner cited. *See attached Certificate of Result of Election on Question or Issue.*

Here, however, Ohio Revised Code Title 19 preempts Chapter 3 Section 5 of the Charter of the City of Cleveland. Ohio Revised Code Title 19 proscribes targeted preemptions in the nominating process for judicial candidates in the Cleveland Municipal Court, specifically as it applies to petitions and signature requirements, while explicitly deferring to the Charter of the City of Cleveland on only the issues of the *manner* and *time* provisions for Cleveland Municipal Court judicial candidates. The Ohio Revised Code Title 19 provisions, coupled with the Charter of the City of Cleveland and the 2023 Ohio Candidate Requirement Guide by Ohio Secretary of State Frank Larose (who is our state's Chief Election Official) all work in tandem with one another concerning the nominating process, by expressly establishing which provisions in the Ohio Revised Code and the City's Charter control each part of the process.

Ohio Revised Code Title 19 dictates the creation and election to municipal courts, specifically, Ohio Revised Code § 1901.01 establishes municipal courts throughout the State of Ohio. Ohio Revised Code § 1901.02 further includes the corporation of the Village of Bratenahl as within the Cleveland Municipal Court jurisdiction.

Ohio Revised Code § 1901.07(C)(1) establishes how judges in the Cleveland Municipal Court shall be nominated and elected, providing:

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

Here, the Respondent filed one hundred fifteen (115) signatures, of which fifty (50) were subsequently validated by the Cuyahoga County Board of Elections. Moreover, the 2023 Candidate Requirement Guide, promulgated by Secretary of State Frank Larose, which dictates the rules for races for Cleveland Municipal Court judicial candidates, specifically provides,

R.C. 1901.07 prescribes the method for nominating candidates for municipal court judge based on the jurisdiction of the court and the applicability of municipal charter provisions. Candidates for municipal court judge should review closely R.C. 1901.07 to determine particular filing requirements in their jurisdiction.

*See attached, 2023 Ohio Candidate Requirement Guide, at 12.*

It should be noted that the Secretary of State for the State of Ohio annually publishes a candidate requirement guidebook that categorically establishes the various election requirements for each and every elected position that will appear on the ballot in every jurisdiction throughout the State of Ohio for the year. To be clear, the Secretary of State is the Chief Elections Officer for the State of Ohio and his responsibilities include, in pertinent part, the administration of elections laws. The policies therefrom control the way in which each elected office is to be sought and how, procedurally, each candidate is certified to the ballot. Here, the Secretary of State's *own policy* for this election year expressly cites to the Ohio Revised Code § 1901.07 as the prescriptive and controlling law by which a candidate for the Cleveland Municipal Court is to be qualified. *Id.* at 12.

In her protest, the Petitioner relies upon a "home rule" argument, and, in support of her argument, may point to the language from the 2023 Ohio Candidate Requirement Guide (hereinafter the "OCRG") stating, "...R.C. 1901.07 prescribes the method for nominating candidates for municipal court judge based on the jurisdiction of the court *and the applicability of municipal charter provisions.*." *Id.* (emphasis added). However, a review of the remaining relevant portions of the 2023 Ohio Candidate Requirement Guide, alongside the applicable provisions of the Ohio Revised Code, establish that Petitioner's argument is misplaced and a misunderstanding and/or misinterpretation of the law. The OCRG further provides that,

By nominating petition only: Municipal courts specified in R.C. 1901.07(C)(1)-(6): Akron, Cleveland, and Toledo municipal courts; and the Auglaize, Brown, Carroll, Clermont, Crawford, Franklin, Hamilton, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, Sandusky, and Wayne county municipal courts.

Note: An individual who is interested in being a candidate for the Akron, Cleveland, or Toledo municipal court or the Franklin County

municipal court are encouraged to review the municipality's charter for the appropriate filing deadline and any additional filing requirements.

*Id at 13.*

Significantly, Ohio Revised Code 1901.07(C)(1)-(6), mandates that nominating petitions for candidates be "in the statutory form" and limits the City of Cleveland Charter's to dictating the *time and manner* of the nominating petitions for establishing candidacy. Perhaps most importantly, however, R.C. § 1901.07(C)(1) *expressly and unambiguously* provides that Cleveland Municipal Court judicial candidates, such as Respondent, must have fifty valid signatures:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the *statutory form* and shall be filed *in the manner and within the time prescribed by the charter of the city of Cleveland* for filing petitions of candidates for municipal offices.

*See attached Ohio Revised Code § 1901.07(C)(1). Emphasis added.*

As directed by R.C. § 1901.07(C)(1), the Charter of the City of Cleveland §§ 5-8 dictate only the *manner* and prescribes the time for the filing of petitions for the municipal offices, *and not the contents* of the petition which, pursuant to Ohio's applicable election statute (R.C. § 1901.07(C)(1) must be "in the statutory form", i.e., "signed by at least fifty electors." With respect to the manner and timing requirements for the filing of petitions, the Charter of the City of Cleveland §§ 5-8 provide the following:

#### § 5 Nominating Petitions

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or

the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)

#### § 6 Petition Form

The signatures to a nominating petition need not all be appended to one paper, but on each separate paper the circulator shall indicate the number of signatures contained on the petition, and shall sign a statement made under penalty of election falsification that the circulator witnesses the affixing of every signature, that all signers were to the best of the circulator's knowledge and belief qualified to sign, and that every signature is to the best of the circulator's knowledge and belief the signature of the person whose name it purports to be. Each signer of a petition shall sign his or her name in ink or indelible pencil, and shall place on the petition after his or her name the signer's place of residence by street and number, or other description sufficient to identify the place, and give the date when the signer's signature was made. (Effective November 4, 2008)

#### § 7 Candidacy and Nominating Petition Papers

The statement of candidacy and nominating petition papers shall be standard forms of the Secretary of State as required under the general law of the State. (Effective November 5, 2019)

#### § 8 Filing and Verification of Petitions

All separate papers comprising a statement of candidacy and nominating petition shall be assembled and filed with the election authorities as one instrument no later than four p.m. on the ninetieth (90th ) day prior to the day of the primary election. Within ten (10) days after the filing of a nominating petition the election authorities shall notify the person named in the petition as a candidate whether the petition is found to be signed by the required number of qualified electors. If insufficient, the person named in the petition as candidate may amend the petition by filing additional petition papers within five (5) days after notification of insufficiency by the election authorities. Within five (5) days after the filing of the additional petition papers, the election authorities shall notify the person named in the petition as candidate whether the amended petition is found to be signed by the required number of qualified electors.



(Effective November 5, 2019). *See attached Charter of the City of Cleveland, §§ 5-8.*

Here, as noted above, Section 5 of the Charter of the City of Cleveland, is subject to targeted and express preemption by the Ohio Revised Code for the purposes of determining the signature requirement and the petition requirement, which are dictated must be in “statutory form,” i.e., in the form mandated by Ohio’s election *statutes* under § 1901.07 *et seq.*, and not a City Charter. Again, as noted above, the 2023 Ohio Candidate Requirement Guide expressly directs judicial candidates to comply with the Ohio Revised Code § 1901.07(C)(1) which mandates that petitions “shall be signed by at least fifty electors of the territory of the court”. *Supra*. Here, Respondent has strictly complied with both the mandates of Ohio Revised Code § 1901.07(C)(1) by submitting her petition “in the statutory form” as her petition was “signed by at least fifty electors of the territory of the court”, and has further complied with all remaining manner and time requirements as dictated by the Charter of the City of Cleveland sections six through eight (which Petitioner so aptly laid out in her Protest).

Further, and to eliminate any remaining doubt on this issue, one need only look to the policy of the Cuyahoga County Board of Elections which not only prohibits judicial candidates from submitting more than three (3) times the stated fifty signature requirement provided for in the Ohio Revised Code, but also, the Board validates the signatures and approves the candidacy should the *fifty-signature threshold* be met. In the event there are not fifty valid signatures, the policies of the Cuyahoga County Board of Elections provides for a curative period to allow the candidate to reach the fifty signature statutory requirement pursuant to the Charter of the City of Cleveland, Chapter 3 Section 8

The Respondent submits that the 2023 Ohio Candidate Requirement Guide, the Ohio Revised Code § 1901.07(C)(1), and the Charter of the City of Cleveland are all consistent with

one another, without conflict, and when read together and as intended, result in the same conclusion: that Ohio State Law expressly requires a valid nomination petition for election to the Cleveland Municipal Court to be “in the statutory form” “signed by at least fifty electors of the territory of the court...” R.C. § 1901.07(C)(1). Accordingly, Respondent has complied with all applicable state and municipal requirements as well as all applicable administrative requirements with respect to her candidacy for Judge in the Cleveland Municipal Court term commencing January 1, 2024.

**WHEREFORE**, the Respondent respectfully requests this Honorable Board to find the Protest by Petitioner to be invalid and certify the candidacy of Sydney Strickland Saffold onto the November 7, 2023, ballot for the office of Judge in the Cleveland Municipal Court, term commencing January 1, 2024.

Respectfully submitted,

/s/ Larry W. Zukerman  
Larry W. Zukerman (0029498)  
**ZUKERMAN LEAR & MURRAY**  
3912 Prospect Avenue, East  
Cleveland, Ohio 44115  
Phone: (216) 696-0900  
Email: [lwz@zukerman-law.com](mailto:lwz@zukerman-law.com)

*Attorney for Respondent Sydney Strickland Saffold*

**CERTIFICATE OF SERVICE**

A copy of the foregoing *Respondent's Response to The Protest for Candidacy for Cleveland Municipal Court Judge Term Commencing 1/1/2024* was filed electronically on this 22nd day of August, 2023, and served upon:

Mariah Crenshaw  
3472 East 114<sup>th</sup> Street  
Cleveland, Ohio 44104  
Email: mariahren@gmail.com

**/s/ Larry W. Zukerman**  
Larry W. Zukerman (0029498)  
*Counsel for Respondent*  
*Sydney Strickland Saffold*

# CERTIFICATE OF RESULT OF ELECTION ON QUESTION OR ISSUE

Revised Code 3301.11, 3505.33, 5705.19 5705.25

The State of Ohio, County of Cuyahoga, ss.

To: Cleveland City Council; Secretary of State Frank LaRose


We, the undersigned, Cuyahoga County Board of Elections, do hereby certify that at the election held in the City of Cleveland, on the 5<sup>th</sup> day of November, 2019, the vote cast on the following issue was as follows:


**Issue 28. Proposed Charter Amendment:** Shall Sections 5, 7, and 8 of the Charter of the City of Cleveland be amended to provide that to be eligible to be a candidate for elected office in the City, a person must have been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election, or the next election required by law or Charter, whichever occurs first; to require that candidates use standard forms of the Secretary of State; and to provide that the filing deadline for nominating petitions be on the nineteenth (90th) day before the primary election?

|                           |        |
|---------------------------|--------|
| Votes Yes:                | 24,771 |
| Votes No:                 | 7,715  |
| Total vote cast on issue: | 32,486 |

IN WITNESS WHEREOF, we have herewith subscribed our names officially at Cleveland, Ohio, this 26<sup>th</sup> day of November, 2019.

  
\_\_\_\_\_  
Jeff Hastings, Chair

  
\_\_\_\_\_  
Inajo Davis Chappell

  
\_\_\_\_\_  
Robert S. Frust

  
\_\_\_\_\_  
David J. Wondolowski

Attest

  
\_\_\_\_\_  
Anthony W. Parlitti, Director

Cuyahoga County, Ohio



# OHIO

## CANDIDATE REQUIREMENT GUIDE

**Frank LaRose**  
*Ohio Secretary of State*

2023

## Candidate Requirement Guide

If you are considering running for office in Ohio, this guide can help you navigate the legal requirements to get your name on the ballot. This guide is only a brief summary and not a complete digest of laws.

Legislative or judicial action may change the information in this guide. For the most up-to-date information, visit the Ohio Secretary of State's website at [www.OhioSoS.gov](http://www.OhioSoS.gov).

Refer to the sections below for the office you are seeking:

- [Municipal Offices \(other than judge or court clerk\)](#)
- [Municipal Court Judge](#)
- [Municipal Court Clerk](#)
- [Township Offices](#)
- [Board of Education](#)

Each of these sections contains information on the terms of office and the conditions candidates must meet, such as residency requirements, minimum or maximum ages, or other necessary qualifications, such as legal experience. Each office has different petition filing requirements, such as deadlines, forms, filing fees and locations, and number of signatures needed.

Within this guide:

- "U.S. Const." refers to the United States Constitution
- "OH Const." refers to the Ohio Constitution
- "R.C." refers to the Revised Code of Ohio
- "O.A.G." refers to an Opinion of the Ohio Attorney General

# Contents

|   |    |
|---|----|
| <i>Petitions</i> .....  | 4  |
| <i>Municipal Corporations</i> .....   | 6  |
| <i>Municipal Office Terms (Other Than Judge or Court Clerk)</i> .....   | 7  |
| <i>Municipal Offices in Villages with Less Than 2,000 Population</i> .....  | 8  |
| <i>Municipal Office in Villages with Population Over 2,000, but Less Than 5,000; Cities with Population or Registered Electors of 5,000 or More</i> ..... | 9  |
| <i>Municipal Court Judge</i> .....  | 12 |
| <i>Municipal Court Clerk</i> .....  | 14 |
| <i>Township Offices</i> .....   | 15 |
| <i>Board of Education</i> .....   | 16 |
| <i>Elimination of Primary Election</i> .....  | 18 |
| <i>Minor Parties</i> .....  | 18 |
| <i>Write-In Candidates</i> .....  | 19 |
| <i>Political Party Affiliation of Candidates for Party Nomination</i> .....   | 20 |
| <i>Independent Candidates</i> .....   | 20 |
| <i>Restrictions on Filing for Multiple Offices</i> .....  | 21 |
| <i>Protests</i> .....   | 23 |
| <i>Unexpired Term Elections (Vacancy in Office)</i> .....   | 24 |
| <i>Death or Withdrawal of Candidate</i> .....   | 24 |
| <i>Vacancies in Municipal Offices (Other Than Judge and Clerk of Courts)</i> .....  | 25 |
| <i>Vacancies in Municipal Court; Townships; and Boards of Education</i> .....   | 26 |
| <i>Education and Training Requirements</i> .....  | 27 |
| <i>Campaign Finance Reporting</i> .....   | 27 |
| <i>Securing your Campaign</i> .....   | 27 |
| <i>Personal Financial Disclosure Statement</i> .....  | 27 |
| <i>2023 Ohio Elections Calendar</i> .....   | 28 |

## Petitions

County boards of election will provide at least one copy of a candidate petition form upon request. Candidates may make additional copies of the form as it is provided by the county board of elections.

Once the candidate has completed filling out and signing the petition, this signed part-petition may be copied prior to obtaining any elector signatures on the part-petitions. However, this original signed part-petition must be filed with the other part-petitions at the office of the appropriate filing entity. ([R.C. 3513.09](#), [R.C. 3513.261](#)).

### Rules Governing Petitions

Below is an overview of the rules governing petitions. For additional information on rules governing petitions, please see [Chapter 11](#) of the Ohio Election Official Manual.

1. The Declaration or Statement of Candidacy portion of each petition paper must be completely filled out and signed by the candidate(s) before being circulated. ([R.C. 3513.07](#), [R.C. 3513.09](#), [R.C. 3513.261](#)).
2. Candidates must designate the correct term commencing date on the declaration of candidacy or nominating petition, if more than one seat of that office is to be elected at the election. ([R.C. 3513.08](#), [R.C. 3513.28](#)).
3. Only qualified electors who are eligible to vote on the candidacy may sign a petition. An elector's qualifications are determined as of the date the petition is filed. ([R.C. 3501.38\(A\)](#)).
4. Each signature, written in ink, must be an original signature of an elector or the elector's duly appointed attorney-in-fact who is acting pursuant to [R.C. 3501.382](#). Generally, signing or affixing a signature to petition requires a person's written, cursive-style legal mark written in that person's own hand unless the elector does not use a cursive-style mark during the course of their regular business or legal affairs. However, a voter with a disability may personally affix their signature through the use of a reasonable accommodation, including the use of assistive technology or an augmentative device such as a signature stamp. ([R.C. 3501.011](#), [R.C. 3501.382\(F\)](#) and related [O.A.G. 2015-012](#)).
5. Each signer's residence address and the date of signing must be placed on the petition after the elector's signature. The voting address written on the petition must be the address appearing in the registration records of the board of elections. ([R.C. 3501.38\(C\)](#)).
6. Petitions for a candidate for party nomination must be signed and circulated by persons who are members of the same political party as the candidate. ([R.C. 3513.07](#)). An elector is considered to be a member of a political party if they voted in the primary election of that party within the preceding two calendar years, or if they did not vote in any other party's primary election within the preceding two calendar years. ([R.C. 3513.05, 7th 1](#)).



7. A candidate may circulate their own petition, although they may not sign their own petition as an elector. For purposes of circulating their own petition, a candidate is exempt from the party affiliation requirements described in point number 6 of this section. ([R.C. 3513.191\(C\)\(4\)](#)). A circulator may not sign the same petition paper that they are circulating. A circulator who is not a candidate may, however, sign a petition paper being circulated for the same candidacy by a different circulator.
8. A circulator must be at least 18 years of age. ([R.C. 3503.06\(C\)](#)). (The Ohio residency requirement is not currently in place based on the preliminary injunction in *Citizens in Charge v. Husted*, Case: 2:13-CV-00935 (S.D. Ohio 11/13/13); See also, *Citizens in Charge v. Husted*, 810 F. 3d 437 (6th Cir 2016)).
9. After circulating the petition, the circulator must sign a statement, under penalty of election falsification, indicating the following:
  - a. The number of signatures contained on the petition;
  - b. That the circulator witnessed the affixing of each signature on the petition;
  - c. That all signers, to the best of the circulator's knowledge and belief, were qualified to sign;
  - d. That each signature is, to the best of the circulator's knowledge and belief, the signature of the person whose signature it purports to be; and
  - e. On the circulator's statement for a declaration of candidacy or nominating petition for a person seeking to become a statewide candidate, the circulator's name, the address of the circulator's permanent residence, and the name and address of the person employing the circulator to circulate the petition, if any.
10. If a circulator knowingly permits an unqualified person to sign a petition paper or permits a person to write a name other than the person's own on the petition paper, that petition paper is invalid; otherwise, the signature of a person not qualified to sign shall be rejected but shall not invalidate the other valid signatures on the petition paper. ([R.C. 3501.38\(F\)](#)).
11. Once a candidate's petition has been filed with the appropriate election official, it cannot be changed, supplemented, or returned to the candidate. ([R.C. 3501.38\(I\)](#)).
12. If the candidate's petition consists of more than one part-petition, the candidate may sign the declaration of candidacy on only one of such separate petition papers, but the signed declaration of candidacy must be copied on each other part-petition before the signature of electors are placed on it. The original petition with the candidate's original signature must be filed at the same time as all other part-petitions. ([R.C. 3501.38\(K\)](#), [R.C. 3513.09](#)).
13. Each petition paper shall be circulated by one person only and shall contain signatures of qualified electors of one county only. When petitions are circulated in a district that contains more than one county, separate petition papers must be circulated in each county. ([R.C. 3501.38](#), [R.C. 3513.05](#), [R.C. 3513.07](#), [R.C. 3513.261](#)).
14. No petition shall be accepted if it contains more than three times the minimum number of required signatures. ([R.C. 3513.05](#), [R.C. 3513.257](#), [R.C. 3513.259](#)). Or, in the case of a petition for county court judge, no nominating petition shall be accepted for filing or filed if it appears on its face to contain more than twice the minimum number of required signatures. ([R.C. 1907.13](#)).

15. All petitions must contain the following statement in boldface capital letters: **"WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE."** ([R.C. 3501.38\(J\)](#), [R.C. 3599.36](#)).

**Note:** The penalties for a fifth degree felony conviction are six to 12 months in prison and/or a fine of \$2,500.

16. All petitions remain open for public inspection, under reasonable regulations, at the office of the county board of elections with which they were filed. ([R.C. 3513.05](#), [R.C. 3513.262](#)).

17. A signature on a nominating petition of a prospective independent candidate or nonpartisan candidate is not valid if it is dated more than one year before the date the petition was filed. ([R.C. 3513.262](#)).

## Municipal Corporations

### **Cities and Villages**

As used in Ohio law, the terms "municipal corporation" and "municipality" refer either to a city or a village. A municipal corporation's classification as a city or village is based on its population as determined by the most recent decennial (ten-year) federal census or, alternatively, the number of registered electors at the most recent general election. Municipal corporations that, at the last federal census, had a population of 5,000 or more, or at the last general election had 5,000 registered electors, are classified as cities. All other municipal corporations are classified as villages. ([R.C. 703.01](#), [R.C. 703.011](#)).

Although many of the elective offices of cities and villages share common names, those offices are governed by different statutes. A candidate should become familiar with the statutes that set forth the duties of, and eligibility requirements for, the specific office the candidate seeks.

Also, note that, for election purposes, the law distinguishes between villages with populations of fewer than 2,000, and those with populations between 2,000 and 4,999.

### **Municipal Limited Home Rule**

Ohio law allows municipal corporations to organize under one of four specific plans of government that provide a limited amount of home rule. These plans – the charter, commission, city manager, and federal plans – are provided for in [Article XVIII of the Ohio Constitution](#) and [Chapter 705 of the Revised Code of Ohio](#). A candidate seeking election to a municipal office governed by one of the home rule plans must be familiar with the constitutional and statutory provisions that set forth the duties of and eligibility requirements for that office.

## Municipal Office Terms (Other Than Judge or Court Clerk)

**Note:** The following provisions may not apply if a municipal corporation has adopted a charter or other form of limited home rule government. For more information about charter municipalities, contact your county board of elections or the law director/solicitor of the municipal corporation.

### **Terms of Office**

(unless a controlling home rule provision provides otherwise)

- **Mayor:** Four years, commencing January 1, 2024 ([OH Const. Art. XVIII §7](#); [R.C. 733.02](#); [R.C. 733.24](#)).
- **Member, Legislative Authority:**
  - **City:** Two years, commencing January 1, 2024 ([OH Const. Art. XVIII §7](#); [R.C. 731.03](#)).
  - **Village:** Four years, no statutory beginning date—generally commencing January 1, 2024 ([OH Const. Art. XVIII §7](#); [R.C. 731.09](#)).
- **President, Legislative Authority of a City:** Two or four years, commencing January 1, 2024 ([R.C. 733.09](#)).
- **City Director of Law:** Four years, commencing January 1, 2024 ([R.C. 733.49](#)).
- **City Auditor:** Four years, commencing January 1, 2024 ([R.C. 733.10](#)).
- **Treasurer:** Four years, commencing January 1, 2024 ([R.C. 733.42](#)).
- **Village Clerk:** Four years, commencing April 1, 2024 ([R.C. 733.26](#)).
- **Village Clerk-Treasurer:** Four years, commencing April 1, 2024 ([R.C. 733.261](#)).
- **Board of Trustees of Public Affairs:**
  - **Village:** Two or four years, no statutory beginning date—generally commencing January 1, 2024 ([R.C. 735.28](#)).

## Municipal Offices in Villages with Less Than 2,000 Population

In a statutory village with a population of less than 2,000, all candidates are nominated by petition unless the village voters adopted provisions to hold partisan primary elections pursuant to [R.C. 3513.01](#).<sup>1</sup> If the village has not adopted partisan elections, all candidates are designated as nonpartisan candidates.

### **Qualifications and Filing Information**

- **Residency Requirements:**

- **Mayor:** One year in the village immediately preceding the election ([R.C. 733.24](#)).
- **Legislative authority – council:** One year in the village immediately preceding the election ([R.C. 731.12](#)).
- **All other offices:** Resident of the village ([R.C. 3.15](#), [R.C. 733.26](#), [R.C. 733.261](#), [R.C. 3513.05](#)).

- **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).

- **Other:** Registered elector of the village ([OH Const. Art. V §1](#), [Art. XV §4](#); [R.C. 3.15](#), [R.C. 731.09](#), [R.C. 731.12](#), [R.C. 733.10](#), [R.C. 733.24](#), [R.C. 733.26](#), [R.C. 733.261](#), [R.C. 733.42](#)).

- **Petition Filing Deadline:** By 4 p.m. on August 9, 2023 (90 days before the general election) ([R.C. 3513.251](#)).

- **Petition Forms:**

- [Form 3-O: Nominating Petition - Nonpartisan Office - Municipalities](#) - **for individual candidates**
- [Form 3-MA: Nominating Petition - Village Office - \(Several Candidates\)](#) - **for a group of candidates**

*See page 22 for additional information on group petitions.*

- **Signature Requirement:** 10 valid signatures ([R.C. 3513.251](#)).

- **Filing Fee:** \$30 ([R.C. 3513.10](#), [R.C. 3513.251](#), [R.C. 3513.261](#)).

- **File with:** Appropriate county board of elections office ([R.C. 3513.251](#)).

**Note:** *If the village is located in more than one county, the petition is filed with the board of elections in the most populous county.*

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<sup>1</sup> If a village has adopted provisions to hold partisan primaries, please follow the requirements listed in "Municipal Corporations in Villages with Population Over 2,000, but Less Than 5,000", beginning on the next page, with the one exception that the declaration of candidacy and petition requires 10 valid signatures.

## Municipal Office in Villages with Population Over 2,000, but Less Than 5,000; Cities with Population or Registered Electors of 5,000 or More

Candidates for municipal office will be nominated by petition as nonpartisan candidates unless one or more of the following applies: The electors of the municipal corporation have petitioned to have partisan elections, previous municipal elections in that municipality were partisan, or a municipal charter provides otherwise.

Candidates for nonpartisan office who want their names printed on the ballot will file nominating petitions.

Candidates for offices nominated through a partisan primary who want their names printed on the ballot will file either a declaration of candidacy (party candidates) or nominating petition (independent candidates).

### Party and Independent Candidates

#### Qualifications and Filing Information

- **Residency Requirements:**
    - **Mayor - Village with population of 2,000 - 4,999:** One year in the village immediately preceding election ([R.C. 3.15](#), [R.C. 733.24](#)).
    - **Mayor - City:** Resident of the city ([R.C. 3.15](#)).
    - **President - City legislative authority:** Resident of the city ([R.C. 3.15](#)).
    - **Legislative authority:** One year in the village, city, or ward immediately preceding election ([R.C. 3.15](#), [R.C. 731.02](#), [R.C. 731.12](#)).
    - **All other offices:** Resident of the city or village ([R.C. 3.15](#)).
  - **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).
  - **Other:**
    - **Registered elector of the city or village** ([OH Const. Art. V §1](#), [Art. XV §4](#), [R.C. 3.15](#), [R.C. 731.02](#), [R.C. 731.12](#), [R.C. 733.09](#), [R.C. 733.10](#), [R.C. 733.24](#), [R.C. 733.42](#), [R.C. 733.49](#)).
    - **Director of law:** Must be an attorney admitted to practice in this state ([R.C. 733.50](#)).
  - **Petition Filing Deadlines:**
    - By 4 p.m. on February 1, 2023 (90 days before the primary election); or
    - By 4 p.m. on May 1, 2023 (one day before the primary election) for independent candidates ([R.C. 3513.05](#), [R.C. 3513.257](#)).
- Note: Party candidates whose petitions are certified will run in the primary election, unless the primary is eliminated under [R.C. 3513.02](#) (see "Elimination of Primary Election" on page 18).*
- **Filing Fee:** \$30 for village office; \$45 for city office ([R.C. 3513.10](#)).

- **Petition Forms:**

- [Form 2-I: Declaration of Candidacy - Party Primary - Elective Offices of Cities or Villages](#) - **for party candidates**
- [Form 3-N: Nominating Petition - Municipal Office - Use in Cities or any Villages with a Population of 2,000 or More](#) - **for independent candidates**

- **Signature Requirements:**

**All offices except ward council representative:**

- **Major party candidates:** 50 valid signatures ([R.C. 3513.05](#)).
- **Minor party candidates:** 25 valid signatures ([R.C. 3513.05](#)).
- **Independent candidates:** Based on number of votes cast in the municipal corporation in the last general election for governor ([R.C. 3513.257](#), [R.C. 3513.261](#)):
  - If the number of votes cast in the municipal corporation in the last general election for governor was fewer than 5,000, the number of required signatures is 25, or a number equal to five percent of the vote (whichever is less).
  - If the number of votes cast in the municipal corporation in the last general election for governor was 5,000 or more, the number of required signatures is equal to one percent of the vote.

**Ward council representative:**

- **Major party candidates:** 25 valid signatures ([R.C. 3513.05](#)).
- **Minor party candidates:** 13 valid signatures ([R.C. 3513.05](#)).
- **Independent candidates:** Based on number of votes cast in the ward in the last general election for governor ([R.C. 3513.257](#), [R.C. 3513.261](#)):
  - If the number of votes cast in the ward in the last general election for governor was fewer than 5,000, the number of required signatures is 25, or a number equal to five percent of the vote (whichever is less).
  - If the number of votes cast in the ward in the last general election for governor was 5,000 or more, the number of required signatures is equal to one percent of the vote.

- **Filed With:** Appropriate county board of elections office ([R.C. 3513.05](#)).

**Note:** *If the municipal corporation is located in more than one county, the petition is filed with the board of elections in the most populous county.*

## Nonpartisan Candidates

### Qualifications and Filing Information

- **Residency Requirement:**
  - **Mayor - Village with population of 2,000 - 4,999:** One year in the village immediately preceding election ([R.C. 3.15](#), [R.C. 733.24](#)).
  - **Mayor - City:** Resident of the city ([R.C. 3.15](#)).
  - **Legislative authority:** One year in the village, city, or ward immediately preceding election ([R.C. 3.15](#), [R.C. 731.02](#), [R.C. 731.12](#)).
  - **All other offices:** Resident of the city or village ([R.C. 3.15](#)).
- **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).
- **Other:**
  - **Registered elector of the city or village** ([OH Const. Art. V §1](#), [Art. XV §4](#), [R.C. 3.15](#), [R.C. 731.02](#), [R.C. 731.12](#), [R.C. 733.09](#), [R.C. 733.10](#), [R.C. 733.24](#), [R.C. 733.42](#), [R.C. 733.49](#)).
  - **Director of law:** Must be an attorney admitted to practice in this state ([R.C. 733.50](#)).
- **Petition Filing Deadline:** By 4 p.m. on August 9, 2023 (90 days before the general election) ([R.C. 3513.251](#), [R.C. 3513.261](#)).
- **Filing Fee:** \$30 for village office; \$45 for city office ([R.C. 3513.10](#), [R.C. 3513.261](#)).
- **Petition Form:** [Form 3-O: Nominating Petition - Nonpartisan Office - Municipalities](#)
- **Signature Requirement:** 50 valid signatures ([R.C. 3513.251](#)).
- **Filed With:** Appropriate county board of elections office ([R.C. 3513.05](#)).

*Note: If the municipal corporation is located in more than one county, the petition is filed with the board of elections in the most populous county.*

## Municipal Court Judge

[R.C. 1901.07](#) prescribes the method for nominating candidates for municipal court judge based on the jurisdiction of the court and the applicability of municipal charter provisions. Candidates for municipal court judge should review closely [R.C. 1901.07](#) to determine particular filing requirements in their jurisdiction. All candidates for municipal court judge are nominated either by nominating petition or by primary election. If two or more judges of the same court are to be elected, each person filing a declaration of candidacy or a nominating petition as a candidate for election to the office of judge of the municipal court must indicate which office is being sought by stating when the term of office commences.

### **Term of Office**

- Six years; commencement dates vary ([R.C. 1901.07](#)).

### **Qualifications and Filing Information**

- **Maximum Age:** 69 years ([OH Const. Art. IV §6](#): "No person shall be elected or appointed to any judicial office if on or before the day when he shall assume the office and enter upon the discharge of its duties he shall have attained the age of seventy years").
- **Residency Requirement:** Resident of the territorial jurisdiction of the court ([R.C. 3.15](#), [R.C. 1901.06](#)).
- **Experience:** Six years admitted to, and engaged in, the practice of law in this state, or prior service as a judge of a court of record in the United States, or both ([R.C. 1901.06](#)).
- **Other:**
  - Registered elector in the territorial jurisdiction of the court ([R.C. 1901.06](#)).
  - Candidates for judge must designate the term of office on the declaration of candidacy or nominating petition if more than one office of that court is to be elected at the election. ([R.C. 3513.08](#), [R.C. 3513.28](#)).
- **Petition Filing Deadlines:**
  - By 4 p.m. on February 1, 2023 (90 days before the primary election) **for party candidates**; or
  - By 4 p.m. on May 1, 2023 (one day before the primary election) for **independent or nonpartisan candidates** ([R.C. 1901.07](#), [R.C. 3513.05](#), [R.C. 3513.257](#), [R.C. 3513.261](#)).
- **Filing Fee:** \$80 ([R.C. 3513.10](#), [R.C. 3513.261](#)).
- **Petition Forms:**
  - [Form 2-H: Declaration of Candidacy - Party Primary - Judge or Clerk of the Municipal Court - for party candidates](#)
  - [Form 3-I: Nominating Petition - Judge or Clerk of the Municipal Court - for independent and nonpartisan candidates](#)



- **Signature Requirements:**

**Note:** *In certain charter municipal corporations, the petition, signature or filing requirements may differ. Please review the appropriate Revised Code or charter provisions for requirements specific to your court.*

- **Major party candidates:** 50 valid signatures ([R.C. 1901.07](#), [R.C. 3513.05](#)).
- **Minor party candidates:** 25 valid signatures ([R.C. 1901.07](#), [R.C. 3513.05](#)).
- **Independent or nonpartisan candidates:** 50 valid signatures, unless otherwise provided in law ([R.C. 1901.07](#), [R.C. 3513.05](#), [R.C. 3513.257](#)).
- **By nominating petition only:** Municipal courts specified in [R.C. 1901.07\(C\)\(1\)-\(6\)](#): Akron, Cleveland, and Toledo municipal courts; and the Auglaize, Brown, Carroll, Clermont, Crawford, Franklin, Hamilton, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, Sandusky, and Wayne county municipal courts.

**Note:** *An individual who is interested in being a candidate for the Akron, Cleveland, or Toledo municipal court or the Franklin County municipal court are encouraged to review the municipality's charter for the appropriate filing deadline and any additional filing requirements.*

- **Filed With:** Appropriate county board of elections office ([R.C. 3513.05](#)).

**Note:** *If the court is located in more than one county, the petition is filed with the board of elections in the most populous county unless otherwise provided for in law.*

## Municipal Court Clerk

Requirements for candidates for municipal court clerk are specified in [R.C. 1901.31](#). Generally, municipal court clerks are elected in municipal court jurisdictions with populations of 100,000 or more and appointed in jurisdictions with populations under 100,000, but there are numerous exceptions (e.g., Akron, Barberton, and Toledo municipal courts, and the Hamilton, Miami, Montgomery, Portage and Wayne county municipal courts).

Elected clerks are nominated and elected in the same manner provided for judges of the court. Please review the appropriate code sections for requirements specific to your court.

**Note:** *In certain charter municipal corporations, the petition, signature or filing requirements may differ.*

### **Term of Office**

- Six years, commencing January 1, 2024 ([R.C. 1901.31](#)).

### **Qualifications and Filing Information**

- **Residency Requirement:** Resident of the territorial jurisdiction of the court ([R.C. 3.15](#) [1901.06](#)).
- **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).
- **Other:** Registered elector in the territorial jurisdiction of the court ([R.C. 1901.06](#) [R.C. 1901.31](#)).
- **Petition Filing Deadlines:**
  - By 4 p.m. on February 1, 2023 (90 days before the primary election) **for party candidates**; or
  - By 4 p.m. on May 1, 2023 (one day before the primary election) **for independent candidates** ([R.C. 1901.07](#) [R.C. 3513.05](#) [R.C. 3513.257](#) [R.C. 3513.261](#)).
- **Filing Fee:** \$80 ([R.C. 3513.10](#) [R.C. 3513.261](#)).
- **Petition Forms:**
  - [Form 2-H: Declaration of Candidacy - Party Primary - Judge or Clerk of the Municipal Court - for party candidates](#)
  - [Form 3-I: Nominating Petition - Judge or Clerk of the Municipal Court - for independent candidates](#)
- **Signature Requirements:**
  - **Major party candidates:** 50 valid signatures ([R.C. 1901.31](#) [R.C. 3513.05](#)).
  - **Minor party candidates:** 25 valid signatures ([R.C. 1901.31](#) [R.C. 3513.05](#)).
  - **Independent or nonpartisan candidates:** 50 valid signatures ([R.C. 1901.31](#) [R.C. 3513.05](#) [R.C. 3513.257](#)).
- **Filed With:** Appropriate county board of elections office ([R.C. 3513.05](#)).

**Note:** *If the court is located in more than one county, the petition is filed with the board of elections in the most populous county unless otherwise provided for in law.*

## Township Offices

In 2023, the fiscal officer and one trustee will be elected to full terms in each township. Candidates for township office are nominated by nominating petition as nonpartisan candidates, unless a majority of the voters of the township have adopted provisions to hold a primary election. ([R.C. 3513.01](#), [R.C. 3513.253](#)).

### **Term of Office**

- **Fiscal Officer:** Four years, commencing April 1, 2024 ([R.C. 507.01](#))
- **Trustee:** Four years, commencing January 1, 2024 ([R.C. 505.01](#), [R.C. 507.01](#)).

### **Qualifications and Filing Information**

- **Residency Requirement:** Resident of the township ([R.C. 3.15](#)).
- **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).
- **Other:** Registered elector of the township ([OH Const. Art. V §1](#), [Art. XV §4](#)).
- **Petition Filing Deadline:** By 4 p.m. on August 9, 2023 (90 days before the general election) ([R.C. 3513.253](#)).
- **Filing Fee:** \$30 ([R.C. 3513.10](#), [R.C. 3513.261](#)).
- **Petition Forms:**
  - [Form 3-R: Nominating Petition – Township Office](#) - **for individual candidates**
  - [Form 3-S: Nominating Petition - Township Offices \(Several Candidates\)](#) - **for group of candidates**

*See page 22 for additional information on group petitions.*

- **Signature Requirement:** 25 valid signatures ([R.C. 3513.253](#)).
- **Filed with:** Appropriate county board of elections office ([R.C. 3513.253](#)).

## Board of Education

The number of members of a board of education to be elected in 2023 differs in each school district. Nomination of candidates for board of education may be made by: Nominating petition ([R.C. 3513.254](#), [R.C. 3513.255](#)) or, if approved by the board of education, by a nonpartisan primary election held on the same day as the primary election for nominating all other candidates for public office in that year. ([R.C. 3513.256](#)).

### **Term of Office**

- Four years, commencing January 1, 2024 ([R.C. 3313.09](#)).

### **Qualifications and Filing Information**

- **Residency Requirement:** Resident in the territory comprising the district ([R.C. 3.15](#), [R.C. 3313.01](#)).
- **Minimum Age:** 18 years, as of the date of the general election ([OH Const. Art. V §1](#), [Art. XV §4](#)).
- **Other:** Registered elector in the territory comprising the district ([R.C. 3313.01](#)).
- **Petition Filing Deadlines:**
  - **Nonpartisan Primary:** By 4 p.m. on February 1, 2023 (90 days before the primary election) ([R.C. 3513.256\(A\)](#)).
  - **No primary:** By 4 p.m. on August 9, 2023 (90 days before the general election) ([R.C. 3513.254](#), [R.C. 3513.255](#)).
- **Filing Fee:** \$30 ([R.C. 3513.10](#), [R.C. 3513.261](#)).
- **Petition Forms:**

#### **City, local or exempted village board**

- [Form 3-T: Nominating Petition - Board of Education - City, Local or Exempted Village School District](#) - **for individual candidates**
- [Form 3-U: Nominating Petition - Board of Education - City, Local or Exempted Village School District \(Several Candidates\)](#) - **for group of candidates**
- [Form 3-V: Nominating Petition - Board of Education - Newly Formed Local School District](#) - **for newly formed local school board**

#### **Governing board of educational service center (ESC)**

- [Form 3-W: Nominating Petition - Board of Education - Educational Service Center](#) - **for individual candidates (at-large or district)**
- [Form 3-X: Nominating Petition - Board of Education - Educational Service Center - At-Large \(Several Candidates\)](#) - **for group of at-large candidates**
- [Form 3-Y: Nominating Petition - Board of Education - Educational Service Center - Newly Formed Governing Board](#) - **for newly formed ESC, individual candidates**
- [Form 3-YA: Nominating Petition - Newly Formed Governing Board of an Educational Service Center \(Several Candidates\)](#) - **for newly formed ESC, group of candidates**

- **Petition Forms:** [See page 22 for additional information on group petitions.](#)

**Non-Partisan Primary**

- [Form 2-V: Declaration of Candidacy - Non-Partisan Primary - Member of the Board of Education - city, local, exempted village](#) - **for city, local, exempted village (individual candidates)**
- [Form 2-W: Declaration of Candidacy - Non-Partisan Primary - Member of the Governing Board of an Educational Service Center](#) - **for individual ESC candidate**
- [Form 2-X: Declaration of Candidacy - Non-Partisan Primary - Member of a Newly Formed Governing Board of an Educational Service Center](#) - **for newly formed ESC**

*See page 22 for additional information on group petitions.*

- **Signature Requirements:**

- **City:** based on the population of the school district ([R.C. 3513.254](#)):

| <u>Population of city school district</u> | <u>Number of valid signatures required</u> |
|---|--|
| Fewer than 20,000                         | 25   |
| 20,000 – 49,999                           | 75   |
| 50,000 – 99,999                           | 150  |
| 100,000 or more                           | 300  |

- **Local school district:** 25 valid signatures ([R.C. 3513.254](#)).
- **Exempted Village:** 25 valid signatures ([R.C. 3513.254](#)).
- **ESC:** 50 valid signatures ([R.C. 3513.255](#)).

- **Filed With:** Appropriate county board of elections office ([R.C. 3513.254](#)):

**Non-ESC:** If the school district is in more than one county, the petition is filed in the most populous county of the school district.

**ESC:** If the ESC is in more than one county, the petition is filed with the board of elections of the county in which the ESC’s central administrative offices are located. ([R.C. 3513.255](#)).

## Elimination of Primary Election

[Section 3513.02 of the Revised Code of Ohio](#) provides that a municipal partisan primary election shall not be conducted under certain circumstances.

No primary election will be conducted for a particular political party in an odd-numbered year if, in accordance with [R.C. 3513.02](#), the following occurs:

- No valid declaration of candidacy is filed by a candidate of a political party for election to any of the offices to be voted for at the general election in that year; or
- Not more than one party declaration of candidacy is filed for each office to be voted upon at the general election.

However, if the only office for which there is a primary contest is that of ward council member, a primary election will be held for that party only in the ward in which there is a contest, and only the names of the candidates for that ward office will appear on the party's ballot. ([R.C. 3513.02](#)).

## Minor Parties

Prospective candidates of a minor party that has filed a party formation petition should follow the signature requirements and filing deadlines outlined in [Chapter 14 of the Ohio Election Official Manual](#).<sup>\*</sup> Nominating petitions for use by prospective candidates of a minor party that has filed a party formation petition are available on the Secretary of State's website ([Form 4-G](#)).

Prospective candidates of a recognized minor party should follow the signature requirements and filing deadlines listed for minor party candidates in this guide below the office being sought.

*\*Following the 2020 General Election, no minor political party met the threshold for minor party recognition under Ohio law. As of the time of publication, no minor political party presently qualifies for ballot access as a legally recognized minor political party under Ohio law. See [Advisory 2021-01](#).*

## Write-In Candidates

Any person wanting to be a write-in candidate must file a declaration of intent to be a write-in candidate. Only write-in candidates who have filed a valid declaration of intent will have votes counted in the election for which the candidate filed. ([R.C. 3513.041](#)).

A write-in candidate must meet all of the qualifications of the office being sought. (Please review the qualifications above for the specific office being sought.)

- **Filing Deadlines:**

- **Write-In for Primary Election:** By 4 p.m. on February 21, 2023\* (72 days before the primary election) ([R.C. 3513.041](#)).
- **Write-In for General Election:** By 4 p.m. on August 28, 2023\* (72 days before the general election) ([R.C. 3513.041](#)).

*\*Note: The filing deadlines fall on a day when the county boards of elections are closed. Therefore, the deadline is extended to the next succeeding day when the appropriate office is open for regular business hours. ([R.C. 1.14](#)).*

- **Filing Fee:** A write-in candidate must pay the same filing fee as any other candidate for the office. Please review the filing fee information above for the specific office being sought. ([R.C. 3513.10](#)).
- **Form Number:** [Form 13. Declaration of Intent to be a Write-in Candidate \(all offices except U.S. president / vice president, & Gov / Lt Gov\)](#) - **all offices**
- **Filed With:** A write-in candidate must file their declaration of intent to be a write-in candidate form with the appropriate county board of elections. Please review the "Filed With" section for the specific office being sought. ([R.C. 3513.05](#)).

*Note: In order to advance from a primary election ballot to a general election ballot, Ohio law requires a write-in candidate for party nomination in a contest where only write-in candidates filed to receive at least as many votes as the number of petition signatures that would have been required for the person's name to be printed on the primary ballot. ([R.C. 3513.23\(B\)](#); [R.C. 3513.05](#)).*

## Political Party Affiliation of Candidates for Party Nomination

A person may be a candidate for nomination of any political party at a primary election (regardless of party affiliation established by voting in a prior partisan primary) if either of the following apply:

- The person does not hold elective office, or
- The person holds an elective office for which candidates are not nominated at a primary election.

However, a person holding an elective office for which candidates are nominated at a party primary may become a candidate for a different political party if the person completes and files the Secretary of State's prescribed [Form 10-Y](#), Declaration of Intent to Change Political Party Affiliation, **by 4 p.m. on the 30<sup>th</sup> day before the filing deadline for the primary election**. The completed [Form 10-Y](#) must be filed with the same office (e.g., Secretary of State, county board of elections) with which the person is required to file the declaration of candidacy and petition.

A person may file such declaration of intent only once during a period of 10 years after first filing a declaration of intent. ([R.C. 3513.191](#)).

Please see [R.C. 3513.04](#) and [R.C. 3513.052](#) for further candidacy restrictions.

## Independent Candidates

An independent candidate must be unaffiliated from any political party, and the required claim of being unaffiliated must be made in good faith in order for the candidate to be qualified to run as an independent candidate. *Morrison v. Colley*, 467 F.3d 503 (6th Cir. 2006); *Jolivette v. Husted*, 694 F.3d 760 (6th Cir. 2012); *State ex rel. Davis v. Summit County Board of Elections*, 137 Ohio St.3d 222 (2013); *State ex rel. Morris v. Stark County Board of Elections*, 143 Ohio St.3d 507 (2015); *State ex rel. Cunnane v. LaRose*, Slip Opinion No. 2022-Ohio-2875.

At the time a prospective independent candidate (other than a candidate for judicial office) files their nominating petition, the candidate may request to have the designation "nonparty candidate" or "other party candidate" printed underneath the candidate's name on the ballot. The designation "independent" may not appear on the ballot. Such request must be given to the office at which the nominating petition was filed. ([R.C. 3505.03](#), [R.C. 3513.257](#)).

Please review the information regarding office qualifications, signature requirements, and filing deadlines for the specific office being sought. More information about independent candidates may also be found in [Advisory 2007-05](#).



## Restrictions on Filing for Multiple Offices

No person shall seek nomination or election to any of the following offices or positions at the same election by filing a declaration of candidacy and petition, Declaration of Intent to be a Write-In Candidate, or a nominating petition; by becoming a candidate through a party nomination in a primary election; or by filling of a vacancy under [R.C. 3513.30](#) or [R.C. 3513.31](#):

1. Two or more state offices;
2. Two or more county offices;
3. A state office and a county office;
4. A federal and a state or county office; or
5. Any combination of two or more municipal or township offices, positions as a member of a city, local, or exempted village board of education, or position as a member of a governing board of an educational service center. ([R.C. 3513.052](#)).

The only exception to this prohibition is if a person “timely withdraws” their candidacy. A candidate who timely withdraws their candidacy prior to board action on their petition and prior to the filing deadline may file a new petition for the same or a different office in the same election as the withdrawn petition. (*State ex rel. Coble v. Lucas County Board of Elections, et al.*, 130 Ohio St.3d 132 (2011)).

Pursuant to [R.C. 3513.052\(H\)\(2\)](#), “timely withdraws” means either of the following:

1. Withdrawing as a candidate before the applicable filing deadline for filing a declaration of candidacy, Declaration of Intent to be a Write-In Candidate, or nominating petition for the subsequent office for which the person is seeking to become a candidate at the same election, or
2. Withdrawing as a candidate before the applicable deadline for the filling of a vacancy under sections [R.C. 3513.30](#) or [R.C. 3513.31](#) of the Revised Code, if the person is seeking to become a candidate for a subsequent office at the same election under either of those sections.

A candidate may withdraw only their candidacy. Once filed, a candidate may not withdraw the petition or other forms used to initiate the candidacy.

Candidates may also review Chapter 14 of the Ohio Election Official Manual for information about candidacies and/or consult with private legal counsel.

## Group Petitions

Ohio law provides for a “group petition” to be used by candidates nominated only by nominating petition for the following offices: member of a board of education, township office, and offices of villages with under 2,000 population. ([R.C. 3513.261](#)).

If a group of candidates for one of these offices wants to jointly circulate and file a single petition, they may do so by using the appropriate form:

- [Form 3-S: Nominating Petition - Township Offices \(Several Candidates\)](#) - **township office**
- [Form 3-MA: Nominating Petition - Village Office - \(Several Candidates\)](#) - **offices in villages with under 2,000 population**
- [Form 3-U: Nominating Petition - Board of Education - City, Local or Exempted Village School District \(Several Candidates\)](#) - **city, local, or exempted village board of education**
- [Form 3-X: Nominating Petition - Board of Education - Educational Service Center - At-Large \(Several Candidates\)](#) - **at-large members of education service center**
- [Form 3-Y: Nominating Petition - Board of Education - Educational Service Center - Newly Formed Governing Board](#) - **members of newly formed educational service center**

Each of the candidates named in the group petition must sign the “Statement of Candidacy,” and each must pay a separate filing fee. All signatures affixed to the petition are credited to each candidate named on the petition. ([R.C. 3513.10](#) [R.C. 3513.261](#)).

## Protests

Protests against the candidacy of any person must be in writing, must set forth with specificity the legal ground(s) for the protest, and must be filed with the board of elections where the candidate filed their declaration of candidacy, nominating petition, or Declaration of Intent to be a Write-In Candidate. If the candidate filed with the Office of the Secretary of State, the protest must be filed with the Secretary of State. ([R.C. 3513.041](#), [R.C. 3513.05](#), [R.C. 3513.262](#), [R.C. 3513.263](#)).

After a valid protest is filed, the board of elections or, if applicable, the Secretary of State, must set a time and place for hearing the protest and give notice to both the person whose candidacy is being protested and the protestor. Both the protestor and the protested candidate, or their respective legal counsel, will have the opportunity to address the board or Secretary of State's hearing officer at the hearing. ([R.C. 3513.041](#), [R.C. 3513.05](#), [R.C. 3513.262](#), [R.C. 3513.263](#)).

## Partisan Primary Election

### Party Candidate

**Protest against a party candidate who filed a declaration of candidacy for the primary election:**

Protests against a candidate who has filed a declaration of candidacy and petition in a partisan primary may be made by the controlling committee of that party, or by any qualified elector who is a member of the same party as the candidate and who is eligible to vote for the candidate whose petition is the subject of the protest. ([R.C. 3513.05](#)).

The deadline to file a protest against any party candidate who filed a declaration of candidacy for the primary election is 4 p.m. on February 17, 2023, or 74 days before the primary election. ([R.C. 3513.05](#)).

### Write-in Candidate

**Protest against a party candidate who filed a Declaration of Intent to Be a Write-In Candidate at the primary election:** Any elector eligible to vote on the candidacy of a write-in candidate may protest that candidacy.

The deadline to file a protest against a write-in candidate for the primary is 4 p.m. on February 24, 2023, or 67 days before the primary election. ([R.C. 3513.041](#)).

## General Election

### Independent Candidate

**Protest against an independent candidate who filed a nominating petition:** Protest may be made by any qualified elector who is eligible to vote for the candidate whose petition is the subject of the protest. The deadline to file a protest against any candidate who filed a nominating petition as an independent candidate is 4 p.m. on July 30, 2023. ([R.C. 3513.262](#)).

## Nonpartisan Candidate

**Protest against a nonpartisan candidate who filed a nominating petition:** Any elector eligible to vote on the nonpartisan office may protest a candidacy. The deadline to file a protest against any candidate who filed a nominating petition as a nonpartisan candidate is 4 p.m. on August 25, 2023, or 74 days before the general election. ([R.C. 3513.263](#)).

## Write-in Candidate

**Protest against a candidate who filed a Declaration of Intent to Be a Write-In Candidate for the general election:** Any elector eligible to vote on the candidacy of the write-in candidate may protest that candidacy.

The deadline to file a protest against a candidate who filed a Declaration of Intent to Be a Write-In Candidate for the general election is 4 p.m. on September 1, 2023, or 67 days before the general election. ([R.C. 3513.041](#)).

## Unexpired Term Elections (Vacancy in Office)

Several statutes govern candidacies for unexpired term elections. [R.C. 3513.31](#) is the general statute that must be consulted in connection with an unexpired term election for an office that, under Ohio law, is subject to party primaries. [R.C. 3513.31\(I\)](#) provides how and when party nominees are selected for unexpired term elections for such offices, while [R.C. 3513.31\(J\)](#) describes how persons become independent candidates for those unexpired term elections.

Candidates seeking nomination or election to an office for the balance of an unexpired term must include the unexpired term ending date on the petition. Ohio law requires each person filing a declaration of candidacy or nominating petition as a candidate for the remainder of an unexpired term to designate the date on which that unexpired term will end. ([R.C. 3513.08](#), [R.C. 3513.28](#)). Failure to provide the correct term ending date on the petition will result in the petition being invalidated.

## Death or Withdrawal of Candidate

An individual's candidacy may cease to exist due to the individual's death or decision to withdraw from the election. If a candidate withdraws from an election, they must file a written statement of withdrawal with the office where the original candidate petition was filed (county board of elections office or the Secretary of State's office).

If a candidate dies, the candidate's party organization, committee, or family should promptly notify the county board of elections or Secretary of State's office where the original candidate petition was filed of the candidate's death.

## Primary Election

Candidates may withdraw their candidacy at any time before the primary election by filing a written statement with the county board of elections or Secretary of State's office where the original candidate petition was filed. ([R.C. 3513.30\(B\)](#)).

## General Election

Candidates nominated in a primary election or by nominating petition as a candidate for the general election may withdraw their candidacy at any time before the general election by filing a written statement with the county board of elections or Secretary of State's office where the original candidate petition was filed. ([R.C. 3513.30\(D\)](#)).

If a candidate nominated in a primary election dies prior to the general election, the candidate's party organization, committee, or family should promptly notify the appropriate board of elections of the candidate's death.

The law provides procedures for the replacement of a candidate who dies or withdraws during the election cycle. The proper procedures are dictated by the specific facts surrounding the vacancy on the ballot (e.g., the office involved, when the vacancy occurred, why the vacancy occurred, the time remaining before the election, etc.). The two statutes that generally govern vacancies on the ballot are [R.C. 3513.30](#) and [R.C. 3513.31](#).

## Vacancies in Municipal Offices (Other Than Judge and Clerk of Courts)

### Villages

Vacancies in elective office of villages that have adopted a form of home rule will be filled as provided by the applicable home-rule and municipal charter provisions.

In all statutory (non-home rule) villages, the office of mayor is the only office requiring an election to fill an unexpired term, and then only if the following two conditions exist:

- The vacancy occurs more than 40 days before the next regular municipal election, and
- The unexpired term will end more than one year after that election.

Vacancies in other statutory village offices are filled by an appointment for the entire unexpired term. ([R.C. 731.43](#), [R.C. 733.25](#), [R.C. 733.31](#)).

### Cities

In all cities operating under a charter or other plan of home-rule government, the applicable provisions of the municipal charter or home-rule plan will control the filling of vacancies.

In statutory (non-home rule) cities, vacancies in municipal offices for mayor, director of law, auditor, treasurer, and president of council, are filled by an election for the unexpired term if the following two conditions exist:

- The vacancy occurs more than 40 days before the next regular municipal election, and
- The unexpired term will end more than one year after that election.

Vacancies in other offices are filled by an appointment for the remainder of the unexpired term. ([R.C. 731.43](#), [R.C. 733.08](#), [R.C. 733.31](#)).

## Vacancies in Municipal Court; Townships; and Boards of Education

### Judge

Except where otherwise provided by charter, a vacancy in the office of a municipal judgeship that would not otherwise appear on the ballot in 2023 and that occurs after January 22, 2023 (the 100<sup>th</sup> day before the May 2, 2023 primary election), and prior to September 28, 2023 (the 40<sup>th</sup> day before the November 7, 2023 general election), shall be filled by an election for the unexpired term. ([R.C. 3.02](#), [R.C. 1901.10](#)).

### Clerk

A vacancy in the office of an elected municipal court clerk is filled according to [R.C. 1901.31](#).

### Township Offices

A vacancy occurring in a township elective office that does not appear on the ballot in 2023 shall be filled by an election for the unexpired term if the vacancy occurs prior to September 28, 2023 (the 40<sup>th</sup> day before the November 7, 2023 general election). ([R.C. 503.24](#)).

### Boards of Education

Each person selected to fill a vacancy on a board of education shall hold office for the shorter of the following periods:

- Until the completion of the unexpired term, or
- Until the first day of January immediately following the next regular board of education election taking place more than 90 days after a person is selected to fill the vacancy.

If, prior to the 90<sup>th</sup> day before the general election (August 9, 2023), a person is appointed to a board of education term expiring on December 31, 2025, an election for the remainder of the unexpired term shall be held on November 7, 2023. ([R.C. 3313.11](#)).

## Education and Training Requirements

Many offices have education and training requirements that must be satisfied in order for a person to qualify as a candidate for the office, or in order for a person to qualify to hold the office. The Secretary of State's office cannot advise candidates or officials on what education and training requirements are required to obtain or hold an elective office.

Candidates should contact the office they seek to hold to receive additional information on education or training requirements.

## Campaign Finance Reporting

At the time petitions of candidacy are filed, each candidate should receive materials about campaign finance compliance and reporting.

Additional information regarding campaign finance rules, reporting requirements, and filing deadlines may be found on the [Ohio Secretary of State's website](#).

## Securing your Campaign

The Department of Homeland Security ("DHS") and Federal Bureau of Investigation ("FBI") provide valuable resources to help mitigate the risk of cyber influence in elections. Every campaign committee should review the DHS [Campaign Checklist](#) and the FBI's [Protected Voices](#) video series to learn valuable tools for how to reduce risk and how to respond to incidents.

State and local campaign staff should report suspicious activity to their local FBI field office (Cincinnati: 513.421.4310 or Cleveland: 216.522.1400) and the Department of Homeland Security's National Cybersecurity and Communications Integration Center at 888.282.0870 or [NCCICCustomerService@hq.dhs.gov](mailto:NCCICCustomerService@hq.dhs.gov).

For additional resources, the Harvard Kennedy School's Belfer Center for Science and International Affairs has published a [Campaign Playbook](#), as well as campaign handouts for [campaign staff](#) and [family members of the candidate](#).

## Personal Financial Disclosure Statement

Any individual who becomes a candidate for or holds a state, county, or city elected office, or the position of school board member in a school district with more than 12,000 students average daily membership, is required to file a personal financial disclosure statement. All public officials and candidates for elected office must file statements with the Ohio Ethics Commission, except members of and candidates for the General Assembly, who file with the Joint Legislative Ethics Committee, and judges and judicial candidates, who file with the Board of Commissioners on Grievances and Discipline of the Supreme Court.

For further information on the filing requirements and deadlines or to find a copy of a blank personal financial disclosure statement, visit the Ohio Ethics Commission's website at: [www.ethics.ohio.gov](http://www.ethics.ohio.gov). For further information, please contact the Ohio Ethics Commission at 614.466.7090.

Candidates for the Ohio General Assembly may obtain additional information by contacting the Joint Legislative Ethics Committee at: 614.728.5100 or <http://www.jlec-olig.state.oh.us>.

Judicial candidates can find information at: <https://www.bpc.ohio.gov/financial-disclosure-statements> or by calling the office of the Board of Professional Conduct at 614.387.9370.

## 2023 Ohio Elections Calendar

[Click here to access the 2023 Ohio Elections Calendar](#)





**ELECTIONS DIVISION**

[OhioSOS.gov](http://OhioSOS.gov)

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22 North Fourth Street  
Columbus, Ohio 43215



## Ohio Revised Code

### Section 1901.01 Organization of municipal courts.

Effective: September 23, 2022

Legislation: House Bill 518 - 134th General Assembly

(A) There is hereby established a municipal court in each of the following municipal corporations:

Akron, Alliance, Ashland, Ashtabula, Athens, Avon Lake, Barberton, Bedford, Bellefontaine, Bellevue, Berea, Bowling Green, Bryan, Bucyrus, Cambridge, Campbell, Canton, Carrollton, Celina, Chardon, Chesapeake, Chillicothe, Cincinnati, Circleville, Cleveland, Cleveland Heights, Columbus, Conneaut, Coshocton, Cuyahoga Falls, Dayton, Defiance, Delaware, East Cleveland, Eaton, Elyria, Euclid, Fairborn, Fairfield, Findlay, Franklin, Fremont, Gallipolis, Garfield Heights, Georgetown, Girard, Greenville, Hamilton, Hillsboro, Huron, Ironton, Jackson, Kenton, Kettering, Lakewood, Lancaster, Lebanon, Lima, Logan, London, Lorain, Lyndhurst, Mansfield, Marietta, Marion, Marysville, Mason, Massillon, Maumee, Medina, Mentor, Miamisburg, Middletown, Millersburg, Mount Gilead, Mount Vernon, Napoleon, Newark, New Lexington, New Philadelphia, Newton Falls, Niles, Norwalk, Oakwood, Oberlin, Oregon, Ottawa, Painesville, Parma, Paulding, Perrysburg, Port Clinton, Portsmouth, Ravenna, Rocky River, Sandusky, Shaker Heights, Shelby, Sidney, South Euclid, Springfield, Steubenville, Struthers, Sylvania, Tiffin, Toledo, Troy, Upper Sandusky, Urbana, Vandalia, Van Wert, Vermilion, Wadsworth, Wapakoneta, Warren, City of Washington in Fayette county, to be known as Washington Court House, Wauseon, Willoughby, Wilmington, Wooster, Xenia, Youngstown, and Zanesville.

(B) There is hereby established a municipal court within Clermont county in Batavia or in any other municipal corporation or unincorporated territory within Clermont county that is selected by the legislative authority of the Clermont county municipal court. The municipal court established by this division is a continuation of the municipal court previously established in Batavia by this section before the enactment of this division.

(C) There is hereby established a municipal court within Columbiana county in Lisbon or in any other municipal corporation or unincorporated territory within Columbiana county that is selected by the judges of the municipal court pursuant to division (I) of section 1901.021 of the Revised Code.



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(D) Effective January 1, 2008, there is hereby established a municipal court within Erie county in Milan or in any other municipal corporation or unincorporated territory within Erie county that is within the territorial jurisdiction of the Erie county municipal court and is selected by the legislative authority of that court.

(E) The Cuyahoga Falls municipal court shall remain in existence until December 31, 2008, and shall be replaced by the Stow municipal court on January 1, 2009.

(F) Effective January 1, 2009, there is hereby established a municipal court in the municipal corporation of Stow.

(G) Effective July 1, 2010, there is hereby established a municipal court within Montgomery county in any municipal corporation or unincorporated territory within Montgomery county, except the municipal corporations of Centerville, Clayton, Dayton, Englewood, Germantown, Kettering, Miamisburg, Moraine, Oakwood, Union, Vandalia, and West Carrollton and Butler, German, Harrison, Miami, and Washington townships, that is selected by the legislative authority of that court.

(H) Effective January 1, 2013, there is hereby established a municipal court within Sandusky county in any municipal corporation or unincorporated territory within Sandusky county, except the municipal corporations of Bellevue and Fremont and Ballville, Sandusky, and York townships, that is selected by the legislative authority of that court.



## Ohio Revised Code

### Section 1901.06 Qualifications and election of judge.

Effective: April 3, 2023

Legislation: Senate Bill 202

(A) A municipal judge during the judge's term of office shall be a qualified elector and a resident of the territory of the court to which the judge is elected or appointed. A municipal judge shall have been admitted to the practice of law in this state for at least one year preceding appointment or the commencement of the judge's term and, for a total of at least six years preceding appointment or the commencement of the judge's term, shall have either served as a judge of a court of record in any jurisdiction in the United States or done any of the following:

- (1) Engaged in the practice of law in this state;
- (2) Practiced in a federal court in this state, regardless of whether at the time of that practice the person was admitted to the practice of law in this state or practiced in the courts of this state;
- (3) Engaged in the authorized practice of law as in-house counsel for a business in this state or as an attorney for a government entity in this state, regardless of whether at the time of that practice the person was admitted to the practice of law in this state or practiced in the courts of this state.

(B) Except as provided in section 1901.08 of the Revised Code, the first election of any newly created office of a municipal judge shall be held at the next regular municipal election occurring not less than one hundred days after the creation of the office. Except as otherwise provided in division (G) of section 1901.01 of the Revised Code, the institution of a new municipal court shall take place on the first day of January next after the first election for the court.



## Ohio Revised Code

### Section 1901.07 Term of office of judge - nomination, election.

Effective: June 13, 2017

Legislation: Senate Bill 25, House Bill 215 - 132nd General Assembly

(A) All municipal court judges shall be elected on the nonpartisan ballot for terms of six years. In a municipal court in which only one judge is to be elected in any one year, that judge's term commences on the first day of January after the election. In a municipal court in which two or more judges are to be elected in any one year, their terms commence on successive days beginning the first day of January, following the election, unless otherwise provided by section 1901.08 of the Revised Code.

(B) All candidates for municipal court judge may be nominated either by nominating petition or by primary election, except that if the jurisdiction of a municipal court extends only to the corporate limits of the municipal corporation in which the court is located and that municipal corporation operates under a charter, all candidates shall be nominated in the same manner provided in the charter for the office of municipal court judge or, if no specific provisions are made in the charter for the office of municipal court judge, in the same manner as the charter prescribes for the nomination and election of the legislative authority of the municipal corporation.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, all candidates for party nomination to the office of municipal court judge shall file a declaration of candidacy and petition not later than four p.m. of the ninetieth day before the day of the primary election in the form prescribed by section 3513.07 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.05 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court. If no valid declaration of candidacy is filed for nomination as a candidate of a political party for election to the office of municipal court judge, or if the number of persons filing the declarations of candidacy for nominations as candidates of one political party for election to the office does not exceed the number of candidates that that party is entitled to nominate as its candidates for election to the office, no primary election shall be held for the purpose of nominating candidates of that party



for election to the office, and the candidates shall be issued certificates of nomination in the manner set forth in section 3513.02 of the Revised Code.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, nonpartisan candidates for the office of municipal court judge shall file nominating petitions not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.257 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court.

The nominating petition or declaration of candidacy for a municipal court judge shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, the candidacies of the judges nominated shall be submitted to the electors of the territory on a nonpartisan, judicial ballot in the same manner as provided for judges of the court of common pleas, except that, in a municipal corporation operating under a charter, all candidates for municipal court judge shall be elected in conformity with the charter if provisions are made in the charter for the election of municipal court judges.

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(2) In the Toledo municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and



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shall be filed in the manner and within the time prescribed by the charter of the city of Toledo for filing nominating petitions for city council. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(3) In the Akron municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Akron for filing nominating petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(4) In the Hamilton county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least one hundred electors of the judicial district of the county from which the candidate seeks election, which petitions shall be signed and filed not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. Unless otherwise provided in this section, the petition shall conform to the requirements provided for nominating petitions in section 3513.257 of the Revised Code. The judges shall be elected by the electors of the relative judicial district of the county at the regular municipal election and in the manner provided by law for the election of judges of the court of common pleas.

(5) In the Franklin county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. The petition shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Columbus for filing petitions of candidates for municipal offices. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(6) In the Auglaize, Brown, Carroll, Clermont, Crawford, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, Sandusky, and Wayne county municipal courts, the judges shall be nominated only by petition. The petitions shall be signed by at least fifty electors of



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the territory of the court and shall conform to the provisions of this section.

(D) In the Portage county municipal court, the judges shall be nominated either by nominating petition or by primary election, as provided in division (B) of this section.

(E) As used in this section, as to an election for either a full or an unexpired term, "the territory within the jurisdiction of the court" means that territory as it will be on the first day of January after the election.

*The Legislative Service Commission presents the text of this section as a composite of the section as amended by multiple acts of the General Assembly. This presentation recognizes the principle stated in R.C. 1.52(B) that amendments are to be harmonized if reasonably capable of simultaneous operation.*



## CHAPTER 3 – NOMINATIONS AND ELECTIONS

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- § 3 Elections
- § 4 Nominations
- § 5 Nominating Petitions
- § 6 Petition Form
- § 7 Candidacy and Nominating Petition Papers
- § 8 Filing and Verification of Petitions
- § 9 Acceptance of Nomination – Repealed
- § 10 Selection of Candidates
- § 11 Ballots
- § 12 Rotation of Names
- § 13 Write-in Spaces on Ballots
- § 14 Rules for Counting Ballots
- § 15 General Laws to Apply
- § 16 Removal Procedure of Mayor or Member of Council
- § 17 Filing Recall Petition
- § 18 Recall Election Ordered
- § 19 Separate Recall Petitions Required
- § 20 Ballots in Recall Elections
- § 21 Result of Recall Election
- § 22 Election When Member Resigns
- § 23 Limitations on Recall Petitions
  - § 23-1 Campaign Financing Laws
  - § 23-2 Comprehensive Disclosure Rules – Repealed
  - § 23-3 Fair Campaign Finance Commission – Repealed
  - § 23-4 Penalties – Repealed
  - § 23-5 Appeals Process – Repealed
  - § 23-6 Review of Campaign Financing Laws – Repealed
  - § 23-7 Passage of Legislation – Repealed

### § 3 Elections

A general election for the choice of elective officers provided for in this Charter shall be held on the first Tuesday after the first Monday in November every four years commencing November 1981. Elections so held shall be known as regular Municipal elections. The other elections shall be held as may be required by law, or provided for in this Charter.

(Effective November 4, 2008)

### § 4 Nominations

Candidates for all offices to be voted for at any regular Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday in September prior to the regular Municipal election. Candidates for all offices to be voted for at any other Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the eighth Tuesday prior to the other Municipal elections.

(Effective November 4, 2008)

### § 5 Nominating Petitions

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such

petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.

(Effective November 5, 2019)

#### **§ 6 Petition Form**

The signatures to a nominating petition need not all be appended to one paper, but on each separate paper the circulator shall indicate the number of signatures contained on the petition, and shall sign a statement made under penalty of election falsification that the circulator witnesses the affixing of every signature, that all signers were to the best of the circulator's knowledge and belief qualified to sign, and that every signature is to the best of the circulator's knowledge and belief the signature of the person whose name it purports to be. Each signer of a petition shall sign his or her name in ink or indelible pencil, and shall place on the petition after his or her name the signer's place of residence by street and number, or other description sufficient to identify the place, and give the date when the signer's signature was made.

(Effective November 4, 2008)

#### **§ 7 Candidacy and Nominating Petition Papers**

The statement of candidacy and nominating petition papers shall be standard forms of the Secretary of State as required under the general law of the State.

(Effective November 5, 2019)

#### **§ 8 Filing and Verification of Petitions**

All separate papers comprising a statement of candidacy and nominating petition shall be assembled and filed with the election authorities as one instrument no later than four p.m. on the ninetieth (90th) day prior to the day of the primary election. Within ten (10) days after the filing of a nominating petition the election authorities shall notify the person named in the petition as a candidate whether the petition is found to be signed by the required number of qualified electors. If insufficient, the person named in the petition as candidate may amend the petition by filing additional petition papers within five (5) days after notification of insufficiency by the election authorities. Within five (5) days after the filing of the additional petition papers, the election authorities shall notify the person named in the petition as candidate whether the amended petition is found to be signed by the required number of qualified electors.

(Effective November 5, 2019)

#### **§ 9 Acceptance of Nomination – Repealed**

Note: This section was repealed by the electors on November 4, 2008.

#### **§ 10 Selection of Candidates**

The number of candidates for any office at any regular Municipal election in the City at large or in each ward, as the case may be, shall be the two candidates on the primary election ballot receiving the highest number of votes at the primary election. In case there shall not be for any office more than two persons who shall have filed petitions as provided for in this Charter, then said persons shall be the candidates at the regular Municipal election and the primary for the particular office shall not be held.

The name of each person who is nominated in compliance herewith shall be printed on the official ballot at the general election, and the names of no other candidates shall be printed thereon.

(Effective October 8, 1971)

#### **§ 11 Ballots**

All ballots used in elections held under authority of this Charter shall be without party marks or designations. Ballots used for the nomination or election of candidates shall contain a complete list of the offices to be filled, and the names of candidates for each office shall be arranged under the title thereof. Voters shall record their choices in the manner prescribed by the general law of the State.

(Effective November 4, 2008)

#### **§ 12 Rotation of Names**

The names of candidates to be nominated or elected shall be printed on the ballot in rotation in the manner prescribed by general law.

(Effective October 8, 1971)

#### **§ 13 Write-in Spaces on Ballots**

A write-in space shall be provided on the ballot in the manner prescribed by general law of the State.

(Effective November 4, 2008)

#### **§ 14 Rules for Counting Ballots**

Counting the ballots cast at every election held under the authority of this Charter shall be administered as provided by the general laws of the State of Ohio. The candidate having the largest number of votes for each office voted upon at the regular Municipal election shall be declared elected to the office. In case it cannot be determined which of two or more candidates shall be declared elected, by reason of the fact that they have received the same number of votes, the election authorities shall determine by lot which of the candidates shall be declared elected.

(Effective April 28, 2020)

#### **§ 15 General Laws to Apply**

All elections provided for by this Charter, whether for the choice of officers or the submission of questions to the voters, shall be conducted by the election authorities prescribed by general law of the State; and the provisions of the general election laws of the State shall apply to all the elections except as provision is otherwise made by this Charter, and except further that the Council may, by ordinance, provide measures to promote and insure the purity and integrity of the ballot, and against corrupt practices in elections.

(Effective November 4, 2008)

#### **§ 15-1 Balloting by Armed Forces – Repealed**

Note: This section was repealed by the electors on November 4, 2008.

#### **§ 16 Removal Procedure of Mayor or Member of Council**

The Mayor or any member of the Council may be removed from office by the electors of the City. The procedure for effecting such a removal shall be as follows:

Any elector of the City may make and file with the Clerk of the Council an affidavit stating the name of the officer whose removal is sought and the grounds alleged for such removal. The Clerk shall thereupon deliver to the elector making the affidavit copies of petition papers for demanding such a removal, printed copies of which he shall keep on file for distribution as herein provided. In issuing any such petition paper, the Clerk shall enter in a record to be kept in his office the name of the elector to whom issued, the date of issuance, and the number of papers issued, and shall certify upon each such paper the name of the elector to whom issued and the date of issuance. No petition paper shall be accepted as part of a petition unless it bears such certificate of the Clerk and unless filed as hereinafter provided.

(Effective November 8, 1994)

#### **§ 17 Filing Recall Petition**

A petition demanding the removal of the Mayor or a member of the Council shall be known as a recall petition. A recall petition to be effective must be returned and filed with the City Clerk within thirty days after the filing of the affidavit as provided in the next preceding section, and to be sufficient, must bear the signatures of not less than twenty percent of those who voted in the City or ward respectively at the last preceding regular Municipal election. Within ten (10) days from the date of the filing of such petition, the Clerk shall determine the sufficiency thereof and attach thereto a certificate showing the result of his examination. If the Clerk shall certify that the petition is insufficient he shall set forth in the certificate the particulars in which the petition is defective, and shall return a copy of the certificate to the person designated in such petition to receive it. Such recall petition may be amended at any time within twenty (20) days after the return of a copy of the certificate of insufficiency by filing a supplementary petition upon additional petition papers, issued, signed and filed as provided herein for the original petition. The Clerk shall, within ten (10) days after such amendment is filed, make like examination of the amended petition, and if his certificate shall show the same to be still insufficient, he shall return it to the person designated in such petition to receive it, without prejudice, however, to the filing of a new petition for the same purpose.

(Effective November 9, 1931)

#### **§ 18 Recall Election Ordered**

If a recall petition, or amended petition, shall be certified by the Clerk to be sufficient he shall at once submit it to the Council with his certificate to that effect and shall notify the person whose removal is sought by such action. If the person whose removal is sought does not resign within five days after such notice the Council shall thereupon order and fix a day for holding a recall election. Any such election shall be held not less than forty nor more than sixty days after the petition has been presented to the Council, at the same time as any other general or special election held within such period but, if no such election be held within such period, the Council shall call a special election to be held within the time aforesaid.

(Effective November 9, 1931)

#### **§ 19 Separate Recall Petitions Required**

The question of recalling the Mayor and any number of members of the Council may be submitted at the same election, but as to each person whose removal is sought a separate petition shall be filed and provision shall be made for an entirely separate ballot.

(Effective November 9, 1931)

#### **§ 20 Ballots in Recall Elections**

Ballots used at a recall election shall conform to the following requirements: With respect to the officer whose removal is sought the question shall be submitted, "Shall (name of person) be removed from the Council (or from the office of Mayor) by recall". Immediately

below such question there shall be printed on the ballots the two following propositions, one above the other, in the order here indicated:

"For the recall of (name of person)."

"Against the recall of (name of person)."

Immediately at the left of each proposition there shall be a square in which the elector by making a cross mark (X) may vote for either of such propositions.

(Effective November 9, 1931)

#### **§ 21 Result of Recall Election**

If a majority of the votes cast on the question of recalling a member of the Council or Mayor shall be against his recall he shall continue in office for the remainder of his unexpired term, but subject to recall as before. If a majority of such votes be for the recall of the member indicated on the ballots he shall, regardless of any defect in the recall petition, be deemed removed from office. When a person is removed from office by recall, Council shall immediately provide for the nomination and election of his successor for the unexpired term by fixing the time of the elections. The nomination and election of a person to succeed a person so removed shall be held within one hundred and twenty days after the date of the recall election and shall be conducted in the same manner as provided for regular Municipal elections.

(Effective November 9, 1931)

#### **§ 22 Election When Member Resigns**

If the Mayor or a member of the Council in regard to whom a recall petition is submitted to the Council shall resign within five days after notice thereof, the successor for the unexpired term shall be nominated and elected as hereinbefore provided and the recall election shall not be held.

(Effective November 9, 1931)

#### **§ 23 Limitations on Recall Petitions**

No recall petition shall be filed against the Mayor or a member of the Council within three months after he takes office nor, in case of a person subjected to a recall election and not removed thereby, until at least six months after that election.

(Effective November 9, 1931)

#### **§ 23-1 Campaign Financing Laws**

The Council shall provide by ordinance for limitations on campaign contributions made to the campaign committees for all candidates in all primary, regular and special elections for the office of Mayor and the office of member of Council. The Council shall by ordinance provide penalties for exceeding the campaign contribution limitations and an appeal process for persons alleged to have violated the campaign contribution limitations.

(Effective November 4, 2008)

#### **§ 23-2 Comprehensive Disclosure Rules – Repealed**

Note: This section was repealed by the electors on November 4, 2008.

#### **§ 23-3 Fair Campaign Finance Commission – Repealed**

Note: This section was repealed by the electors on November 4, 2008.

#### **§ 23-4 Penalties – Repealed**

Note: This section was repealed by the electors on November 4, 2008.

#### **§ 23-5 Appeals Process – Repealed**

Note: This section was repealed by the electors on November 4, 2008.

#### **§ 23-6 Review of Campaign Financing Laws – Repealed**

Note: This section was repealed by the electors on November 4, 2008.

#### **§ 23-7 Passage of Legislation – Repealed**

Note: This section was repealed by the electors on November 4, 2008.



- The Board of Elections does not give legal advice, and suggests the candidate review all applicable Charter and Ohio Revised Code sections.
- Prior to filing a petition for public office, please verify all items below have been completed in order to ensure the petition is accurate and sufficient.
- Ohio law does not permit any corrections or additions to the petition once it is filed with the BOE. Petition Pre-checks are prohibited.

\_\_\_\_\_, including zip code, is filled in on each part-petition. Name and address must be the same as that on record with the Board of Elections.

\_\_\_\_\_ is clearly printed on each part-petition including, indication of the full or unexpired term (unexpired term must include the date term); ward/district if applicable.

\_\_\_\_\_ that candidate signed is completed on each part-petition prior to collecting any signatures.

\_\_\_\_\_ appears on each part-petition. \_\_\_\_\_; pencil and erasable pen is **not acceptable. Petition must have at least one voter's signature.**

\_\_\_\_\_ are complete, including signature, address, complete municipality name, and date (pay close attention to the date; voters often fill this space with a zip code).

\_\_\_\_\_ are recorded in ink. Pencil and erasable pen are prohibited.

\_\_\_\_\_ on each and every part-petition must be completed by the individual collecting the signatures on any part-petition. The number of signatures, circulator's signature \_\_\_\_\_, address and party affiliation are filled in. Circulator must be 18 years old, but is not required to be a registered voter.

\_\_\_\_\_ : choose "nonparty candidate," "other party candidate," or "no designation" if available on petition.

\_\_\_\_\_ indicate on petitions the party's nomination they seek.

\_\_\_\_\_ collected signatures from unaffiliated electors, or electors from same party (to the best of the candidate's/ electors' knowledge).

\_\_\_\_\_ list their full corresponding term date (full or unexpired).

\_\_\_\_\_ candidates indicate which division to which they seek election (Domestic Relations, General, Juvenile, Probate).

\_\_\_\_\_  
Signature of Candidate or Representative Date

VOTE CUYAHOGA COUNTY  
BOARD OF ELECTIONS



## PETITION PROTOCOLS

Candidate and Petition Services

8/1/2022



## Table of Contents

|  |   |
|--|---|
| Petition Criteria .....                    | 2 |
| No Petition Pre-Checks .....               | 2 |
| Official Time and Location of Filing ..... | 3 |

## Petition Criteria

Prior to circulating petitions, the Cuyahoga County Board of Elections (CCBOE) will provide candidates who pull petitions from the CCBOE with general information regarding what needs to appear on petitions as well as information about the process of filing. Additionally, candidates are directed to review the Secretary of State’s (SOS) free publications, especially the [Ohio Candidate Requirement Guide](#).

*It is critical that candidates review the municipal charter for the jurisdictions they are seeking prior to circulating petitions. Not every municipality has the same petition criteria. The Law Department for each municipality is the subject matter expert for their municipality’s charter.*

If duplicate signatures are received in municipalities with elector signature limitations, the official petition filing timestamp is utilized to rank the order of petitions received. This timestamp and not the date the elector signed the petition will be reviewed to process duplicate signatures on multiple candidate petition filings.

## No Petition Pre-Checks

Pursuant to SOS Directive<sup>1</sup>, no board of elections shall pre-check any petition to determine the petition’s validity and sufficiency before such time as the original petition has been filed, along with the appropriate filing fee, with a board of elections, the SOS Office, or other public office as provided by law.

While pre-checks may appear to be a public service that potential candidates might rely on to improve their chances of being certified to the ballot pre-checks provide a false sense of security for candidates and issue groups. It is a well-established principle of Ohio election law that the candidate is solely responsible for ensuring that his or her own petition satisfies the requirements of law. Candidates and issue groups are obligated to investigate, learn, and know the law governing the election process.

---

<sup>1</sup> <https://www.sos.state.oh.us/globalassets/elections/directives/2022/eom/dir2022-17-ch13.pdf>

### **Official Time and Location of Filing**

The CCBOE accepts petition filings at its offices at 2925 Euclid Avenue, Cleveland, OH 44115. To be considered as timely filed, candidates must obtain an official CCBOE timestamp no later than 4:00 p.m. on the date of the filing deadline. The timestamp clock(s) located in the CCBOE's Candidate and Petition Services Department holds the official time for petition filings.

Simply being on the Board's property (e.g., CCBOE parking lot) prior to the time of the filing deadline does not constitute a timely filing. Candidates' petitions must contain an official timestamp on or before the time of the filing deadline to be considered timely filed.

Petition filings will be accepted through mail/delivery service; however, the petition must arrive at the CCBOE offices by 4:00 p.m. on the date of the filing deadline with the applicable filing fee. A postmark is not a timestamp for the purpose of determining if a petition is timely filed. Any petition received via mail/delivery service without the applicable filing fee is considered an incomplete petition filing.

**No petition filed *in person* shall be timestamped or accepted for filing after 4:00 p.m. on the date of the filing deadline.**



# Agenda Item

#10

Protest

Joseph Russo

Cleveland Judge FTC

1/2/24

---

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Court Judge of Joseph F. Russo**

**Mariah Crenshaw,  
Petitioner**

**Vs.**

**Joseph F. Russo,  
Respondent**

**Primary Election September 12, 2023  
General Election November 7, 2023**

**Elected Office: Incumbent Clerk of Courts for the City of Cleveland  
Municipal Court**

Now comes Petitioner, Mariah Crenshaw, (hereinafter referred to as "Petitioner" or "Crenshaw") in the above aforementioned captioned case hereby objects to the candidacy of Joseph F. Russo, Respondent, (hereinafter referred to as "Respondent" and or "Russo") for the City of Cleveland Municipal Court Judge in the upcoming primary and general election. ity of Cleveland Charter.

The City of Cleveland is a municipal corporation that is ruled by its charter. In the instant matter the City charter requires candidates running for elected office in which the City residents at large would vote are required to meet certain criteria. Chapter 3, § 5 Nominating Petitions states:

"The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a

23 AUG 21 PM 12:28

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Court Judge of Joseph F. Russo**

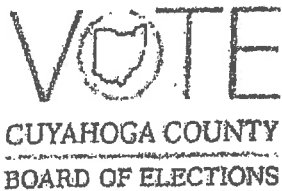
candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)" The voters spoke through the amendment in 2019 to require those running for a city wide race to obtain specific electors signatures.

Respondent submitted one hundred five (105) signatures with sixty four (64) valid signatures thereby meeting the state minimum signatures of fifty (50). (See Exhibit 1) Respondent failed to meet the three thousand (3,000) required signatures per the requisites of the city charter and thereby should be disqualified from running in the at large race for municipal court judge. The State of Ohio Candidate Manual clearly directs candidates interested in running for a municipal judge seat to refer to the municipal charter for additional signatures and other such requirements. (See Exhibit 2) It is clear Respondent failed to comply with the home rule and thereby must be removed from the ballot for the at-large seat and voters consideration and Petitioner objects to the acceptance of the fifty (50) signatures to suffice the requirements set forth in the city charter. For these reasons Respondent must be removed from the ballot.

Humbly submitted,

/s/ Mariah Crenshaw, Resident and Protestor  
3472 E 114th Street  
Cleveland, Ohio 44104  
(216) 609-7554  
mariahcren@gmail.com

28 AUG 21 PM 12:28



CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT

Receipt Number: 65945  
Receipt Date: 08/14/2023  
Election: November 7, 2023 General Election

Name to Appear on Ballot: RUSO, JOSEPH F.  
Office Sought: CLEVE MUNI COURT JUDGE FTC 1/2/2024  
City / Ward / Precinct: CLEVELAND -13-E  
Party Affiliation: UNAFFILIATED

Address: 2417 NATCHEZ AVE APT REAR  
CLEVELAND, OH 44109

Phone Number: 440-503-2152  
Email: russojoseph@yahoo.com

Amount Filing Fee: \$ 50.00  
Amount O.E.C: \$ 30.00  
Total Filing Fee: \$80.00  
Total Paid: \$80.00  
Check Number:  
Total Due: 0.00

Part Petitions Filed: 9 pets - 105 signs

Minimum Signatures Required: 50

Valid Signatures on Petition:

Insufficient by No. of Signatures:

Valid For Certification:  Yes  No

Candidate Approval: X

Staff Approval: X

e:

CANDIDATE / PETITION SERVICES & ABSENTEE VOTING  
2925 Euclid Avenue \* Cleveland, Ohio 44115-2415  
(216) 443-3231 \* Fax (216) 443-6466  
www.boc.cuyahogacounty.us \* Ohio Relay Service 711

2023 AUG 21 PM 12:28  
CUYAHOGA COUNTY  
BOARD OF ELECTIONS

**PROTEST RESPONSE**  
**JOSEPH F. RUSSO**

---

**IN THE BOARD OF ELECTIONS  
CUYAHOGA COUNTY, OHIO**

MARIAH CRENSHAW

Petitioner

vs.

JOSEPH F. RUSSO

Respondent

**RESPONDENT'S REPLY TO PROTEST  
FOR CANDIDACY FOR CITY OF  
CLEVELAND MUNICIPAL COURT JUDGE**

Now comes Respondent, Joseph F. Russo, and hereby moves this Board to deny the Petitioner's protest. The Respondent has submitted 64 valid signatures on the petitions filed with the Board of Elections. This exceeds the required number of 50 signatures as prescribed in Ohio Revised Code Section 1901.07 for Cleveland Municipal Court judicial candidates

The Petitioner's reliance on Chapter 3 , Section 5 of the city of Cleveland's Charter is in error; as it does not apply to judicial candidates for judge in Cleveland Municipal Court. The Respondent concurs with and incorporates herein the reasons stated in the City of Cleveland's response to the Board of Election's inquiry dated 08/17/2023.

WHEREFORE, the defendant requests this Board to deny the Petitioner's protest.

Respectfully submitted,

/s/ Joseph F. Russo  
Joseph F. Russo (0037923)  
P.O. Box 38151  
Olmsted Falls, OH 44138  
(440)503-2152  
russojoseph@yahoo.com

AUG 24 2023 PM 12:42

**CERTIFICATE OF SERVICE**

I certify that a copy of the *Respondent's Reply* was served upon Mariah Crenshaw by email at mariahcren@gmail.com

/s/ Joseph F. Russo  
Joseph F. Russo

AUG 24 '23 PM 12:43



# Agenda Item

#11

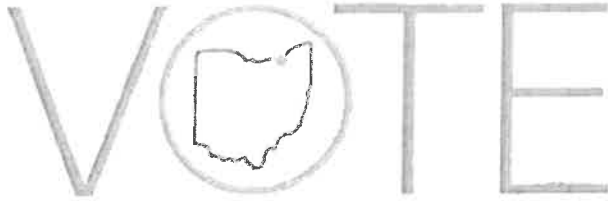
Protest

Heather

McCollough

Cleveland Court

Judge FTC 1/5/24



**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

***General Receipt, Candidate & Petition Services***

**Date Received:** 8.15.23

**From:**

**Phone:** 216.609.7554

Mariah Crenshaw

3472 East 114th Street

Cleveland, OH 44104

Email: mariahren@gmail.com

**Received:**

- Protest of Candidacy
- Heather McCollough, Cleveland Judge FTC 1/5/24
- November 7, 2023 General Election
- 

**Notes:**

**Received by Board of Elections-Staff:** Lawler, Brent E.

**In the Cuyahoga County Board of Elections  
Candidate Protest for Heather McCollough**

**Mariah Crenshaw,  
Petitioner**

**Vs.**

**Heather McCollough,  
Respondent**

**Primary Election September 12, 2023**

**General Election November 7, 2023**

**Elected Office: City of Cleveland Municipal Court Judge**

Now comes Mariah Crenshaw, (hereinafter referred to as “Crenshaw” and or “Petitioner”) in the above aforementioned captioned case seeking to protest the candidacy of Heather McCollough, (hereinafter referred to as “McCollough” and or “Respondent”) for the City of Cleveland City of Cleveland Municipal Court Judge in the upcoming primary and general elections. Petitioner is a lifelong resident of the City of Cleveland, Cuyahoga County, Ohio and over the age of eighteen (18), and a homeowner within the municipality. Crenshaw has a vested interest in the city and the overall quality of life as a resident, homeowner, and tax payer. It is with this interest in mind Petitioner objects to Respondent being able to run for elected office in the City of Cleveland for failure to comply with the requisites of the City of Cleveland Charter.

The City of Cleveland is a municipal corporation that is ruled by its charter. In the instant matter the City charter requires candidates running for elected office in which the City residents at large would vote are required to meet certain criteria. Chapter 3, § 5 Nominating Petitions states:

“The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12)

**In the Cuyahoga County Board of Elections  
Candidate Protest for Heather McCollough**

consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)” The voters spoke through the amendment in 2019 to require those running for a city wide race have obtained specific electors signatures.

Respondent is a resident of the City of Cleveland but failed to meet the signatures as required by the charter to contain at least three thousand (3,000) electors of the City. Respondent is not running for a county court of common pleas seat which only requires fifty (50) signatures but must comply with the home rule of three thousand (3,000) signatures to qualify as a candidate for the judicial office. McCollough submitted five (5) petitions containing eighty one (81) signatures which is short of the required number per the City of electors signatures. (See Exhibit 1) Petitioner states the Secretary of State, Frank Larose, published the Ohio Candidate Requirement Guide 2023 on October 13, 2022. The guide, page 13, provides a “NOTE” to potential candidates:

“Note: An individual who is interested in being a candidate for the Akron, Cleveland, or Toledo municipal court or the Franklin County municipal court are encouraged to review the municipality’s charter for the appropriate filing deadline and any additional filing requirements.” (See Exhibit 2)

Respondent had a duty to ensure she complied with the requisites of the City Charter prior to submitting the petitions. The City of Cleveland Charter does not allow persons interested in being elected to a judicial seat to submit less than the three

**In the Cuyahoga County Board of Elections  
Candidate Protest for Heather McCollough**

thousand (3,000) signatures. It is for this reason Petitioner objects to Respondents' name being on the rolls for the consideration of the municipal voters and seeks this body to remove her name for failure to provide the required number of signatures to be qualified as a candidate in the upcoming election.

Humbly submitted,

*/s/ Mariah Crenshaw, Resident and Protestor*  
3472 E 114th Street  
Cleveland, Ohio 44104  
(216) 609-7554  
[mariahcren@gmail.com](mailto:mariahcren@gmail.com)

# Protest Response

## Heather McCollough

IN THE CUYAHOGA COUNTY BOARD OF ELECTIONS  
CANDIDATE PROTEST FOR HEATHER MCCOLLOUGH

Mariah Crenshaw

Petitioner

Vs.

Heather McCollough

Respondent

Now comes Heather McCollough, Respondent and gives the following response to the Petitioner's protest and asks that it be dismissed.

This candidate for Judge of the Cleveland Municipal Court pulled petitions to be on the ballot in February of 2023. I was told that I needed fifty signatures from valid city of Cleveland voters to be on the ballot. I turned my petitions in on May 1, 2023 and my signatures were validated the same day and my name now appears on the ballot. My candidate filing receipt shows that the minimum number of signatures required was fifty. (See Exhibit A).

Petitioner now claims that Cleveland Municipal Court judge candidates must provide three thousand signatures in order to appear on the ballot. First let me state that the Board of Elections officials would not have allowed me to turn in three thousand signatures. As stated, when I pulled the petitions, I was told that I needed fifty valid signatures. I was also told that the maximum number of signatures that I was allowed to present was one hundred and fifty. Therefore, even if I had brought 3000 signatures, your officials would not have accepted them.

Petitioner claims that the city of Cleveland's charter requires 3000 signatures. Under Section 5 titled Nominations, it states:



The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.

From the language used, it can be determined that the "office" that the charter provision refers to is that of councilperson. Judges do not run for seats "at large". Judges also do not run by wards, candidates for city council do. The applicable statute in this instance can be found in Ohio Revised Code Section 1901.07. This states:

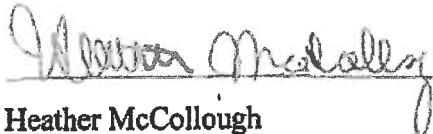
(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

This statute is clear and unambiguous that to be on the ballot to run for Cleveland Municipal Court Judge that only fifty signatures are needed. This statute has been followed by the Board of Elections for years. This information is given to every candidate who pulls a petition for judge in Cleveland. None of the current candidates on the ballot turned in 3000 signatures. (See all candidates receipts attached together as Exhibit B). Therefore, under Petitioner's interpretation of the statute, no one currently listed on the ballot is eligible to be on the ballot including incumbent judges with no opponents.

The Petitioner's reading and use of the City of Cleveland Charter provision is in error. R.C. 1901.07 is controlling here and only requires judicial candidates for the Cleveland Municipal Court to have fifty signatures. The Board of Elections officials have validated the requisite number of signatures. Therefore, I have the required number of signatures in order to remain on the ballot. This protest has no legal basis and therefore must be dismissed.

Respectfully submitted,

  
Heather McCollough

#### CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 17th day, of August, 2023 a true and accurate copy of the foregoing was served by electronic mail upon Mariah Crenshaw at [mariahcren@gmail.com](mailto:mariahcren@gmail.com) 3472 E. 114<sup>th</sup> St. Cleveland, OH 44104





CUYAHOGA COUNTY  
BOARD OF ELECTIONS

CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT

Receipt Number: 65772  
Receipt Date: 05/01/2023  
Election: November 7, 2023 General Election

|                           |                                     |
|---------------------------|-------------------------------------|
| Name to Appear on Ballot: | MCCOLLOUGH, HEATHER                 |
| Office Sought:            | CLEVE MUNI COURT JUDGE FTC 1/5/2024 |
| City / Ward / Precinct:   | CLEVELAND -02-P                     |
| Party Affiliation:        | UNAFFILIATED                        |

Address: 12013 JESSE AVE  
CLEVELAND, OH 44105

Phone Number: 216-233-3339

Email: heather.mccollough@sbcglobal.net

Amount Filing Fee: \$ 50.00

Amount O.E.C: \$ 30.00

Total Filing Fee: \$80.00

Total Paid: \$80.00

Check Number:

Total Due: 0.00

**PAID**  
Cuyahoga County  
Board of Elections

Part Petitions Filed: 5 parts w/ 81 sigs.

Minimum Signatures Required: 50

Valid Signatures on Petition:

Insufficient by No. of Signatures:

Valid For Certification: Yes No

Candidate Approval:

X Heather McCollough

Staff Approval:

X

Date:



# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

## **General Receipt, Candidate & Petition Services**

**Date Received:** 12/21/22

**From:**

**Phone:**

Sydney Strickland Saffold  
2515 East 24th St.  
Cleveland, Ohio 44120

**Received:**

Petitions filed for Cleveland Municipal Court Judge FTC 1/1/24

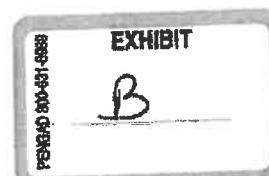
7 petitions

115 signatures

**Notes:**

95 valid

Received by Board of Elections Staff: Lori Hall





CUYAHOGA COUNTY  
BOARD OF ELECTIONS

**CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT**

**Receipt Number:** 65945  
**Receipt Date:** 06/14/2023  
**Election:** November 7, 2023 General Election

**Name to Appear on Ballot:** RUSSO, JOSEPH F.  
**Office Sought:** CLEVE MUNI COURT JUDGE FTC 1/2/2024  
**City / Ward / Precinct:** CLEVELAND -13-E  
**Party Affiliation:** UNAFFILIATED

**Address:** 2417 NATCHEZ AVE APT REAR  
CLEVELAND, OH 44109

**Phone Number:** 440-503-2152  
**Email:** russojoseph@yahoo.com

**Amount Filing Fee:** \$ 50.00  
**Amount O.E.C:** \$ 30.00  
**Total Filing Fee:** \$80.00  
**Total Paid:** \$80.00  
**Check Number:**  
**Total Due:** 0.00

**Part Petitions Filed:** 9 pets - 105 signs  
**Minimum Signatures Required:** 50  
**Valid Signatures on Petition:** 64 (with handwritten signature)  
**Insufficient by No. of Signatures:** [Empty box]

**Valid For Certification:**  Yes  No

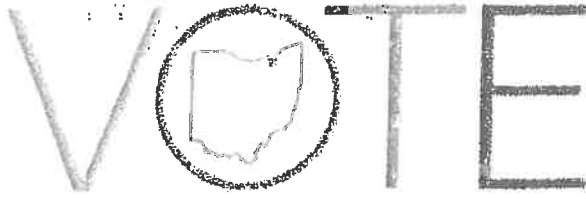
**Candidate Approval:** X [Signature]

**Staff Approval:** X [Signature]

**Date:** 6/15

CANDIDATE / PETITION SERVICES & ABSENTEE VOTING  
2925 Euclid Avenue \* Cleveland, Ohio 44115-2415  
(216) 443-3231 \* Fax (216) 443-6466  
www.boe.cuyahogacounty.us \* Ohio Relay Service 711

PAID  
CUYAHOGA COUNTY  
BOARD OF ELECTIONS



# CUYAHOGA COUNTY BOARD OF ELECTIONS

## **General Receipt, Candidate & Petition Services**

**Date Received:** 12/19/2022

**From:**

**Phone:** 216-990-0961

Jazmin G. Torres-Lugo



CONFIDENTIAL

jazatty1@gmail.com

### **Received:**

Candidate Petition for Cleveland Municipal Court FTC 1/2/2024

Parts: 8

Signatures: 150

Signature of Candidate:

### **Notes:**

**Received by Board of Elections Staff: Dodson, Abbie**



**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

***General Receipt, Candidate & Petition Services***

**Date Received:** 1/17/2023

**From:**

**Phone:** 216-798-3147

Jocelyn Conwell

3878 E. 151st St.

Cleveland, OH 44128

jconwellllc@hotmail.com

**Received:**

Candidate Petitions for Cleveland Municipal Court Judge FTC 1/3/2024

Parts: 6

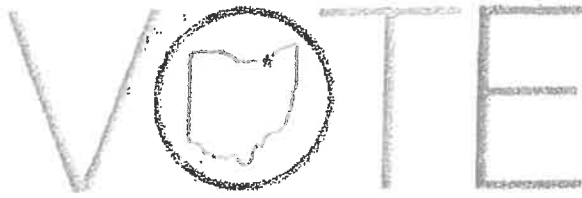
Signatures: 111

Signature of Candidate:

**Notes:**

Alt. Phone #: 216-635-9850

**Received by Board of Elections Staff: Dodson, Abbie**



**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

***General Receipt, Candidate & Petition Services***

**Date Received:** 12/05/22

**From:**

**Phone:**

TJ Dow

7715 Decker Ave

Cleveland, Ohio 44103

**Received:**

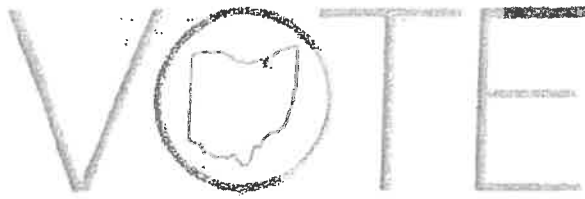
Petitions for Judge Cleveland Municipal Court FTC 01/03/2024

3 Petitions- 89 Signatures

**Notes:**

**Received by Board of Elections Staff: Lori Hall**





**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

***General Receipt, Candidate & Petition Services***

**Date Received:** 12/30/22

**From:**

**Phone:**

Joanna N. Lopez- Inman



**Received:**

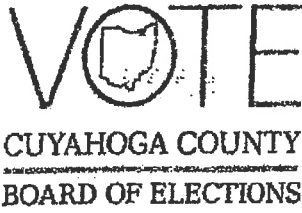
Filing Petitions for Judge- Cleveland Municipal Court FTC 1/3/24

5 petitions- 98 Signatures

\$80.00 Filing Fee

**Notes:**

**Received by Board of Elections Staff: Lori Hall**



**CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT**

**Receipt Number:** 65845  
**Receipt Date:** 05/31/2023  
**Election:** November 7, 2023 General Election

|                                  |                                     |
|----------------------------------|-------------------------------------|
| <b>Name to Appear on Ballot:</b> | OBRIEN, BRIDGET M.                  |
| <b>Office Sought:</b>            | CLEVE MUNI COURT JUDGE FTC 1/3/2024 |
| <b>City / Ward / Precinct:</b>   | CLEVELAND -17-R                     |
| <b>Party Affiliation:</b>        | UNAFFILIATED                        |

**Address:** 16407 MARQUIS AVE  
CLEVELAND, OH 44111

**Phone Number:** 216-878-0160

**Email:** bridgetforjudge@gmail.com

**Amount Filing Fee:** \$ 50.00  
**Amount O.E.C:** \$ 30.00  
**Total Filing Fee:** \$80.00  
**Total Paid:** \$80.00  
**Check Number:** 109  
**Total Due:** 0.00

**PAID**  
Cuyahoga County  
Board of Elections

**Part Petitions Filed:** 5 pet.- 94 signatures

**Minimum Signatures Required:** 50

**Valid Signatures on Petition:**

3079 - [Signature] 6/9/23

**Insufficient by No. of Signatures:**

[Empty box]

**Valid For Certification:**

Yes  No

**Candidate Approval:**

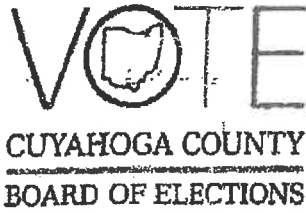
X Bridget M. O'Brien

**Staff Approval:**

X [Signature] 5/31/23

**Date:**

5/31/2023



**CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT**

**Receipt Number:** 65924  
**Receipt Date:** 06/13/2023  
**Election:** November 7, 2023 General Election

**Name to Appear on Ballot:** CLARY, TIMOTHY W.  
**Office Sought:** CLEVE MUNI COURT JUDGE FTC 1/4/2024  
**City / Ward / Precinct:** CLEVELAND -04-Q  
**Party Affiliation:** UNAFFILIATED

CONFIDENTIAL

**Address:** 13500 SHAKER BLVD APT 202  
CLEVELAND, OH 44120

**Phone Number:** 216-870-6905  
**Email:** clarylegal@gmail.com

**Amount Filing Fee:** \$ 50.00  
**Amount O.E.C.:** \$ 30.00  
**Total Filing Fee:** \$80.00  
**Total Paid:** \$80.00  
**Check Number:**  
**Total Due:** 0.00

**PAID**  
Cuyahoga County  
Board of Elections

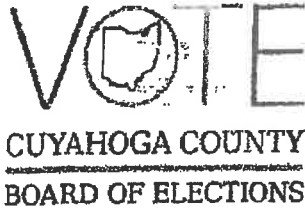
**Part Petitions Filed:** 5 parts w/ 89 sigs.  
**Minimum Signatures Required:** 50  
**Valid Signatures on Petition:**   
**Insufficient by No. of Signatures:**

**Valid For Certification:** Yes

**Candidate Approval:** X 

**Staff Approval:** X 

**Date:** 6/15/23



**CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT**

**Receipt Number:** 65714  
**Receipt Date:** 02/09/2023  
**Election:** November 7, 2023 General Election

|                                  |                                     |
|----------------------------------|-------------------------------------|
| <b>Name to Appear on Ballot:</b> | TURNER MCCALL, SHIELA               |
| <b>Office Sought:</b>            | CLEVE MUNI COURT JUDGE FTC 1/4/2024 |
| <b>City / Ward / Precinct:</b>   | CLEVELAND -04-S                     |
| <b>Party Affiliation:</b>        | UNAFFILIATED                        |

**Address:** 3077 LIVINGSTON RD  
CLEVELAND, OH 44120

**Phone Number:** 216-751-3084  
**Email:** stmesq2@att.net

**Amount Filing Fee:** \$ 50.00  
**Amount O.E.C:** \$ 30.00  
**Total Filing Fee:** \$80.00  
**Total Paid:** \$80.00  
**Check Number:** 4477  
**Total Due:** 0.00

**PAID**  
Cuyahoga County  
Board of Elections

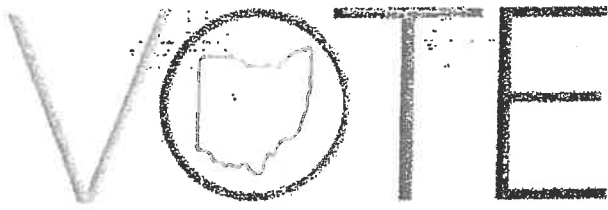
**Part Petitions Filed:** 9 pet.- 163 signatures  
**Minimum Signatures Required:** 50  
**Valid Signatures on Petition:** 128  
**Insufficient by No. of Signatures:** N/A

**Valid For Certification:**  Yes  No

**Candidate Approval:** X

**Staff Approval:** X

**Date:** 2/16/23



# CUYAHOGA COUNTY BOARD OF ELECTIONS

## ***General Receipt, Candidate & Petition Services***

**Date Received:** 12.21.2022

**From:**

**Phone:** 216.536.3233

Jeff Johnson

9024 Parkgate Avenue

Cleveland, OH 44108

electjeffjohnsonforjudge@gmail.com

**Received:**

(8) part petitions for Cleveland Municipal Court FTC 1/5/24

(138) signatures

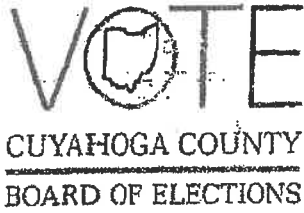
Signature: 

**Notes:**

DEC 21 '22 PM 12:19

Received by Board of Elections-Staff: Patricia Lewis





**CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT**

**Receipt Number:** 65942  
**Receipt Date:** 06/14/2023  
**Election:** November 7, 2023 General Election

**Name to Appear on Ballot:** MAJER, MARK R.  
**Office Sought:** CLEVE MUNI COURT JUDGE FTC 1/5/2024  
**City / Ward / Precinct:** CLEVELAND -15-C  
**Party Affiliation:** UNAFFILIATED

**Address:** 1343 W 114TH ST  
CLEVELAND, OH 44102

**Phone Number:** 216-978-3610  
**Email:** mmajer@gmail.com

**Amount Filing Fee:** \$ 50.00  
**Amount O.E.C:** \$ 30.00  
**Total Filing Fee:** \$80.00  
**Total Paid:** \$80.00  
**Check Number:**  
**Total Due:** 0.00

**PAID**  
Cuyahoga County  
Board of Elections

**Part Petitions Filed:** 14 pet. - 127 signatures  
**Minimum Signatures Required:** 50  
**Valid Signatures on Petition:** 91  
**Insufficient by No. of Signatures:** —

**Valid For Certification:**

Yes  No

**Candidate Approval:**

X

**Staff Approval:**

X

**Date:**

6/14/23



CUYAHOGA COUNTY  
BOARD OF ELECTIONS

CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT

Receipt Number: 65772  
Receipt Date: 05/01/2023  
Election: November 7, 2023 General Election

Name to Appear on Ballot: MCCOLLOUGH, HEATHER  
Office Sought: CLEVE MUNI COURT JUDGE FTC 1/5/2024  
City / Ward / Precinct: CLEVELAND -02-P  
Party Affiliation: UNAFFILIATED

Address: 12013 JESSE AVE  
CLEVELAND, OH 44105

Phone Number: 216-233-3339

Email: heather.mccollough@sbcglobal.net

Amount Filing Fee: \$ 50.00

Amount O.E.C: \$ 30.00

Total Filing Fee: \$80.00

Total Paid: \$80.00

Check Number:

Total Due: 0.00

**PAID**  
Cuyahoga County  
Board of Elections

Part Petitions Filed: 5 parts w/ 81 sigs.

Minimum Signatures Required: 50

Valid Signatures on Petition: 61

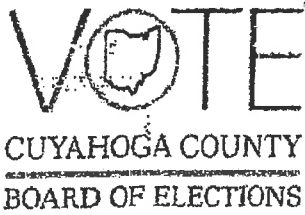
Insufficient by No. of Signatures:

Valid For Certification:  Yes  No

Candidate Approval: x Heather McCollough

Staff Approval: x Loni Hull

Date: 5-1-23



CUYAHOGA COUNTY BOARD OF ELECTIONS
OFFICIAL CANDIDATE FILING RECEIPT

Receipt Number: 65719
Receipt Date: 02/16/2023
Election: November 7, 2023 General Election

Name to Appear on Ballot: EARLEY, MICHELLE D.
Office Sought: CLEVE MUNI COURT JUDGE FTC 1/6/2024
City / Ward / Precinct: BRATENAHL -00-A
Party Affiliation: UNAFFILIATED

Address: [Redacted]

Phone Number: 216-224-4547
Email: judgeearley@sbcglobal.net

CONFIDENTIAL

Amount Filing Fee: \$ 50.00
Amount O.E.C: \$ 30.00
Total Filing Fee: \$80.00
Total Paid: \$80.00
Check Number:
Total Due: 0.00

PAID
Cuyahoga County
Board of Elections

Part Petitions Filed: 4 parts w/ 69 sigs
Minimum Signatures Required: 50
Valid Signatures on Petition: 65
Insufficient by No. of Signatures:

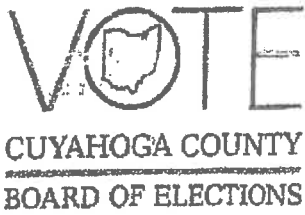
Valid For Certification: Yes No

Candidate Approval: X [Signature]

Staff Approval: X [Signature]

Date: 2-16-23





**CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT**

**Receipt Number:** 65949  
**Receipt Date:** 06/14/2023  
**Election:** November 7, 2023 General Election

|                                  |                                     |
|----------------------------------|-------------------------------------|
| <b>Name to Appear on Ballot:</b> | KAZY, BRIAN C.                      |
| <b>Office Sought:</b>            | CLEVE MUNI COURT CLERK FTC 1/1/2024 |
| <b>City / Ward / Precinct:</b>   | CLEVELAND -16-B                     |
| <b>Party Affiliation:</b>        | UNAFFILIATED                        |

**Address:** 4300 W 143RD ST  
CLEVELAND, OH 44135  
**Phone Number:** 216-251-2331  
**Email:** kazyforcouncil@gmail.com

**Amount Filing Fee:** \$ 50.00  
**Amount O.E.C:** \$ 30.00  
**Total Filing Fee:** \$80.00  
**Total Paid:** \$80.00  
**Check Number:** 1209  
**Total Due:** 0.00

**PAID**  
Cuyahoga County  
Board of Elections

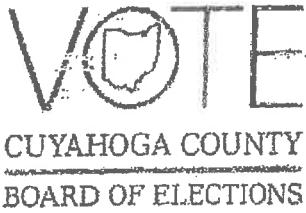
**Part Petitions Filed:** 5 parts w/ 81 sigs  
**Minimum Signatures Required:** 50  
**Valid Signatures on Petition:**   
**Insufficient by No. of Signatures:**

**Valid For Certification:**  Yes  No

**Candidate Approval:**  *Brian C. Kazy*

**Staff Approval:**  *[Signature]*

**Date:** 6/15



CUYAHOGA COUNTY BOARD OF ELECTIONS
OFFICIAL CANDIDATE FILING RECEIPT

Receipt Number: 65887
Receipt Date: 06/09/2023
Election: November 7, 2023 General Election

Name to Appear on Ballot: SWEENEY, MARTIN J.
Office Sought: CLEVE MUNI COURT CLERK FTC 1/1/2024
City / Ward / Precinct: CLEVELAND -11-F
Party Affiliation: UNAFFILIATED

Address: 11517 GOVERNOR AVE
CLEVELAND, OH 44111

Phone Number: 216-252-0986
Email: markat2@sbcglobal.net

Amount Filing Fee: \$ 50.00
Amount O.E.C: \$ 30.00
Total Filing Fee: \$80.00
Total Paid: \$80.00
Check Number: 1097
Total Due: 0.00

PAID
Cuyahoga County
Board of Elections

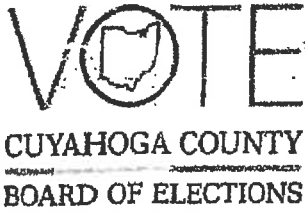
Part Petitions Filed: 5 parts w/ 85 sigs
Minimum Signatures Required: 50
Valid Signatures on Petition: 75
Insufficient by No. of Signatures: N/A

Valid For Certification: Yes No

Candidate Approval: [Signature]

Staff Approval: X

Date: [Signature] 6/13/23



**CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT**

**Receipt Number:** 65832  
**Receipt Date:** 05/25/2023  
**Election:** November 7, 2023 General Election

**Name to Appear on Ballot:** TURNER, EARLE B.  
**Office Sought:** CLEVE MUNI COURT CLERK FTC 1/1/2024  
**City / Ward / Precinct:** CLEVELAND -02-D  
**Party Affiliation:** UNAFFILIATED


**Address:** 4509 BROOKS RD  
CLEVELAND, OH 44105

**Phone Number:** 216-215-1316  
**Email:** etclerk@aol.com

**Amount Filing Fee:** \$ 50.00  
**Amount O.E.C:** \$ 30.00  
**Total Filing Fee:** \$80.00  
**Total Paid:** \$80.00  
**Check Number:**  
**Total Due:** 0.00

**PAID**  
Cuyahoga County  
Board of Elections

**Part Petitions Filed:** 5 parts w/ 100 sigs.  
**Minimum Signatures Required:** 50  
**Valid Signatures on Petition:** 78  
**Insufficient by No. of Signatures:**

**Valid For Certification:** Yes No  
**Candidate Approval:** X   
**Staff Approval:** X

**Date:** 5/25/23

NOV 25 23 PM 3:50

# Agenda Item

#12

Protest  
Martin Sweeney  
Cleveland  
Clerk of Courts

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Clerk of Courts for Martin J. Sweeney**

**Mariah Crenshaw,  
Petitioner**

**Vs.**

**Martin J. Sweeney,  
Respondent**

**Primary Election September 12, 2023  
General Election November 7, 2023**

**Elected Office Sought: Clerk of Courts for the City of Cleveland Municipal  
Court**

Now comes Mariah Crenshaw, Petitioner, (hereinafter referred to as "Petitioner" or "Crenshaw") in the above aforementioned captioned case objects to the Candidacy of Martin J. Sweeney, Respondent, (hereinafter referred to as "Respondent" or "Sweeney") in the upcoming primary and general races for failure to abide by the City of Cleveland Charter which requires three thousand (3,000) signatures for at a large seats within the municipality. Petitioner states Sweeney served in the capacity of councilman for the City of Cleveland for eighteen years (18) and knew or should have known the importance of referring to the city charter for additional requirements when running for elected office.

Petitioner states Sweeney met the state standard of submitting fifty (50) signatures per the revised code when seeking the office of municipal clerk of court but failed to meet the city charter which required candidates seeking at large seats within the municipality to obtain three thousand (3,000) electors signatures. Petitioner states Sweeney and all other candidates seeking at large seats must confer with the mandates of the home rule as set forth in Chapter 3, § 5 Nominating Petitions states:

02 AUG 21 PM 12:28

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Clerk of Courts for Martin J. Sweeney**

“The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)” The voters spoke through the amendment in 2019 to require those running for a city wide race to obtain specific electors signatures.

Respondent submitted seventy five (75) valid signatures. (See Exhibit 1) The City of Cleveland does not have a council seat that runs at large so the language of the charter clearly requires persons running at large which would include the City of Cleveland Municipal Clerk of Court office would require the three thousand (3,000) electors signatures to meet the requisites set forth. The language is clear and unambiguous. Elected seats in Cleveland that would run at large would be the Mayor, Clerk of Courts, and Judges thereby requiring Respondent to comply with both the state and municipal requirements. For these reasons Petitioner objects Respondents' name and candidacy from being on the upcoming ballot for voter consideration for the Clerk of Courts.

Humbly submitted,

/s/ Mariah Crenshaw, Resident and Protestor  
3472 E 114th Street  
Cleveland, Ohio 44104  
(216) 609-7554

JUG 21 PM 12:28

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Clerk of Courts for Martin J. Sweeney**

“The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector’s behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)” The voters spoke through the amendment in 2019 to require those running for a city wide race to obtain specific electors signatures.

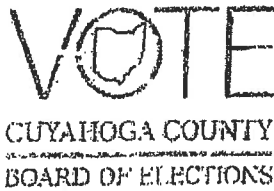
Respondent submitted seventy five (75) valid signatures. (See Exhibit 1) The City of Cleveland does not have a council seat that runs at large so the language of the charter clearly requires persons running at large which would include the City of Cleveland Municipal Clerk of Court office would require the three thousand (3,000) electors signatures to meet the requisites set forth. The language is clear and unambiguous. Elected seats in Cleveland that would run at large would be the Mayor, Clerk of Courts, and Judges thereby requiring Respondent to comply with both the state and municipal requirements. For these reasons Petitioner objects Respondents’ name and candidacy from being on the upcoming ballot for voter consideration for the Clerk of Courts.

Humbly submitted,

/s/ Mariah Crenshaw, Resident and Protestor  
3472 E 114th Street  
Cleveland, Ohio 44104  
(216) 609-7554

23 AUG 21 11:21





CUYAHOGA COUNTY BOARD OF ELECTIONS
OFFICIAL CANDIDATE FILING RECEIPT

Receipt Number: 65887
Receipt Date: 08/09/2023
Election: November 7, 2023 General Election

Name to Appear on Ballot: SWEENEY, MARTIN J.
Office Sought: CLEVE MUNI COURT CLERK FTC 1/1/2024
City / Ward / Precinct: CLEVELAND -11-F
Party Affiliation: UNAFFILIATED

Address: 11517 GOVERNOR AVE
CLEVELAND, OH 44111

Phone Number: 216-252-0986

Email: market2@sbcglobal.net

Amount Filing Fee: \$ 50.00

Amount O.E.C: \$ 30.00

Total Filing Fee: \$80.00

Total Paid: \$80.00

Check Number: 1097

Total Due: 0.00

PAID
Cuyahoga County
Board of Elections

Part Petitions Filed: 5 parts w/ 65 sigs

Minimum Signatures Required: 50

Valid Signatures on Petition: 75

Insufficient by No. of Signatures: N/A

Valid For Certification: Yes No

Candidate Approval: [Signature]

Staff Approval: X [Signature]

Date: 8/13/23

# Agenda Item

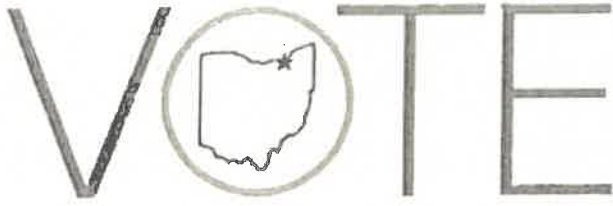
#13

Protest

Earle Turner

Cleveland

Clerk of Courts



# CUYAHOGA COUNTY BOARD OF ELECTIONS

**General Receipt, Candidate & Petition Services**

**Date Received:** 8.15.23

**From:**

**Phone:** 216.609.7554

Mariah Crenshaw

3472 East 114th Street

Cleveland, OH 44104

Email: mariahcren@gmail.com

**Received:**

- Protest of Candidacy
- Earle Turner, Cleveland Clerk of Courts
- November 7, 2023 General Election
- 

**Notes:**

Received by Board of Elections Staff: Lawler, Brent E.

23 AUG 15 PM 12:11

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Clerk of Courts for Earl B. Turner**

**Mariah Crenshaw,  
Petitioner**

**Vs.**

**Earl B. Turner,  
Respondent**

**Primary Election September 12, 2023  
General Election November 7, 2023**

**Elected Office: Incumbent Clerk of Courts for the City of Cleveland  
Municipal Court**

Now comes Mariah Crenshaw, (hereinafter referred to as "Crenshaw" and or "Petitioner") in the above aforementioned captioned case seeking to protest the candidacy of incumbent Earl B. Turner, (hereinafter referred to as "Respondent" and or "Turner") seeking re-election for the Clerk of Courts for the City of Cleveland Municipal Courts. Petitioner is a lifelong resident of the City of Cleveland, Cuyahoga County, Ohio and over the age of eighteen (18), and a homeowner within the municipality. Crenshaw has a vested interest in the city and the overall quality of life as a resident, homeowner, and taxpayer. It is with this interest in mind Petitioner objects to Respondent being able to run for elected office in the City of Cleveland for failure to comply with the requisites of the City of Cleveland Charter.

The City of Cleveland is a municipal corporation that is ruled by its charter. In the instant matter the City charter requires candidates running for elected office in which the City residents at large would vote are required to meet certain criteria. Chapter 3, § 5 Nominating Petitions states:

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Clerk of Courts for Earl B. Turner**

**“The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector’s behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)”** The voters spoke through the amendment in 2019 to require those running for a city wide race to obtain specific electors signatures.

Respondent is a registered voter and qualified elector for the City of Cleveland and meets only one requirement of the amended charter. Turner is running for a seat that will require all persons registered to vote in the municipality to determine if he should maintain his elected office. Petitioner states there is no language in the current charter which allows an incumbent to not submit the required three thousand (3,000) signatures in a race that is clearly at large. Respondent turned in approximately one hundred (100) signatures to the Cuyahoga County Board of Elections (hereinafter referred to as “CCBOE”) which accepted the petitions and placed Turners’ name on the candidate list for the upcoming elections. Petitioner objects to Turner being on the ballot for consideration because he has fallen short of the required three thousand (3,000) signatures. (See Exhibit 1)

**In the Cuyahoga County Board of Elections  
Protest for Candidacy for City of Cleveland  
Municipal Clerk of Courts for Earl B. Turner**

Ohio's legislature has not amended the revised codes to comply with the City charter change and the CCBOE must enforce the required three thousand (3,000) signature requirement passed in 2019 by Cleveland voters. Respondent is not seeking office for a city councilor and or judge but is clearly subject to the at large requirement therefore the failure to submit the required number of electors within the municipality disqualifies Turner from seeking re-election to the seat. For these reasons Petitioner objects Respondents' name and candidacy from being on the upcoming ballot for voter consideration.

Humbly submitted,

/s/ Mariah Crenshaw, Resident and Protestor  
3472 E 114th Street  
Cleveland, Ohio 44104  
(216) 609-7554  
[mariahcren@gmail.com](mailto:mariahcren@gmail.com)

For Board of Elections use only - Do not write in this box

### Nominating Petition and Statement of Candidacy

Office Sought: Cleveland - Clerk of Courts  
Filing Fee: \$ 80.00 Signatures: MINSTR. MAY 25 Filing Deadline: JUNE 14 4:00 PM '23

For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1201.07, 1201.31, 3301.38, 3513.261

#### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, EARL B. TURNER, the undersigned, hereby declare under penalty of election falsification that  
Printed Name of Candidate  
my voting residence address is 4509 Brookside Rd, Cleveland, Ohio 44105  
Street Number or Rural Address (for local route and number) City or Village Zip Code

and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Clerk of the  
Insert "Judge" or "Clerk"  
Cleveland Municipal Court for the:  full term commencing 11 13 23  
Name of Municipal Court Check one Full Term Commencing Date  
or  unexpired term ending \_\_\_\_\_ in \_\_\_\_\_ County, Ohio at the general election  
Unexpired Term Ending Date in County

election to be held on the 7<sup>th</sup> day of November, 2023  
Day Year

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 10 day of April, 2023  
Day Month Year

**BOARD USE ONLY**  
City, Ward & Precinct  
Voter ID  
Signature  
Initials

EARL B. TURNER  
Print name as it should appear on ballot

Earl B. Turner  
Signature of Candidate

#### WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

Printed Name of Candidate  
Name

Re: **PLAINTIFF/RELATORS' EXHIBIT**

#### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate \_\_\_\_\_ as a

candidate for election to the office of \_\_\_\_\_ of the \_\_\_\_\_  
Printed Name of Candidate  
Municipal Court, for the:  full term commencing \_\_\_\_\_ or  unexpired term ending \_\_\_\_\_  
Check one Full Term Commencing Date Name of Municipal Court

to be voted for at the next general election, and certify said person is, in our opinion, \_\_\_\_\_  
Unexpired Term Ending Date  
well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|-----------|------------------------|--|--------------------------------------|-----------------|
| 1.        |                        |  |                                      |                 |
| 2.        |                        |  |                                      |                 |
| 3.        |                        |  |                                      |                 |



| SIGNATURE | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|-----------|------------------------|--|--------------------------------------|-----------------|
| 1         |                        |  |                                      |                 |
| 2         |                        |  |                                      |                 |
| 3         |                        |  |                                      |                 |
| 4         |                        |  |                                      |                 |
| 5         |                        |  |                                      |                 |
| 6         |                        |  |                                      |                 |
| 7         |                        |  |                                      |                 |
| 8         |                        |  |                                      |                 |
| 9         |                        |  |                                      |                 |
| 10        |                        |  |                                      |                 |
| 11        |                        |  |                                      |                 |
| 12        |                        |  |                                      |                 |
| 13        |                        |  |                                      |                 |
| 14        |                        |  |                                      |                 |
| 15        |                        |  |                                      |                 |
| 16        |                        |  |                                      |                 |
| 17        |                        |  |                                      |                 |
| 18        |                        |  |                                      |                 |
| 19        |                        |  |                                      |                 |
| 20        |                        |  |                                      |                 |

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

**Circulator Statement**

Must be completed and signed by the circulator.

I, Earl B. Turner declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 20 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Written Acceptance of Nomination (if required by municipal charter)

I hereby accept the within nomination.

Signature of Candidate

Address

City and Zip Code

Earl B. Turner  
Signature of Circulator  
4509 Brooks Rd  
Permanent Residence Address  
Chardon OH 44105  
City or Village State Zip Code

### Nominating Petition and Statement of Candidacy

Office Sought: Cleveland - Clerk of Municipal Court

480.00  
Filing Fee

MINOR  
Signatures

JUNE 14<sup>th</sup> 4:20  
Filing Deadline

For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1901.21, 3601.29, 3513.251

### Statement of Candidacy

NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.

I, EARLY B TURNER the undersigned, hereby declare under penalty of election falsification that  
Printed Name of Candidate  
my voting residence address is 4504 Brooks Rd. Cleveland, Ohio 44105  
Street Number and Address (for rural roads and numbers) City or Village Zip Code

and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of clerk of the  
Insert "Judge" or "Clerk"  
Cleveland Municipal Court for the: Check  full term commencing 11/23 Full Term Commencing Date  
Name of Municipal Court  
or  unexpired term ending \_\_\_\_\_ in Cuyahoga County, Ohio at the general election  
Unexpired Term Ending Date County  
election to be held on the 7<sup>th</sup> day of November, 2023.  
Day Year

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 10 day of April, 2023  
Day Month Year

BOARD USE ONLY  
City, Ward & Precinct  
Voter ID  
Signature  
Initials

EARLY B TURNER  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

Early B Turner  
Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

Printed Name of Candidate  
Name

Residence

### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate EARLY B TURNER as a  
Printed Name of Candidate

candidate for election to the office of clerk of the Cleveland  
Insert "Judge" or "Clerk" Name of Municipal Court  
Municipal Court, for the: Check  full term commencing \_\_\_\_\_ or  unexpired term ending \_\_\_\_\_  
Full Term Commencing Date

to be voted for at the next general election, and certify said person is, in our opinion,  
Unexpired Term Ending Date  
well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE          | PRINTED NAME OF SIGNER     | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (required) | DATE OF SIGNING |
|--------------------|----------------------------|--|--------------------------------------|-----------------|
| <u>[Signature]</u> | <u>Diana Kelson Nelson</u> | <u>1942 E. Brink St.</u>   | <u>Cleveland</u>                     | <u>5/18/23</u>  |
| <u>[Signature]</u> | <u>JEAN MURPHY</u>         | <u>1250 E 101ST</u>  | <u>CLEVELAND</u>                     | <u>5/18/23</u>  |
| <u>[Signature]</u> | <u>Timothy Lenson</u>      | <u>6403 Hough 44163</u>  | <u>Cleveland</u>                     | <u>5/18/23</u>  |

| SIGNATURE   | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|-------------|------------------------|--|--------------------------------------|-----------------|
| [Signature] | Richard Manning        | 1130 Main St. #4   | Cleveland                            | 5/18/23         |
| [Signature] | RENISE MELLO           | 1878 EAST 87 <sup>th</sup>   | CLEVELAND                            | 5-18-2023       |
| [Signature] | Margaret Colton        | 1913 2nd Hill Ave  | Cleveland                            | 5-18-2023       |
| [Signature] | SANDRA WILLIAMS        | 1210 Lakewood  | Cleveland                            | 5-18-2023       |
| [Signature] | Matthew Ahn            | 50 P.I.C. SEITZ RD   | Cleveland                            | 5/18/23         |
| [Signature] | Jane McKin-Kear        | 1112 BROOKS  | Cleveland                            | 5-22-23         |
| [Signature] | MICHAEL MARIANO        | 4506 BROOKS  | CLEVELAND                            | 5/22/23         |
| [Signature] | KENNETH D JAMES        | 4376 SEXTON RD   | CLEVELAND                            | 5/24/23         |
| [Signature] | Shirah J. Turner       | 4509 Brooks Rd   | Cleveland                            | 5/23/23         |
| [Signature] | Nicole Frieled         | 1100 [unclear]   | Cleveland                            | 5/23/23         |
| [Signature] | HOWARD A. LEWIS        | 436A BROOKS RD   | CLEVELAND                            | 5/23/23         |
| [Signature] | MICHAEL S FIELDS       | 4506 BROOKS  | CLEVELAND                            | 5/23/23         |
| [Signature] | Sheron White           | 9703 Carhart Ave   | Cleveland                            | 5/14/23         |
| [Signature] | Jessie Mae Pickerson   | 4378 SEXTON RD   | Cleveland                            | 5/24/23         |
| [Signature] | James Douglas          | 4481 Brooks Rd   | Cleveland                            | 5/24/23         |

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

**Circulator Statement**

*Must be completed and signed by the circulator.*

I, \_\_\_\_\_, declare under penalty of election falsification that I reside at the address \_\_\_\_\_ appearing below my signature; that I am the circulator of the foregoing petition containing \_\_\_\_\_ signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.392 of the Revised Code.

**Written Acceptance of Nomination  
(If required by municipal charter)**

\_\_\_\_\_, 20\_\_\_\_

I hereby accept the within nomination.

**Signature of Candidate**

**Address**

**City and Zip Code**

\_\_\_\_\_  
Signature of Circulator

\_\_\_\_\_  
Permanent Residence Address

\_\_\_\_\_  
City or Village

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip Code

For Board of Elections use only - Do not write in this box

### Nominating Petition and Statement of Candidacy

Office Sought: Cleveland - Clerk of Court

\$80.00  
Filing Fee

Dimas D. Williams  
Signature

June 14<sup>th</sup> by 4:30  
Filing Deadline

#### For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1901.21, 3501.28, 3513.261

#### Statement of Candidacy

NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.

I, EARLY B. TURNER, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 4504 Brooks Rd. Cleveland, Ohio 44105

and I am a qualified elector. I further declare that I desire to be a candidate for election to the office of Clerk of the Cleveland Municipal Court for the:  full term commencing Nov 7<sup>th</sup> or  unexpired term ending Nov 7<sup>th</sup> in Cuyahoga County, Ohio at the general election election to be held on the 7<sup>th</sup> day of November, 2023.

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 10 day of April, 2023

BOARD USE ONLY  
City, Ward & Precinct  
Voter ID  
Signature  
Initials

EARLY B. TURNER  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

Early B. Turner  
Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Name | Residence |
|---------------------------|------|-----------|
|                           |      |           |

#### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate EARLY B. TURNER as a candidate for election to the office of clerk of the Cleveland Municipal Court, for the:  full term commencing Nov 7<sup>th</sup> or  unexpired term ending Nov 7<sup>th</sup> to be voted for at the next general election, and certify said person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE          | PRINTED NAME OF SIGNER    | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|---------------------------|--|--------------------------------------|-----------------|
| <u>[Signature]</u> | <u>James J. Poffinger</u> | <u>2242 111 Dr.</u>  | <u>Brookside</u>                     | <u>4/12/23</u>  |
| <u>[Signature]</u> | <u>John S. [Name]</u>     | <u>414 [Address]</u>   | <u>Brookside</u>                     | <u>4/12/23</u>  |
| <u>[Signature]</u> | <u>Shirley [Name]</u>     | <u>414 [Address]</u>   | <u>Brookside</u>                     | <u>4/12/23</u>  |



For Board of Elections use only - Do not write in this box

### Nominating Petition and Statement of Candidacy

Office Sought: Cleveland - Clerk of Court

\$50.00  
Filing Fee

Minda Boyd  
Signature

June 14<sup>th</sup> 4:00  
Filing Deadline

For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1001.07, 1001.31, 3501.38, 3513.261

### Statement of Candidacy

NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.

I, EARLY B TURNER the undersigned, hereby declare under penalty of election falsification that my voting residence address is 4507 Brooks Rd. Cleveland, Ohio 44105

and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Clerk of the Cleveland Municipal Court for the:  full term commencing 1/1/23 or  unexpired term ending 11/7/23 in Cuyahoga County, Ohio at the general election election to be held on the 7<sup>th</sup> day of November, 2023.

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 10 day of April, 2023

BOARD USE ONLY  
City, Ward & Precinct  
Voter ID  
Signature  
Initials

EARLY B TURNER  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

[Signature]  
Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate<br>Name | Residence |
|-----------------------------------|-----------|
|                                   |           |

### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate EARLY B TURNER as a

candidate for election to the office of Clerk of the Cleveland Municipal Court, for the:  full term commencing 1/1/23 or  unexpired term ending 11/7/23

to be voted for at the next general election, and certify said person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <u>[Signature]</u> | <u>EARLY B TURNER</u>  | <u>2326 E. 124<sup>th</sup> St</u>   | <u>Cleveland</u>                     | <u>5-11-23</u>  |

Form 3-31 (09-17)









# Agenda Item

#14

Candidate Protested

Jocelyn Conwell

Cleveland Judge FTC 1/3/24

Protester

Mariah Crenshaw

**Issue:** Candidate is not a resident of the City of Cleveland  
**Protest filed by:** Mariah Crenshaw  
**Candidate protested:** Jocelyn Conwell, Cleveland Judge FTC 1/3/24

#### **BOE Response**

- Jocelyn Conwell has been a registered voter at 3878 East 151<sup>st</sup> Street, Cleveland, OH, 44128 since December 5, 2022.
- The CCBOE has a signed voter registration confirmation notice signed by Ms. Conwell confirming said address.
- Ms. Conwell voted at her correct Cleveland polling location in-person most recently at the August 8, 2023 Special Election.
- Ms. Conwell filed petitions to run for Judge in 2023 that include a legal affirmation of said address.
- On August 16, 2023, a challenge of the right to vote at said address, filed against Ms. Conwell by Ms. Crenshaw, was denied by the CCBOE for lacking sufficient evidence.

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#### **Relevant Statutes Discussed**

##### **ORC Section 1901.07 | Term of office of judge - nomination, election.**

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. *The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices.* Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

##### **Cleveland Charter – Nominations**

*§ 4 Nominations Candidates for all offices to be voted for at any regular Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday in September prior to the regular Municipal election.* Candidates for all offices to be voted for

at any other Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the eighth Tuesday prior to the other Municipal elections.

§ 5 Nominating Petitions The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, *and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.* (Effective November 5, 2019)

#### Supporting Documents

- Legal opinions – City of Cleveland
- Director Perlatti, letter to Crenshaw re: Conwell residency.
- ORC 1901.07
- Cleveland Charter
- Protests (Conwell, Johnson, Majer, McCall, McCollough, Russo, (Strickland Saffold, Sweeney, Turner)
- Protest Responses (Conwell, McCollough, Majer, Saffold)

# City of Cleveland Legal Opinion



City of Cleveland

Justin M. Bibb, Mayor

**Department of Law**

Mark Griffin, Director  
601 Lakeside Avenue, Room 106  
Cleveland, Ohio 44114-1077  
216/664-2800 – Fax: 216/664-2663  
[www.cleveland.oh.gov](http://www.cleveland.oh.gov)

August 17, 2023

Brent E. Lawler, Manager  
Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, OH 44115-2497

**Re: Section 5 of the Charter of the City of Cleveland and Candidates  
for the Cleveland Municipal Court Judge**

Dear Mr. Lawler,

Please accept this letter in your response to your requests for a legal opinion regarding whether Section 5 of the Charter of the City of the Cleveland ("Charter") applies to candidates for judge for Cleveland Municipal Court.

Briefly, municipal courts in Ohio are created by the Ohio Revised Code and are also governed by R.C. 1901.06, not by Cleveland City Charter Section 5. More specifically, because the geographic jurisdiction of the Cleveland Municipal Court includes the Village of Bratenahl, it is not possible for the Cleveland City Charter to govern electors from outside of Cleveland's boundaries.

Section 5 of the Charter provides as follows:

**§ 5 Nominating Petitions**

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at

In conclusion, candidates for judge for the Cleveland Municipal Court are not subject to Section 5 of the City's Charter and the requirements contained therein.

Please feel free to contact me with any questions regarding the above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Griffin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark Griffin  
Director of Law





**City of Cleveland**  
Justin M. Bibb, Mayor

---

Department of Law  
Mark Griffin, Director  
Chief Legal Counsel  
601 Lakeside Avenue, Room 106  
Cleveland, Ohio 44114-1077  
216/664-2800 • Fax: 216/664-2663  
[www.cleveland-oh.gov](http://www.cleveland-oh.gov)

August 23, 2023

Brent E. Lawler, Manager  
Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, OH 44115-2497

**Re: Section 5 of the Charter of the City of Cleveland and Candidates  
for the Cleveland Municipal Clerk of Court**

Dear Mr. Lawler,

Please accept this letter in your response to your requests for a legal opinion regarding whether Section 5 of the Charter of the City of the Cleveland ("Charter") applies to candidates for Cleveland Municipal Clerk of Court.

Briefly, municipal courts in Ohio are created by the Ohio Revised Code. Under R.C. 1901.31(A)(1)(a), the Cleveland Municipal Clerk of Court is nominated and elected by the qualified electors of the territory in the same manner that judges are nominated and elected under R.C. 1901.07. Thus, the required number of electors' signature for a Cleveland Municipal Clerk of Court petition is governed by R.C. 1901.07, which requires the signatures of at least fifty electors of the territory of the court, not by Cleveland City Charter Section 5. More specifically, because the geographic jurisdiction of the Cleveland Municipal Court includes the Village of Bratenahl, it is not possible for the Cleveland City Charter to govern electors from outside of Cleveland's boundaries.

Section 5 of the Charter provides as follows:

**§ 5 Nominating Petitions**

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been

an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.

Section 5 does not apply to candidates for Cleveland Municipal Clerk of Court for several reasons. First, this section applies to candidates running for City office that are provided for in the City's Charter as evidenced by the beginning of this section which states "[t]he name of any elector of the City shall be printed on the ballot." Under the Charter, the elected officers of the City are specifically council members and the Mayor. See Section 24 which provides in relevant part that "[m]embers of Council shall be elected for a term of four years" and Section 68, which provides in relevant part that the Mayor shall be elected for a term of four years. See also Section 15 which provides in relevant part that "[a]ll elections provided for by this Charter, whether **for the choice of officers or the submission of questions to voters**, shall be conducted by the election authorities prescribed by general law of the State; and the provisions of general election laws of the State shall apply to all the elections except as provision is otherwise made by this Charter. . . )(emphasis added). The Cleveland Municipal Clerk of Court is not included among the identified elected City officers under the City's Charter and, therefore, the requirements contained in Section 5 of the Charter do not apply to candidates for Cleveland Municipal Clerk of Court.

Second, interpreting Section 5 to apply to candidates for the Cleveland Municipal Clerk of Court would be inconsistent with state law. The Cleveland Municipal Court is established by R.C. 1901.01, under the authority of Article IV, Section 1 of the Ohio Constitution. Under R.C. 1901.02, the Cleveland Municipal Court's territorial jurisdiction includes the City of Cleveland and the Village of Bratenahl. Under R.C. 1901.31(A)(1)(a), the Cleveland Municipal Clerk of Court is nominated and elected by the qualified electors of the territory in the same manner that judges are nominated and elected under R.C. 1901.07. Under Division (C)(1) of this section, a nominating petition for a Cleveland Municipal Court judge must be signed by at least 50 electors of the territory of the court. Thus, a petition for Cleveland Municipal Clerk of Court must be signed by at least 50 electors of the territory of the court.

Third, because the geographic jurisdiction of the Cleveland Municipal Court includes the Village of Bratenahl, the Cleveland City Charter may not govern electors from outside of Cleveland's boundaries. See 2013 Op. Att'y Gen. No. 2013-009.

Finally, statutes and regulations that limit an individual's right to hold office must be liberally construed to favor those seeking public office. See *State ex rel. O'Donnell v. Cuyahoga Cty. Bd. of Elections*, 136 Ohio App.3d 584, 737 N.E.2d 541 (8<sup>th</sup> Dist. Cuyahoga County 2000).

In conclusion, candidates for Cleveland Municipal Clerk of Court are not subject to Section 5 of the City's Charter and the requirements contained therein.

Please feel free to contact me with any questions regarding the above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mark Griffin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Mark Griffin  
Director of Law

Challenge of Right to  
Vote Denial Letter from  
Director Perlatti to  
Crenshaw

Re:

Jocelyn Conwell

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

**Henry F. Curtis, IV**  
Chairman

**Inajo Davis Chappell**  
Member

**Lisa M. Stickan**  
Member

**Terence M. McCafferty**  
Member

**Anthony W. Perlati**  
Director

**Anthony N. Kaloger**  
Deputy Director

August 16, 2023

**Via US Mail and Email**

Ms. Maria Crenshaw  
3472 East 114<sup>th</sup> Street  
Cleveland, Ohio 44104

Dear Ms. Crenshaw,

The Cuyahoga County Board of Elections (CCBOE) has received and reviewed the Challenge of Right to Vote and Correction of Registration List, SOS Form No. 257 you filed with the CCBOE.

In your challenge you indicate that Jocelyn Conwell does not reside in the City of Cleveland, but at 4321 Bayard Road, South Euclid, Ohio, 44121. You point to campaign literature from 2014 in which Ms. Conwell states she is a long-term South Euclid resident, and you also note her voting history while she was a South Euclid resident. While the information you provided seems to be accurate for the respective period, Ms. Conwell has updated her voter registration information since that time and is no longer a registered South Euclid voter.

The CCBOE is in receipt of a voter registration card signed by Ms. Conwell dated December 5, 2022 changing her registration to 3878 East 151<sup>st</sup> Street, Cleveland, Ohio, 44128. The CCBOE also has a voter registration confirmation notice signed by Ms. Conwell confirming her registration address at the 3878 East 151<sup>st</sup> Street address. In the August 8, 2023 Special Election Ms. Conwell voted the correct Cleveland ballot associated with the 3878 East 151<sup>st</sup> Street address. Additionally, Ms. Conwell has filed candidate petitions in 2023 with the CCBOE that include an affirmation statement signed by her affirming her address at the 3878 East 151<sup>st</sup> Street address.

Based on the reasons stated above and the records held within the CCBOE, there is not sufficient information to proceed with your challenge and therefore this challenge is denied.

Sincerely,



Anthony Perlati  
Director, Cuyahoga County Board of Elections

Ohio Revised Code

1901.07 (C) 1

Term of office of judge  
– nomination, election



## Ohio Revised Code

### Section 1901.07 Term of office of judge - nomination, election.

Effective: June 13, 2017

Legislation: Senate Bill 25, House Bill 215 - 132nd General Assembly

(A) All municipal court judges shall be elected on the nonpartisan ballot for terms of six years. In a municipal court in which only one judge is to be elected in any one year, that judge's term commences on the first day of January after the election. In a municipal court in which two or more judges are to be elected in any one year, their terms commence on successive days beginning the first day of January, following the election, unless otherwise provided by section 1901.08 of the Revised Code.

(B) All candidates for municipal court judge may be nominated either by nominating petition or by primary election, except that if the jurisdiction of a municipal court extends only to the corporate limits of the municipal corporation in which the court is located and that municipal corporation operates under a charter, all candidates shall be nominated in the same manner provided in the charter for the office of municipal court judge or, if no specific provisions are made in the charter for the office of municipal court judge, in the same manner as the charter prescribes for the nomination and election of the legislative authority of the municipal corporation.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, all candidates for party nomination to the office of municipal court judge shall file a declaration of candidacy and petition not later than four p.m. of the ninetieth day before the day of the primary election in the form prescribed by section 3513.07 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.05 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court. If no valid declaration of candidacy is filed for nomination as a candidate of a political party for election to the office of municipal court judge, or if the number of persons filing the declarations of candidacy for nominations as candidates of one political party for election to the office does not exceed the number of candidates that that party is entitled to nominate as its candidates for election to the office, no primary election shall be held for the purpose of nominating candidates of that party



for election to the office, and the candidates shall be issued certificates of nomination in the manner set forth in section 3513.02 of the Revised Code.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, nonpartisan candidates for the office of municipal court judge shall file nominating petitions not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.257 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court.

The nominating petition or declaration of candidacy for a municipal court judge shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, the candidacies of the judges nominated shall be submitted to the electors of the territory on a nonpartisan, judicial ballot in the same manner as provided for judges of the court of common pleas, except that, in a municipal corporation operating under a charter, all candidates for municipal court judge shall be elected in conformity with the charter if provisions are made in the charter for the election of municipal court judges.

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(2) In the Toledo municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and





shall be filed in the manner and within the time prescribed by the charter of the city of Toledo for filing nominating petitions for city council. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(3) In the Akron municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Akron for filing nominating petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(4) In the Hamilton county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least one hundred electors of the judicial district of the county from which the candidate seeks election, which petitions shall be signed and filed not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. Unless otherwise provided in this section, the petition shall conform to the requirements provided for nominating petitions in section 3513.257 of the Revised Code. The judges shall be elected by the electors of the relative judicial district of the county at the regular municipal election and in the manner provided by law for the election of judges of the court of common pleas.

(5) In the Franklin county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. The petition shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Columbus for filing petitions of candidates for municipal offices. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(6) In the Auglaize, Brown, Carroll, Clermont, Crawford, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, Sandusky, and Wayne county municipal courts, the judges shall be nominated only by petition. The petitions shall be signed by at least fifty electors of



AUTHENTICATED,  
OHIO LEGISLATIVE SERVICE  
COMMISSION  
DOCUMENT #248888

the territory of the court and shall conform to the provisions of this section.

(D) In the Portage county municipal court, the judges shall be nominated either by nominating petition or by primary election, as provided in division (B) of this section.

(E) As used in this section, as to an election for either a full or an unexpired term, "the territory within the jurisdiction of the court" means that territory as it will be on the first day of January after the election.

*The Legislative Service Commission presents the text of this section as a composite of the section as amended by multiple acts of the General Assembly. This presentation recognizes the principle stated in R.C. 1.52(B) that amendments are to be harmonized if reasonably capable of simultaneous operation.*

City of Cleveland  
Charter  
Nominations

**§ 3 Elections**

A general election for the choice of elective officers provided for in this Charter shall be held on the first Tuesday after the first Monday in November every four years commencing November 1981. Elections so held shall be known as regular Municipal elections. The other elections shall be held as may be required by law, or provided for in this Charter.

(Effective November 4, 2008)

**§ 4 Nominations**

Candidates for all offices to be voted for at any regular Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the second Tuesday in September prior to the regular Municipal election. Candidates for all offices to be voted for at any other Municipal election under the provisions of this Charter shall be nominated at a non-partisan primary election to be held on the eighth Tuesday prior to the other Municipal elections.

(Effective November 4, 2008)

**§ 5 Nominating Petitions**

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.

(Effective November 5, 2019)

**§ 6 Petition Form**

The signatures to a nominating petition need not all be appended to one paper, but on each separate paper the circulator shall indicate the number of signatures contained on the petition, and shall sign a statement made under penalty of election falsification that the circulator witnesses the affixing of every signature, that all signers were to the best of the circulator's knowledge and belief qualified to sign, and that every signature is to the best of the circulator's knowledge and belief the signature of the person whose name it purports to be. Each signer of a petition shall sign his or her name in ink or indelible pencil, and shall place on the petition after his or her name the signer's place of residence by street and number, or other description sufficient to identify the place, and give the date when the signer's signature was made.

(Effective November 4, 2008)

**§ 7 Candidacy and Nominating Petition Papers**

The statement of candidacy and nominating petition papers shall be standard forms of the Secretary of State as required under the general law of the State.

(Effective November 5, 2019)

**§ 8 Filing and Verification of Petitions**

All separate papers comprising a statement of candidacy and nominating petition shall be assembled and filed with the election authorities as one instrument no later than four p.m. on the ninetieth (90th) day prior to the day of the primary election. Within ten (10) days after the filing of a nominating petition the election authorities shall notify the person named in the petition as a candidate whether the petition is found to be signed by the required number of qualified electors. If insufficient, the person named in the petition as candidate may amend the petition by filing additional petition papers within five (5) days after notification of insufficiency by the election authorities. Within five (5) days after the filing of the additional petition papers, the election authorities shall notify the person named in the petition as candidate whether the amended petition is found to be signed by the required number of qualified electors.

(Effective November 5, 2019)

**§ 10 Selection of Candidates**

The number of candidates for any office at any regular Municipal election in the City at large or in each ward, as the case may be, shall be the two candidates on the primary election ballot receiving the highest number of votes at the primary election. In case there shall not be for any office more than two persons who shall have filed petitions as provided for in this Charter, then said persons shall be the candidates at the regular Municipal election and the primary for the particular office shall not be held.

The name of each person who is nominated in compliance herewith shall be printed on the official ballot at the general election, and the names of no other candidates shall be printed thereon.

(Effective October 8, 1971)

**§ 15 General Laws to Apply**

All elections provided for by this Charter, whether for the choice of officers or the submission of questions to the voters, shall be

conducted by the election authorities prescribed by general law of the State; and the provisions of the general election laws of the State shall apply to all the elections except as provision is otherwise made by this Charter, and except further that the Council may, by ordinance, provide measures to promote and insure the purity and integrity of the ballot, and against corrupt practices in elections.

(Effective November 4, 2008)

# Protest

Jocelyn Conwell

Cleveland Court

Judge FTC 1/3/24



# CUYAHOGA COUNTY BOARD OF ELECTIONS

***General Receipt, Candidate & Petition Services***

**Date Received:** 8.14.23

**From:**

**Phone:** 216-609-7554

Mariah Crenshaw

3472 East 114th Street

Cleveland, OH 44104

email: mariaheren@gmail.com

**Received:**

Protest of Candidacy for Jocelyn Conwell

Cleveland Municipal Court FTC 1.3.24

November 7, 2023 General Election

**Notes:**

**Received by Board of Elections-Staff:** Lawler, Brent E.

**IN THE CUYAHOGA COUNTY  
BOARD OF ELECTIONS**

**MARIAH CRENSHAW,  
Petitioner  
VS.  
JOCELYN CONWELL,  
Respondent**

**PRIMARY SEPTEMBER 12, 2023  
GENERAL ELECTION NOVEMBER 7, 2023**

**ELECTED OFFICE: CITY OF CLEVELAND MUNICIPAL COURT JUDGE**

Now comes Mariah Crenshaw, (hereinafter referred to as "Crenshaw" and or "Petitioner") in the above aforementioned captioned case seeking to protest the candidacy and residency of Jocelyn Conwell (hereinafter referred to as "Conwell" and or "Candidate" "Elector" and or "Respondent" ) for the City of Cleveland Municipal Court Judge in the upcoming primary and general elections. Crenshaw is a lifelong resident of the City of Cleveland, Cuyahoga County, Ohio, a homeowner, and over the age of eighteen (18) hereby submits this protest for the Cuyahoga County Board of Elections (hereinafter referred to as "CCBOE"). Crenshaw hereby objects to the candidacy of Respondent because it is a violation of the City of Cleveland Charter section 3, § 5 Nominating Petitions which states:

"The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall

23 AUG 14 AM 11:23



## **CANDIDATE JOCELYN CONWELL PROTEST**

be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward. (Effective November 5, 2019)”

### **I. Three requirements to run for elected office in the City of Cleveland, Ohio**

Crenshaw states the City of Cleveland Charter requires the following:

1. The elector must be a City of Cleveland resident for at least twelve (12) consecutive months immediately prior to the next regular election or the next election as required by law or the Charter,
2. Petitions must be signed by at least three thousand (3,000) electors of the City for the nomination of a candidate for an office filled by election from the City at large, and
3. By at least two hundred (200) electors of the ward if for the nomination for and office filled by election from a ward.

Petitioner states requirements one and two (1 &2) have not been met by the elector. The City of Cleveland residents will as a whole be deciding which candidate to fill the municipal court judge seats. It is required Respondent have the signatures of at least three thousand (3,000) residents to support her nomination for the seat of judge in the municipality. Respondent submitted approximately two hundred (200) signatures to the CCBOE. Petitioner states because this is an election which requires votes from the entire municipality, ie., at large, and the petitions fall short and do not meet the requirement. The City of Cleveland is a home-ruled municipality and The City of Cleveland Charter requires electors running for wards, ie., city council seats, to submit

## **CANDIDATE JOCELYN CONWELL PROTEST**

at least two hundred (200) electors of the ward for the nomination for an office to be filled by election from a city ward. Respondent is not a candidate for the City of Cleveland Council in the upcoming election and therefore must be removed from the list of candidates in the upcoming primary and or general elections. (See Exhibit 1)

### **II. The City of Cleveland Charter requires twelve month residency**

Crenshaw states Conwell has not been a resident and or elector of the City of Cleveland for at least twelve (12) months prior to submitting the insufficient signatures for nomination for the Cleveland Municipal Court seat. Respondents' voter record reflects she voted in Gates Mills on November 8, 2022. (See Exhibit 2) Cuyahoga County Auditors' records reflect Conwell owns a home at 4321 Bayard Road, South Euclid Ohio 44121 since 2003. (See Exhibit 3) Conwells' voting record reflects she has voted either in Gates Mills and or University Heights, Ohio since 2004. The Ohio Supreme Court attorney registration reflects Conwell utilizing 13940 Cedar Rd., Cleveland, Ohio 44118. (See Exhibit 4) The address is listed as a restaurant, BIBBOP Aisian grill, in University Heights not the City of Cleveland.

Conwell has run for elected office before and has publicly acclaimed on the campaign website she is "Resident of the City of South Euclid for over 30 years."<sup>1</sup> On April 10, 2023 the CCBOE received a voter registration from Conwell with conflicting dates. Crenshaw states the CCBOE typed in "2/27/2023" with an address "3878 E 151st Street, Cleveland, Ohio 4428". Conwell declared under penalties of perjury the address listed is her "permanent, residential address for purposes of voter registration in Ohio." (See Exhibit 5) The document is signed and dated effective 12/5/2022, on page 2. The CCBOE accepted the residential address and assigned Conwell to vote from Andrew J.

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<sup>1</sup> This was taken from her 2014 website when she ran for State Representative.

## **CANDIDATE JOCELYN CONWELL PROTEST**

Rickoff School located at 3500 East 147th Street, in the City of Cleveland. (See Exhibit 8) The document is dated April 24, 2023.

The home listed by Conwell is a two (2) family dwelling owned by a seventy three (73) year old Mary Kelly (hereinafter referred to as "Kelly"). (See Exhibit 6) A simple Google search of the properties residents reflect Kelly and other Kelly family members have resided at the property but Conwells' name does not appear. Domicile refers to someone's **true, principal, and permanent home**. In other words, the place where a person has physically lived, regards as home, and intends to return even if currently residing elsewhere. A reasonable mind could conclude that would be Respondents' South Euclid address for the purposes of voting and or residing. Determining where a party is domiciled is of particular importance in the field of civil procedure and pertinent to elected officials who must comply with city charters. It is clear from Conwells' voting history she is, has been, and will continue to be a permanent resident in the City of South Euclid where she owns her home and has voted consecutively from since 2004.

Conwell is required to be an elector of the City of Cleveland and CCBOE records do not reflect Conwell has voted in the City of Cleveland since November 6, 2007 in the general election thereby disqualifying her as an elector of the municipality. CCBOE records further reflect Conwell voted in the November 8, 2022 general election from her South Euclid residence which disqualifies her from the City of Cleveland judicial race. CCBOE record reflect each time Conwell voted in 2022 it was from the South Euclid address. According to the Ohio residential database Conwell is recorded as residing in South Euclid on Bayard. (See Exhibit 7) Each time Cowell has updated voter registration she has always entered the Bayard address as her residency for the purposes of voting

## **CANDIDATE JOCELYN CONWELL PROTEST**

and running for elected office. (See Exhibit 8). A reasonable mind can conclude two (2) things:

- 1. Conwell is not a resident of the City of Cleveland, Ohio, and did not obtain at least three thousand (3,000) signatures to qualify for the judicial seat; and**
- 2. Conwells' voter registration does not meet the twelve (12) month residency requirement of the City of Cleveland Charter to allow a run for the city of Cleveland elected office.**

### **Conclusion**

Crenshaw states residents who engage in voting must be able to rely on the persons seeking elected office truthfulness when deciding to cast in favor of the elector seeking public office and potentially receiving public funds. Petitioner further states the requirements of seeking votes from the city at large requires three thousand signatures (3,000) and a residency of at least twelve (12) consecutive months immediately before an election. Respondents' conduct does not instill confidence and the ability to rely on the necessary truthfulness to serve as a judge.

Conwells' voter registration is at the earliest date February 27, 2023 or the latter date of April 10, 2023<sup>2</sup> and no matter which date is used to make the determination of compliance with the City of Cleveland Charter, does not provide a twelve (12) month residency for Conwell to be deemed a qualified elector of the City of Cleveland when seeking public office and the failure to submit the required three thousand (3,000) signatures per the city charter requirements.

It is for the reasons above Crenshaw object to Respondents' candidacy and seeks Conwell be removed from the candidates list and consideration for city residents to vote

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<sup>2</sup> See Exhibit 5

**CANDIDATE JOCELYN CONWELL PROTEST**

in the upcoming primary and general election if Conwell were to pass the September election. Crenshaw further seeks the matter be referred to the Cuyahoga County Prosecutors' office for further investigation.

Humbly submitted,

/s/ Mariah Crenshaw, Resident and Protestor  
3472 E 114th Street  
Cleveland, Ohio 44104  
(216) 609-7554  
[mariaheren@gmail.com](mailto:mariaheren@gmail.com)

**City of Cleveland Charter**

## **§ 5 Nominating Petitions**

**The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.**

**(Effective November 5, 2019)**

For Board of Elections use only -- Do not write in this box

Rev. 10-18

For

**Nominating Petition and  
Statement of Candidacy**

**For Judge or Clerk of the Municipal Court**

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1901.31, 3501.38, 3513.261

Office Sought: Cleveland Municipal Court  
Filing Fee \$0 Signatures 50-150 Filing Deadline 6/14/24

**Statement of Candidacy**

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, Tracy Ann Brown, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 3724 E. 157th, Cleveland, Ohio 44129 and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Judge of the Cleveland Municipal Court for the:  full term commencing 6/14/24 or  unexpired term ending 11/14/23 in Cuyahoga County, Ohio at the general election election to be held on the 7th day of November, 2023.

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5th day of December, 2023.

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

Print name as it should appear on ballot  
**Case Sensitive**

Signature of Candidate

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Residence |
|---------------------------|-----------|
| Name                      |           |
|                           |           |
|                           |           |
|                           |           |
|                           |           |

**Nominating Petition**

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate Tracy Ann Brown as a candidate for election to the office of Judge of the Cleveland Municipal Court.

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <i>[Signature]</i> | Enthan Johns           | 2990 Koscusko Rd<br>CLE 44120  | Cleveland                            | 12/31/22        |
| <i>[Signature]</i> | Sharon Miller          | 13901 Shaker Blvd<br>CLE 44120   | Cleveland                            | 12/31/22        |
| <i>[Signature]</i> | Queen                  | 10405<br>Avalon, 44120   | Cleveland                            | 12/31/22        |
| <i>[Signature]</i> | Michelle Adams         | 10647<br>Avalon, 44120   | Cleveland                            | 12/31/22        |
| <i>[Signature]</i> | Michelle Adams         | 8011 Lucie   | Cleveland                            | 1/10/23         |
| <i>[Signature]</i> | Laura Tucker           | 10111<br>Avalon, 44120   | Cleveland                            | 1/10/23         |
| <i>[Signature]</i> | Harold Davis           | 1316 Shaker Blvd<br>CLE 44120  | Cleveland                            | 1/10/23         |
| <i>[Signature]</i> | Erin Adams             | 355 E 133  | Cleveland                            | 1/10/23         |
| <i>[Signature]</i> | FAROUH ADAMS           | 2335 E 133   | Cleveland                            | 1/10/23         |
| <i>[Signature]</i> | WADAD HADSON           | 113 SHAKER BLVD<br>CLE 44120   | Cleveland                            | 1/10/23         |
| <i>[Signature]</i> | Andrew Dicks           | 2518 E 133rd<br>CLE 44120  | Cleveland                            | 1/10/23         |
| <i>[Signature]</i> | J. Charles Harris      | 4116<br>Avalon, 44120  | Cleveland                            | 1/10/23         |
| <i>[Signature]</i> | W. H. WATKINS          | 3902 E. 133rd  | Cleveland                            | 1/10/23         |
| <i>[Signature]</i> | Therese                |  |                                      |                 |
| <i>[Signature]</i> | Therese                | 3410 E 133rd   | Cleveland                            | 1/10/23         |

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Circulator Statement**

Must be completed and signed by the circulator.

I, Troy Smith, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 17 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Acceptance of Nomination  
(if required by municipal charter)

*[Signature]*  
Signature of Circulator



For Board of Elections use only - Do not write in this box

### Nominating Petition and Statement of Candidacy

Office Sought: Cleveland Muni. Court

\$80  
Filing Fee

50-150  
Signatures

6/14 @ 4:00 pm  
Filing Deadline

### For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1801.07, 1801.31, 3501.38, 3513.261

### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, Josephine Bawicki, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 3476 E. 151st Cleveland, Ohio 44128  
Printed Name of Candidate  
Street Number and Address (or rural mile and number) City or Village Zip Code

and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Judge of the Cleveland Municipal Court for the:  full term commencing 1/1/2024 or  unexpired term ending 1/1/2023 in Cuyahoga County, Ohio at the general election election to be held on the 22 day of November 2023.  
Name of Municipal Court Printed Name of Candidate City or Village Full Term Commencing Date Unexpired Term Ending Date County

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5th day of December, 2023  
Day Month Year

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

Josephine Bawicki  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

Josephine Bawicki  
Signature of Candidate

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Residence |
|---------------------------|-----------|
| Name                      |           |
|                           |           |
|                           |           |
|                           |           |

### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate Josephine Bawicki as a candidate for election to the office of Judge of the Cleveland  
Check Printed Name of Candidate Printed Name of Candidate Name of Municipal Court

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <i>[Signature]</i> | James Qual             | 155 W 33 <sup>rd</sup> Apt 203 Cleveland                                   | Cleveland                            | 12/7/22         |
| <i>[Signature]</i> | Kevin L. Grant         | 1690 Webster Ave 288h 5 <sup>th</sup> Fl                                   | Cleveland                            | 12/18/22        |
| <i>[Signature]</i> | Justin Conzel          | 415 112 <sup>th</sup>  | Cleveland, OH                        | 12/8/22         |
| <i>[Signature]</i> | STEPHEN GARD           | 9014 Columbia  | CLEVELAND                            | 12/8/22         |
| <i>[Signature]</i> | Thomas McLeod          | 1678 84 <sup>th</sup> St   | CLEVELAND                            | 12/5/22         |
| <i>[Signature]</i> | Robert J. Watson       | 1275 13 <sup>th</sup> St   | CLEVELAND                            | 12/8/22         |
| <i>[Signature]</i> | Thomas J. Conzel       | 10647 N. Perry Ave   | CLEVELAND                            | 12/8/22         |
| <i>[Signature]</i> | Willie Rick            | 415 E. 147 <sup>th</sup> St  | Cleve                                | 12/8/22         |
| <i>[Signature]</i> | Wynne Ditzel           | 1470 E. 112 <sup>th</sup>  | Cleveland                            | 12/8/22         |
| <i>[Signature]</i> | P. Lee Howard          | 2632 E. 128 <sup>th</sup> St   | Cleveland                            | 12/8/22         |
| <i>[Signature]</i> | Wendy Cole             | 127 <sup>th</sup> St   | Cleveland                            | 12/8/22         |
| <i>[Signature]</i> | Barbara Wilbur         | 11305 Winche 2014 Ave  | CLEVELAND                            | 12/8/22         |
| <i>[Signature]</i> | Robert T. Norton       | 11205 Venice Blvd. 1126  | Cleveland                            | 12/5/2022       |
| <i>[Signature]</i> | Kevin Conzel           | 10647 N. Perry Ave   | CLEVELAND                            | 12-5-22         |
| <i>[Signature]</i> | Collette Jackson       | 1214 West Park   | Cleveland                            | 12-16-22        |
| <i>[Signature]</i> | Alexa Taylor           | 1515 Crawford, apt 15  | Cleveland                            | 12/16/22        |
| <i>[Signature]</i> | Deborah Conzel         | 11316 Lorain Ave   | Cleveland                            | 12/16/22        |

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Circulator Statement**

Must be completed and signed by the circulator.

*[Signature]*, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 20 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Acceptance of Nomination  
(if required by municipal charter)

*[Signature]*  
Signature of Circulator

For Board of Elections use only - Do not write in this box

### Nominating Petition and Statement of Candidacy

Office Sought: Cleveland Muni. Court

\$80  
Filing Fee

50-150  
Signatures

6/14 @ 4:00 pm  
Filing Deadline

### For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1901.31, 3501.38, 3513.281

### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, Jacob Powell, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 323 E. 151st Cleveland, Ohio 44115 and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Judge of the Cleveland Municipal Court for the:  full term commencing 1/13/24 or  unexpired term ending 1/13/24 in Cuyahoga County, Ohio at the general election election to be held on the 7th day of November 2023.

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5th day of December, 2023

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

Jacob Powell  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

Jacob Powell  
Signature of Candidate

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Residence |
|---------------------------|-----------|
|                           |           |
|                           |           |
|                           |           |

### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate Jacob Powell as a candidate for election to the office of Judge of the Cleveland Municipal Court

| SIGNATURE               | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|-------------------------|------------------------|--|--------------------------------------|-----------------|
| <i>Dale Martin</i>      | Dale Martin            | 10111 E. 3   | Cleveland                            | 12/20/22        |
| <i>Henry Blum</i>       | Henry Blum             | 1840 E. 19 <sup>th</sup> ST  | Cleveland                            | 12/16/22        |
| <i>Isabelle Cole</i>    | Isabelle Cole          | 3340 E. 14 <sup>th</sup>   | Cleveland                            | 12/17/22        |
| <i>W. Hood Scott</i>    | W. Hood Scott          | 11401 Biltmore Ave   | CLE                                  | 12/17/22        |
| <i>Classender</i>       | Classender             | 28140 W. 11 <sup>th</sup> Ave  | Cleveland                            | 12/17/22        |
| <i>Callie Williams</i>  | Callie Williams        | 3100 20 <sup>th</sup>  | Cleveland                            | 12/17/22        |
| <i>Joe Jones</i>        | Joe Jones              | 46918 17 <sup>th</sup> St  | Cleveland                            | 12/17/22        |
| <i>Vivian Pace</i>      | Vivian Pace            | 16114 Walden   | Cleveland                            | 12/17/22        |
| <i>Rubi Phillips</i>    | Rubi Phillips          | 17440 Brighton Dr.   | Cleveland                            | 12/17/22        |
| <i>Diana Deary</i>      | Diana Deary            | 12114 11 <sup>th</sup> St  | Cleveland                            | 12/17/22        |
| <i>Caroline Price</i>   | Caroline Price         | 4242 16 <sup>th</sup> St   | Cleveland                            | 12/17/22        |
| <i>Lyndee Maynard</i>   | Lyndee Maynard         | 4322 12 <sup>th</sup> St   | Cleveland                            | 12/17/22        |
| <i>Arnela Yahi</i>      | Arnela Yahi            | 4017 8 <sup>th</sup> St  | Cleveland                            | 12/17/22        |
| <i>Stephanie Hill</i>   | Stephanie Hill         | 3887 E. 15 <sup>th</sup> St  | Cleveland                            | 12/17/22        |
| <i>Crystal Hunter</i>   | Crystal Hunter         | 4330 E. 18 <sup>th</sup> St  | Cleveland                            | 12/17/22        |
| <i>Ekaterina Begay</i>  | Ekaterina Begay        | 4104 E. 18 <sup>th</sup> St  | Cleveland                            | 12/17/22        |
| <i>Vernon Henderson</i> | Vernon Henderson       | 4040 E. 15 <sup>th</sup> St  | Cleveland                            | 12/17/22        |
| <i>Walter Henderson</i> | Walter Henderson       | 4640 E. 15 <sup>th</sup> St  | Cleveland                            | 12/17/22        |

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Circulator Statement**

Must be completed and signed by the circulator

*Josephine Hill* declare under penalty of election falsification that I reside at the address appearing below my signature, that I am the circulator of the foregoing petition containing AD signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.302 of the Revised Code

Acceptance of Nomination  
(if required by municipal charter)

*Josephine Hill*  
Signature of Circulator

For Board of Elections use only - Do not write in this box

### Nominating Petition and Statement of Candidacy

Office Sought: Cleveland Muni. Court

\$80 Filing Fee      50-150 Signatures      6/14@4:30 Filing Deadline

For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1991.31, 3501.38, 3513.281

### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, Joseph Conrad, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 3776 E. 151<sup>st</sup> Cleveland, Ohio 44115 and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Judge of the Cleveland Municipal Court for the:  full term commencing 11/05/2023 or  unexpired term ending \_\_\_\_\_, in Cuyahoga County, Ohio at the general election election to be held on the 7<sup>th</sup> day of November 2023.

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5<sup>th</sup> day of December, 2022

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

Joseph Conrad  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

Joseph Conrad  
Signature of Candidate

### WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Name | Residence |
|---------------------------|------|-----------|
|                           |      |           |
|                           |      |           |
|                           |      |           |

### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate Joseph Conrad as a candidate for election to the office of Judge of the Cleveland Municipal Court.

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <i>[Signature]</i> | LIORNE                 | 7917 CENTRAL   | CLE                                  | 12-2-20         |
| <i>[Signature]</i> | Wesley A. Al           | 3190 Hudson Ave  | Cleveland                            | 12/28/20        |
| <i>[Signature]</i> | BARBARA CRISTON        | 19618 MAHAWK AVE   | Cleveland                            | 12/28/20        |
| <i>[Signature]</i> | Heather Medley         | 12013 Jesse Ave  | Cleveland                            | 12/28/20        |
| <i>[Signature]</i> | Deborah Ulrich         | 11021 Cantavial  | Cle                                  | 12/28/20        |
| <i>[Signature]</i> | ROSE L. BENDER         | 2818 E 135th   | CLEVELAND                            | 12/30/20        |
| <i>[Signature]</i> | Ernestine Bobi-Hall    | 15415 Tudor Dr   | Clev                                 | 12/30/20        |
| <i>[Signature]</i> | Julie A. [unclear]     | 12475 Winters  | Clev                                 | 12/30/20        |
| <i>[Signature]</i> | Markie Black           | 3203 E 130th St  | Cleveland                            | 12/31/20        |
| <i>[Signature]</i> | Richard Black          | 15004 Condor   | Cleveland                            | 12/31/20        |
| <i>[Signature]</i> | Gregory Jacob          | 1279 E 130th   | Cleveland                            | 12/31/20        |

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

**Circulator Statement**

Must be completed and signed by the circulator.

I, Joseph A. Powell, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 16 signatures; that I witnessed the affixing of every signature; that all signers were to the best of my knowledge and belief qualified to sign; and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.382 of the Revised Code.

Acceptance of Nomination  
(if required by municipal charter)

*[Signature]*  
Signature of Circulator

For Board of Elections use only - Do not write in this box

### Nominating Petition and Statement of Candidacy

For Judge or Clerk of the Municipal Court

Office Sought: Cleveland Muni. Court

\$80

Filing Fee

50-150

Signatures

6/14 @ 4:00 pm

Filing Deadline

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1901.31, 3501.38, 3513.261

### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, Joseph Powell, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 211 E. 157th Cleveland, Ohio 44115  
(Printed Name of Candidate) (Street Number and Address (or rural route and number)) (City or Village) (Zip Code)

and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Judge of the Cleveland Municipal Court for the:  full term commencing 11/03/24 or  unexpired term ending 11/03/24 in Cuyahoga County, Ohio at the general election

election to be held on the 11th day of November, 2023  
(Unexpired Term Ending Date) (Day) (Month) (Year)

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5th day of December, 2022  
(Day) (Month) (Year)

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

Joseph Powell  
Print name as it should appear on ballot  
**\*\*\* Case Sensitive \*\*\***

Joseph Powell  
Signature of Candidate

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Residence |
|---------------------------|-----------|
| Name                      |           |
|                           |           |
|                           |           |
|                           |           |

### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate Joseph Powell as a candidate for election to the office of Judge of the Cleveland  
(Check) (Print Name of Candidate) (Name of Municipal Court)

| SIGNATURE            | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|----------------------|------------------------|--|--------------------------------------|-----------------|
|                      | Mark                   | 4262 E. 2  | Cleveland                            | 12/20/20        |
| <i>James Bennett</i> | SCHERDIG HEWITT        | 4355 E. 175  | Cle                                  | 12/17/20        |
| <i>12/23/20</i>      | Carla Brown            | 41 E 116 <sup>th</sup>   | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | Orew Thomas            | 1441 W 7 <sup>th</sup> St  | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | D. ...                 | 3 ...  | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | 1 ...                  | 46 ...   | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | ...                    | 3 ...  | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | ...                    | 50 ...   | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | Chas. Bell             | 174 4 101 Hill Dr  | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | ...                    | 3 ...  | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | Anthony ...            | 1000 ...   | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | Ely ...                | 1400 ...   | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | ...                    | ...  | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | ...                    | 1000 E. 175  | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | ...                    | 1400 W 9 <sup>th</sup> St  | Cleveland                            | 12/17/20        |
| <i>12/23/20</i>      | Robert Lee             | 12410 ...  | Cleveland                            | 12/20/20        |

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**Circulator Statement**

Must be completed and signed by the circulator.

I, *[Signature]*, declare under penalty of election falsification that I reside at the address appearing below my signature; that I am the circulator of the foregoing petition containing 14 signatures.

that I witnessed the affixing of every signature, that all signers were to the best of my knowledge and belief

qualified to sign, and that every signature is in the best of my knowledge and belief the signature of the person

whose signature it purports to be or of an attorney in fact acting pursuant to section 3501.307 of the Revised Code.

Acceptance of Nomination  
(if required by municipal charter)

*[Signature]*  
Signature of Circulator



For Board of Elections use only - Do not write in this box

### Nominating Petition and Statement of Candidacy

Office Sought: Chesterland Muni. Court

\$80 Filing Fee      50-150 Signatures      6/14 @ 4:00 p.m. Filing Deadline

### For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.

R.C. 1901.07, 1901.31, 3501.38, 3513.261

### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, Jessica Howell, the undersigned, hereby declare under penalty of election falsification that my voting residence address is 3124 E. 157th St., Chesterland, Ohio 44026 and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Judge of the Chesterland Municipal Court for the:  full term commencing 11/03/2023 or  unexpired term ending 11/03/2023 in Chesterland County, Ohio at the general election election to be held on the 7th day of November, 2023.

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5th day of June, 2023

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

Jessica Howell  
Print name as it should appear on ballot  
\*\*\* Case Sensitive \*\*\*

Jessica Howell  
Signature of Candidate

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

| Printed Name of Candidate | Residence |
|---------------------------|-----------|
| Name                      |           |
|                           |           |
|                           |           |

### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate Jessica Howell as a candidate for election to the office of Judge of the Chesterland Municipal Court.

| SIGNATURE          | PRINTED NAME OF SIGNER | FULL STREET ADDRESS (Must use address on file with the Board of Elections) | CITY, VILLAGE OR TOWNSHIP (REQUIRED) | DATE OF SIGNING |
|--------------------|------------------------|--|--------------------------------------|-----------------|
| <i>[Signature]</i> | BRUNETT GRIFFIN        | 11810 <del>...</del>   | CLEVE                                | 1/10/23         |
| <i>[Signature]</i> | LAURITA LARUE          | 10308 Shale Ave  | CLEVE                                | 1/10/23         |
| <i>[Signature]</i> | TIM ABRAMS             | 16308 Siny Glas  | CLEVE                                | 1/10/23         |
| <i>[Signature]</i> | WATS                   | 2237 E. 82nd   | CLEVE                                | 1/11/23         |
| <i>[Signature]</i> | <del>...</del>         | 40241 <del>...</del>   | CLEVE                                | 1/10/23         |
| <i>[Signature]</i> | <del>...</del>         | 1536 E 85TH  | CLEVE                                | 1/10/23         |
| <i>[Signature]</i> | LEWIS THOMAS           | 1531 E 85TH  | CLEVE                                | 1/14/23         |
| <i>[Signature]</i> | <del>...</del>         | 531 <del>...</del>   | CLEVE                                | 1/14/23         |
| <i>[Signature]</i> | ARDEL WHITE            | 17614 HARVARD  | CLEVE                                | 1-14-23         |
| <i>[Signature]</i> | Karla Johnson          | 3479 E 65TH  | Cleveland                            | 1/14/23         |
| <i>[Signature]</i> | TERRY THORNTON         | 6613 WINDYCRE  | CLEVE OH                             | 1/14/23         |
| <i>[Signature]</i> | <del>...</del>         | <del>...</del>   | <del>...</del>                       | <del>...</del>  |
| <i>[Signature]</i> | Wanda McKinley         | 1301 <del>...</del>  | CLEVELAND                            | 1/14/23         |
| <i>[Signature]</i> | Laura ...              | 7012 <del>...</del>  | CLEVE                                | 1/14/23         |
| <i>[Signature]</i> | <del>...</del>         | <del>...</del>   | <del>...</del>                       | <del>...</del>  |
| <i>[Signature]</i> | <del>...</del>         | <del>...</del>   | <del>...</del>                       | <del>...</del>  |
| <i>[Signature]</i> | <del>...</del>         | <del>...</del>   | <del>...</del>                       | <del>...</del>  |

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

Circulator Statement

Must be completed and signed by the circulator

*[Signature]* declare under penalty of election falsification that I reside at the address appearing below my signature, that I am the circulator of the foregoing petition containing 17 signatures that I witnessed the affixing of every signature, that all signers were to the best of my knowledge and belief qualified to sign, and that every signature is to the best of my knowledge and belief the signature of the person whose signature it purports to be or of an attorney acting pursuant to section 3501.082 of the Revised Code

Acceptance of Nomination (if required by municipal charter)

*[Signature]*  
Signature of Circulator

# VOTER INFORMATION REPORT

MARK R MAJER

PRINTED ON: 4/21/2023

## VOTER'S VOTING HISTORY

| <u>DATE</u> | <u>TITLE</u>                                   | <u>PRECINCT</u>          | <u>PARTY</u> |
|-------------|--|--------------------------|--------------|
| 11/8/22     | November 8, 2022 General Election              | GATES MILLS -00-A        |              |
| 8/2/22      | AUGUST 2, 2022 PRIMARY ELECTION                | GATES MILLS -00-A        | REP          |
| 5/3/22      | MAY 3, 2022 PRIMARY ELECTION                   | GATES MILLS -00-A        | REP          |
| 11/2/21     | November 2, 2021 General Election              | GATES MILLS -00-A        |              |
| 11/3/20     | November 3, 2020 Presidential General Election | GATES MILLS -00-A        |              |
| 11/6/18     | November 6, 2018 General Election              | GATES MILLS -00-A        |              |
| 5/8/18      | MAY 8, 2018 PRIMARY ELECTION                   | GATES MILLS -00-A        | REP          |
| 11/8/16     | NOVEMBER 8, 2016 PRESIDENTIAL GENERAL ELECTION | GATES MILLS -00-A        |              |
| 3/15/16     | MARCH 15, 2016 PRIMARY ELECTION                | GATES MILLS -00-A        | REP          |
| 11/4/14     | NOVEMBER 4, 2014 GENERAL ELECTION              | GATES MILLS -00-A        |              |
| 11/6/12     | NOVEMBER 6, 2012 PRESIDENTIAL GENERAL ELECTION | GATES MILLS -00-A        |              |
| 3/6/12      | MARCH 6, 2012 PRIMARY ELECTION                 | UNIVERSITY HEIGHTS -00-G | REP          |
| 11/8/11     | NOVEMBER 8, 2011 GENERAL ELECTION              | UNIVERSITY HEIGHTS -00-G |              |
| 11/2/10     | NOVEMBER 2, 2010 GENERAL ELECTION              | UNIVERSITY HEIGHTS -00-G |              |
| 9/7/10      | SEPTEMBER 7, 2010 PRIMARY ELECTION             | UNIVERSITY HEIGHTS -00-G | DEM          |
| 11/3/09     | NOVEMBER 3, 2009 GENERAL ELECTION              | UNIVERSITY HEIGHTS -00-G |              |
| 11/4/08     | 2008_NOV_GENERAL                               | UNIVERSITY HEIGHTS -00-J |              |
| 3/4/08      | 2008_MAR_PRIMARY                               | UNIVERSITY HEIGHTS -00-J | DEM          |
| 11/7/06     | 2006_NOV_GENERAL                               | UNIVERSITY HEIGHTS -00-J |              |
| 5/2/06      | 2006_MAY_PRIMARY                               | UNIVERSITY HEIGHTS -00-J | REP          |
| 11/8/05     | GENERAL_NOV_2005                               | UNIVERSITY HEIGHTS -00-J |              |
| 11/2/04     | GENERAL_NOV_2004                               | UNIVERSITY HEIGHTS -00-J |              |
| 3/2/04      | 2004_MAR_PRIMARY                               |                          | REP          |
| 11/4/03     | 2003_NOV_GENERAL                               |                          |              |
| 11/5/02     | 2002_NOV_GENERAL                               |                          |              |
| 11/7/00     | 2000_NOV_GENERAL                               |                          |              |
| 3/7/00      | 2000_MAR_PRIMARY                               |                          | REP          |
| 11/3/98     | GENERAL ELECTION                               |                          |              |
| 5/5/98      | PRIMARY ELECTION                               |                          | REP          |
| 11/5/96     | GENERAL ELECTION                               |                          |              |
| 11/8/94     | GENERAL ELECTION                               |                          |              |
| 11/3/92     | GENERAL ELECTION                               |                          |              |

FRANCHISE RELATIONS.

EXHIBIT

2

# VOTER INFORMATION REPORT

JOCELYN CONWELL

PRINTED ON: 4/21/2023

## VOTER'S VOTING HISTORY

| <u>DATE</u> | <u>TITLE</u>                                    | <u>PRECINCT</u>    | <u>PARTY</u> |
|-------------|---|--------------------|--------------|
| 11/8/22     | November 8, 2022 General Election               | SOUTH EUCLID -03-C |              |
| 8/2/22      | AUGUST 2, 2022 PRIMARY ELECTION                 | SOUTH EUCLID -03-C | DEM          |
| 5/3/22      | MAY 3, 2022 PRIMARY ELECTION                    | SOUTH EUCLID -03-C | DEM          |
| 11/2/21     | November 2, 2021 General Election               | SOUTH EUCLID -03-C |              |
| 8/3/21      | AUGUST 3, 2021 SPECIAL CONGRESSIONAL PRIMARY EL | SOUTH EUCLID -03-C | DEM          |
| 11/3/20     | November 3, 2020 Presidential General Election  | SOUTH EUCLID -03-C |              |
| 3/17/20     | MARCH 17, 2020 PRIMARY ELECTION - EXTENDED      | SOUTH EUCLID -03-C | DEM          |
| 11/5/19     | November 5, 2019 General Election               | SOUTH EUCLID -03-C |              |
| 11/6/18     | November 6, 2018 General Election               | SOUTH EUCLID -03-C |              |
| 5/8/18      | MAY 8, 2018 PRIMARY ELECTION                    | SOUTH EUCLID -03-C | DEM          |
| 11/7/17     | NOVEMBER 7, 2017 GENERAL ELECTION               | SOUTH EUCLID -03-C |              |
| 11/8/16     | NOVEMBER 8, 2016 PRESIDENTIAL GENERAL ELECTION  | SOUTH EUCLID -03-C |              |
| 3/15/16     | MARCH 15, 2016 PRIMARY ELECTION                 | SOUTH EUCLID -03-C | DEM          |
| 11/3/15     | NOVEMBER 3, 2015 GENERAL ELECTION               | SOUTH EUCLID -03-C |              |
| 11/4/14     | NOVEMBER 4, 2014 GENERAL ELECTION               | SOUTH EUCLID -03-C |              |
| 11/5/13     | NOVEMBER 5, 2013 GENERAL ELECTION               | SOUTH EUCLID -03-C |              |
| 11/6/12     | NOVEMBER 6, 2012 PRESIDENTIAL GENERAL ELECTION  | SOUTH EUCLID -03-C |              |
| 3/6/12      | MARCH 6, 2012 PRIMARY ELECTION                  | SOUTH EUCLID -03-C | DEM          |
| 11/8/11     | NOVEMBER 8, 2011 GENERAL ELECTION               | SOUTH EUCLID -03-C |              |
| 11/2/10     | NOVEMBER 2, 2010 GENERAL ELECTION               | SOUTH EUCLID -03-C |              |

# VOTER INFORMATION REPORT

JOCELYN CONWELL

PRINTED ON: 4/21/2023

|          |   |                    |     |
|----------|---|--------------------|-----|
| 9/7/10   | SEPTEMBER 7, 2010 PRIMARY ELECTION        | SOUTH EUCLID -03-C | DEM |
| 5/4/10   | MAY 4, 2010 PRIMARY ELECTION              | SOUTH EUCLID -03-C | DEM |
| 11/3/09  | NOVEMBER 3, 2009 GENERAL ELECTION         | SOUTH EUCLID -03-C |     |
| 11/4/08  | 2008_NOV_GENERAL                          | SOUTH EUCLID -03-C |     |
| 10/14/08 | OCTOBER 14, 2008 SPECIAL PRIMARY ELECTION | SOUTH EUCLID -03-C | DEM |
| 3/4/08   | 2008_MAR_PRIMARY                          | SOUTH EUCLID -03-C | DEM |
| 11/6/07  | 2007_NOV_GENERAL                          | CLEVELAND -13-J    |     |
| 11/7/06  | 2006_NOV_GENERAL                          | CLEVELAND -13-J    |     |
| 5/2/06   | 2006_MAY_PRIMARY                          | CLEVELAND -13-J    | DEM |
| 11/8/05  | GENERAL_NOV_2005                          | CLEVELAND -13-J    |     |
| 10/4/05  | PRIMARY ELECTION                          | CLEVELAND -13-J    | NP  |
| 8/2/05   | SPECIAL ELECTION AUGUST 2, 2005           | CLEVELAND -13-J    |     |
| 11/2/04  | GENERAL_NOV_2004                          | SOUTH EUCLID -03-C |     |
| 8/3/04   | SPECIAL ELECTION                          |                    |     |
| 3/2/04   | 2004_MAR_PRIMARY                          |                    | DEM |
| 11/4/03  | 2003_NOV_GENERAL                          |                    |     |
| 11/5/02  | 2002_NOV_GENERAL                          |                    |     |
| 5/7/02   | 2002_MAY_PRIMARY                          |                    | REP |
| 11/7/00  | 2000_NOV_GENERAL                          |                    |     |
| 3/7/00   | 2000_MAR_PRIMARY                          |                    | DEM |
| 11/2/99  | GENERAL ELECTION                          |                    |     |
| 11/3/98  | GENERAL ELECTION                          |                    |     |
| 5/5/98   | PRIMARY ELECTION                          |                    | DEM |
| 11/4/97  | GENERAL ELECTION                          |                    |     |
| 11/5/96  | GENERAL ELECTION                          |                    |     |
| 3/19/96  | COUNTY WIDE PRIMARY ELECTION              |                    | DEM |
| 11/7/95  | GENERAL ELECTION                          |                    |     |
| 11/8/94  | GENERAL ELECTION                          |                    |     |
| 5/3/94   | PRIMARY ELECTION                          |                    | DEM |
| 11/2/93  | GENERAL ELECTION                          |                    |     |
| 11/3/92  | GENERAL ELECTION                          |                    |     |
| 6/2/92   | PRIMARY ELECTION                          |                    | DEM |
| 5/8/90   | PRIMARY ELECTION                          |                    | DEM |



# CUYAHOGA COUNTY, MyPlace

PLAINTIFF/RELATORS'  
EXHIBIT 3

Search

Entire County

70334042 | CONWELL, JOCELYN | 4321 BAYARD RD | SOUTH EUCLID | 44121



## PROPERTY DATA

General Information

Transfers

Values

Land

Building Information

Building Sketch

Other Improvements

Permits

Property Summary Report

## TAXES

Summary By Tax Year

Tax Bill

## LEGAL RECORDINGS

Get a Document List

## ACTIVITY

Informal Reviews

Board of Revisions Cases

## Property Summary Report

703-34-042  
CONWELL, JOCELYN  
4321 BAYARD RD  
SOUTH EUCLID, OH. 44121

Updated 04/21/2023 09:16:57 AM

Disclaimer: Cuyahoga County provides this geographic data and related analytical results as a free public service on an "as is" basis. Cuyahoga County makes no guarantees or warranties as to the accuracy, completeness, or timeliness of the information contained herein, and said information is not intended to, nor does it, constitute an official public record of Cuyahoga County. While much of the data contained herein is compiled from public records, the official records of the public office or agency from which they were compiled remains the official record of any such public office or agency. **By accessing, viewing or using any part of the site, you expressly acknowledge you have read, agree to and consent to be bound by all of the terms and conditions listed on this site. Routine maintenance is performed on Fridays and disruptions may occur. We apologize for any inconvenience.**

WATER DEPARTMENT OFFICIALS: AS OF JANUARY 1, 2021 PLEASE UTILIZE THE TRANSFER TAB ON THE MYPLACE SITE TO DETERMINE OWNERSHIP FOR CREATING OR CLOSING ACCOUNTS. PARCEL DATA ON PROPERTY TRANSFERS ARE UPDATED DAILY. THEREFORE, YOU CAN NOW RELY ON THIS SITE FOR ACCURATE REAL PROPERTY OWNERSHIP. YOU ARE ALSO WELCOME TO ACCEPT COPIES OF RECORDED DEEDS FROM OUR OFFICE.

THANK YOU



# CUYAHOGA COUNTY

## MyPlace

Search

Entire County




70334042 | CONWELL, JOCELYN | 4321 BAYARD RD | SOUTH EUCLID | 44121

### PROPERTY DATA

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Board of Revisions Cases



703-34-042  
CONWELL, JOCELYN  
4321 BAYARD RD  
SOUTH EUCLID, OH. 44121

# Transfer History

Transfer Date: 11/04/2009

Transfer Date: 11/4/2009 1:40:00 PM  
AF Number: 200911040277  
Receipt:

| Parcel     | Deed Type | Vol / Page | Sales Amt | Convey Fee | Convey No | Multiple Sale / No of Parcels |
|------------|-----------|------------|-----------|------------|-----------|-------------------------------|
| 703-34-042 | Affidavit | /          | \$.00     | \$.00      |           | 0 / 1                         |

**Grantee(s)**

CONWELL, JOCELYN

**Grantor(s)**

Williams, Dorothy

Transfer Date: 05/29/2003

Transfer Date: 05/14/2003

Transfer Date: 08/23/1993

Transfer Date: 09/14/1988

Transfer Date: 11/09/1983

Transfer Date: 07/06/1979

Transfer Date: 01/01/1975



Updated 04/21/2023 08:16:57 AM

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THANK YOU

**Attorney Information**

**Attorney Registration Number**

42196

**Name**

Jocelyn Conwell

**Current Status**

Active

[View Status Definitions](#)

PLAINTIFF/RELATORS  
EXHIBIT 4

**Employer**

Jocelyn Conwell, LLC

**Job Title**

Attorney

**Address**

13940 Cedar Rd  
Cleveland, OH 44118  
Cuyahoga County

**Business Phone Number**

216-574-9550

**Law School**

Cleveland State University

**Admission Date**

11-06-1989

**Admitted By**

By Exam

**Discipline History**

NO

**Administrative Sanctions and Suspensions**

NO

**i** The address and telephone information found in this listing has been provided to the Office of Attorney Services by the attorney. The directory lists an attorney's business address. An attorney's residence address is displayed only if the attorney has not provided a valid business address. See, Gov. Bar R. VI, Sec. 1(G) (<https://www.supremecourt.ohio.gov/docs/LegalResources/Rules/govbar/govbar.pdf#Rule6>). "Invalid" next to the address indicates that mail sent to this address has been returned as undeliverable or that the attorney has not provided a complete mailing address. Also note that the record displays the attorney's current name on file in our records.

[Back To Search Options](#)

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HOME

About Jocelyn

GET INVOLVED

DONATE

CONTACT

  
**ABOUT**

  
**PROJECTS**

  
**DONATE**

  
**GET INVOLVED**

**About Corwell**

RESIDENT OF THE CITY OF SOUTH EUCLID FOR OVER 30 YEARS  
 PROJECT TEAM MEMBER ON THE COMMISSION ON VIOLENCE AGAINST WOMEN AND CHILDREN  
 FORMER CIVIL SERVICE COMMISSIONER FOR THE CITY OF SOUTH EUCLID  
 FORMER ASSISTANT PROSECUTING ATTORNEY, CUYAHOGA COUNTY, 10 YEARS  
 FORMER ASSISTANT DISTRICT ATTORNEY, ADVANT & STRATTON

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PAST PRESIDENT OF THE NORMAN S. MINDR BAR ASSOCIATION  
MEMBER OF THE OHIO STATE BAR ASSOCIATION  
FORMER ELECTION PROTECTION ATTORNEY, DURING 2004, 2008, & 2012 PRESIDENTIAL ELECTIONS  
GOLDEN LIFE MEMBER OF DELTA SIGMA THETA SORORITY, INC.  
VOLUNTEER & PETITION CIRCULATOR FOR THE AFL-CIO, TO SUPPORT LABOR UNIONS  
THIRTY(30)+ YEARS OF PUBLIC SERVICE

How to help

Donate to the Campaign every little bit helps. We are understanding that the state the economy is in so every small amount someone donates can help support the campaign.

[See More...](#)

Volunteer

Volunteering is generally considered an altruistic activity and is intended to promote good or improve human quality of life. In return, this activity produces a feeling of self-worth and respect. Volunteering is also renowned for skill development, socialization, and fun. We have openings for college students to earn college credit.

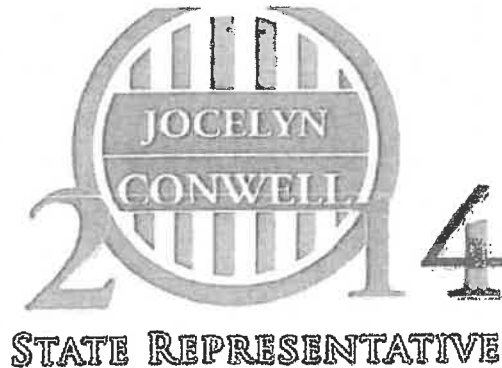
[Click Here Email us now for more info](#)

Donate

Please [Click Here to DONATE](#).  
If you have any other type of forms of donations that you would like to contribute, whether it is equipment to rental space; please contact 216.574.9550



Catch Me In the Community



District 8 encompasses the cities of



### Confirmation Notice: Confirm or Update Your Voter Registration Information

R.D. 3501.0100

#### YOUR VOTER REGISTRATION INFORMATION

Date issued: 2/27/2023  
 Voter's Name: JOCELYN CONWELL  
 Street Address: 3878 E 151ST ST  
 City, State, ZIP: CLEVELAND, OH 44128

PLAINTIFF/RELATORS  
EXHIBIT 4

Please return to either the CONFIRM or UPDATE section below.

If the above information is accurate, CONFIRM your voter registration information by signing in the box below and returning to your county board of elections using the enclosed return envelope OR visit [VoteOhio.gov](http://VoteOhio.gov) if moved to confirm your voter registration information.

The address printed above is my permanent, residential address for purposes of voter registration in Ohio. I hereby declare, under penalty of election falsification, that this statement is complete and true to the best of my knowledge and belief.

Signature X

Today's Date

*Joelyn Conwell*  
02/27/2023

If the above information is inaccurate, UPDATE your voter registration information by filling your contact information in this box, signing, and returning to your county board of elections using the enclosed return envelope OR visit [VoteOhio.gov](http://VoteOhio.gov) if moved to update your voter registration information.

- 1) Name: \_\_\_\_\_
- 2) Current Ohio Address: \_\_\_\_\_  
 City: \_\_\_\_\_ County: \_\_\_\_\_ State: OH ZIP: \_\_\_\_\_
- 3) Mailing Address (if different than above): \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_
- 4) Date of Birth: 11/11
- 5) Provide at least ONE of the following:
  - A. Write in the last four digits of your Social Security number: \_\_\_\_\_
  - B. Write in your Ohio driver license number (2 letters followed by 6 numbers): \_\_\_\_\_
  - C. A COPY of a current and valid photo identification, military identification, or a current (within the last 12 months) utility bill, bank statement, government check, paycheck or other government document (other than a notice of voter registration mailed by a board of elections) that shows your name and current address.

I hereby declare, under penalty of election falsification, that the statements above are complete and true to the best of my knowledge and belief.

Signature X

Today's Date

11/11

APR 10 2023 02:42

I am:  
Quiero:

Registering as an Ohio Voter  
Registrarame para votar en Ohio

Updating my address  
Actualizar mi domicilio

Updating my name  
Actualizar mi nombre

1. Are you a U.S. citizen? / ¿Es usted ciudadano de los EE.UU.?  Yes / Sí  No / No  
2. Will you be at least 18 years of age on or before the next general election?  Yes / Sí  No / No / ¿Tendrá usted al menos 18 años de edad el día de las próximas elecciones generales o antes?  
If you answered NO to either of the questions, do not complete this form. / Si respondió NO a cualquiera de las preguntas, no complete este formulario.

3. Last Name / Apellido: Corwell First Name / Nombre: Joseph Middle Name or Initial / Segundo Nombre o Inicial: \_\_\_\_\_, Etc. \_\_\_\_\_

4. House Number and Street (Enter new address if changed) / Número de Casa y Calle (Escriba la nueva dirección si ha cambiado): 3076 E. 151st Street Apt. or Lot # / Apt. o No. de Parcela: \_\_\_\_\_ 5. City / Office / Ciudad / Oficina de Correo: Cleveland 6. ZIP Code / Código Postal: 44129

7. Apartment Number / Address (if necessary) / Dirección Postal Adicional (if necessary): \_\_\_\_\_ 8. County (where you live) / Condado (donde vive): Cuyahoga

9. Ohio Driver's License (required) / Fecha de Expiración pas-ap-ato (obligatorio): 57 10. Ohio Driver's License No. OR last four digits of Social Security No. (one form of ID required to be listed or provided) / No. de la Licencia de Conducir de Ohio O los últimos cuatro dígitos del No. del Seguro Social (se requiere un formulario de identificación para ser listado o proporcionado) \_\_\_\_\_ 11. Phone No. (if necessary) / No. Teléfono (si necesario): \_\_\_\_\_

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street / DIRECCIÓN RESIDENCIAL ANTERIOR SI ESTÁ ACTUALIZANDO EL REGISTRO ACTUAL - Número de Casa Calle Anterior

Previous City or Post Office / Ciudad o Oficina de Correo: \_\_\_\_\_ County / Condado: \_\_\_\_\_ State / Estado: \_\_\_\_\_

13. CHANGE OF NAME ONLY / Formulario Único / Sólo CAMBIO DE NOMBRES Nombre Legal Anterior: \_\_\_\_\_ Former Signature / Firma Anterior: \_\_\_\_\_

14. I declare, under penalty of election fabrication (as a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.  
Declaro, so pena de fraude electoral, que soy ciudadano de los Estados Unidos, que he vivido en este estado durante al menos los 30 días previos a las elecciones siguientes y que tendré al menos 18 años de edad en el momento de las elecciones generales.

Your Signature / Su firma ↓ Date / Fecha: 12 31 22  
Joseph Corwell

FOR BOARD USE ONLY  
SEC4010 (Rev. 12/15)  
City, Village, Twp.  
Ward  
Precinct  
School Dist.  
Cong. Dist.  
Borato Dist.  
House Dist.

# Mary Kelly Cleve, age 73, female

## Addresses

| Marker | Address                          | Rent  |
|--------|----------------------------------|-------|
| A      | 3878 E 151st St, Cleve, OH 44128 | \$900 |

## Search More About This Person

Ads by BeenVerified



### Personal Information

Full Name, Age, Job and Education Records



### Contact Information

Phone Number, Email and Address History



### Family Data

Relatives, Associates, Neighbors



### Possible Criminal & Traffic Records

Publicly Available Info



### Photos & Social Media

View Social Media Profiles & Photos in One Place



### Possible Owned Assets

Estimated values of property, vehicles, aircraft and watercraft

6  
FURNITURE RELATIONS  
EXHIBIT

## Quick Facts

She is in her seventies. Her age is 73. 3878 East 151st Strt, Cleve, OH 44128-1108 is the current address for Mary. Five persons linked to this address. Their names are [Mary L Bunker](#), [A W Hanks](#), and three others. She uses the phone numbers [\(216\) 295-1941](#) (Ameritech Ohio), [\(216\) 965-2046](#) (Sprint Spectrum LP Ameritech Ohio). Residents of 44128 pay approximately \$900 a month for a 2-bedroom unit. The popularity rank for the [name: Mary](#) was 122 in the US in 2020, the Social Security Administration's data shows

Ads by BeenVerified

Background Search: Mary K.





# 3878 E 151st St

Cleveland

## Known Residents

[Mary L Boone](#)

Age 73

[R.W. Harris](#)

(216) 921-7409

[Kenneth Kelly](#)

Age 77

(216) 789-1709

[Malisa Kelly](#)

(216) 789-1709

[Mary Kelly](#)

Age 73

(216) 295-1941

## Historical Residence Records

[Albert D Reese](#)

Age 89

(216) 789-4379

Now lives at [17908 Garden Blvd](#)

[Cleve. OH 44128](#)

### Search More About This Property

Ads by BeenVerified



#### Possible Owners

Possible owners of this property per the most recent deed



#### County Assessor Records

Property Owner details, Value and Taxes, Location, Lot and Building details



#### Deeds

Any transactions that have been made digitally accessible by the county this property is located in



#### Neighborhood Safety

Nation and state-level sex offender registries



## Jocelyn Conwell Age 65

South Euclid, Ohio

[View Jocelyn Conwell's Background & Public Record Information](#)

Jocelyn Conwell (age 65) is currently listed at 4321 Bayard Rd, South Euclid, 44121 Ohio and is affiliated with the Democrat Party. Jocelyn is registered to vote since September 30, 2002 in Cuyahoga County.

### Overview of Jocelyn Conwell

Lives in: South Euclid, Ohio

DOB: November 28, 1957

### More about Jocelyn Conwell

[Jocelyn Conwell Address History](#)

[Jocelyn Conwell Social Profiles](#)

[Jocelyn Conwell Public Records](#)

[View Court Records](#)

[View Driving Records](#)

[View Background Reports](#)

### More results

Jocelyn Conwell  
65  
South Euclid, OH

Freddie Conwell  
88  
South Euclid, OH

### Jocelyn Conwell Voting Profile

Party Affiliation: Democrat Party

Registered to vote in: Cuyahoga County

Registration Date: September 30, 2002

Voter Status: Active

Precinct: South-euclid

Precinct Code: South Euclid-03-c

City School District: South Euclid-Lyndhurst City Sch

Court of Appeals: 08

Congressional District: 11

State Board of Education: 18

State Representative District: 11

State Senate District: 06

Township : 25

### Jocelyn Conwell Address & Maps

#### Residential Address

4321 Bayard Rd, South Euclid, 44121 Ohio

PLAINTIFF-RELATORS  
EXHIBIT

7

### Results found for Jocelyn Conwell

| Name            | Age | Location   |
|-----------------|-----|--|
| Jocelyn Conwell | 65  | 1 Address(es) found<br>South Euclid, OH, 44...                         |
| Freddie Conwell | 88  | 1 Address(es) found<br>South Euclid, OH, 44...<br><br>South Euclid, OH |

### Neighbors for Jocelyn Conwell

Phyllis Crowe (72)  
No Known Party Affiliation

Myron L. Hill (38)  
No Known Party Affiliation

Myron L. Hill (38)  
No Known Party Affiliation

|  |  |  |
|--|--|--|
| 4279 Bayard Rd, South E...   | 4283 Bayard Rd, South E...   | 4283 Bayard Rd, South E...   |
| Myrtle L Hill (73)<br>Democrat Party<br>4283 Bayard Rd, South E...                     | Eric Katz (41)<br>No Known Party Affiliation<br>4297 Bayard Rd, South E...         | Viet Marco Lawong (38)<br>No Known Party Affiliation<br>4297 Bayard Rd, South E... |
| Sondaels Lively Lawong ...<br>No Known Party Affiliation<br>4297 Bayard Rd, South E... | Dorise I. Sanders (59)<br>No Known Party Affiliation<br>4301 Bayard Rd, South E... | Larry Sims (57)<br>No Known Party Affiliation<br>4358 Bayard Rd, South E...        |
| Charles Petrovic (82)<br>Republican Party<br>4358 Bayard Rd, South E...                | Janet L Kopp (73)<br>Democrat Party<br>4377 Bayard Rd, South E...                  | James L Kopp (71)<br>Democrat Party<br>4377 Bayard Rd, South E...                  |
| Sanchens Lynette Steve...<br>Democrat Party<br>4378 Bayard Rd, South E...              | Anthony W Stevens (28)<br>No Known Party Affiliation<br>4378 Bayard Rd, South E... | Paul Teppalastein (98)<br>Democrat Party<br>4381 Bayard Rd, South E...             |

[SHOW ALL NEIGHBORS ON BAYARD RD, SOUTH EUCLID, OH](#)

**Background Records found for Jocelyn Conwell**

|                 |    |                   |                             |
|-----------------|----|-------------------|-----------------------------|
| Jocelyn Conwell | OH | Public Records    | <a href="#">View Report</a> |
| Jocelyn Conwell | OH | Court Records     | <a href="#">View Report</a> |
| Jocelyn Conwell | OH | Driving Records   | <a href="#">View Report</a> |
| Jocelyn Conwell | OH | Background Report | <a href="#">View Report</a> |

**Other Data**

**Salary: \$15,618\***

**Net Worth: \$816,044\***

\*This information is estimated by an algorithm and does not come from any public data. These numbers are only guesses and should not be considered to be accurate.

**Find Jocelyn's social profiles**

- See More Results for Conwell**
- In Ohio (200)
  - In South Euclid OH (2)

[Home](#) [Privacy Policy](#) [FAQ](#) [Opt Out](#)

Most information on this website is public information in the Ohio Secretary of State as part of the voter registration database. Salary and net worth is estimated by an algorithm and does not come from any public data. These numbers are only guesses and should not be considered to be accurate. Please see the [Ohio Secretary of State](#) website for more information. This website is not affiliated with the Ohio Secretary of State. This website is not a consumer reporting agency under the Fair Credit Reporting Act. Information on this website is not permitted to be used for purposes as laid out in the FCRA.

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WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

**APPLICATION TO VOTE ABSENTEE BY MAIL—NOVEMBER 4, 2014**  
By law, military & overseas ballots will be mailed starting September 29, 2014.  
All other ballots will go out beginning in early October.

**PRINT OR TYPE**  
All REQUIRED fields (in red) must be completed

Phone Number (Recommended)



AND/OR VOTER NUMBER  
757483

Full Name: **JOCELYN CONWELL**  
Address: **4321 BAYARD RD**  
**SOUTH EUCLID, OH 44121**

Complete the new line ONLY if you wish to have your ballot mailed to an alternate address. If no alternate address is provided, your ballot will be mailed to the address above.

Alternate Street Address:

City, State, ZIP:

**IDENTIFICATION**

You must provide EITHER the last four digits of your Social Security number OR your Ohio driver's license number. OR you must enclose a COPY of a current and valid photo identification, military identification, OR a current (within the last 12 months) utility bill, bank statement, government check, paycheck or other government document (other than a voter registration notification mailed by a board of elections) that shows your current name and correct address.

Last Four Digits of Social Security Number:

1111

OR

Ohio Driver's License Number:  
(begins with two letters)

Date of Birth:

1/19/57

(I wish to have a ballot mailed to me at the address listed herein, I understand that if a ballot is mailed to me and I change my mind and appear at my polling place to vote on Election Day, I will be required to vote a provisional ballot that cannot be counted and at least 10 days after the election, I thereby declare under penalty of election falsification that I am a qualified voter and these statements are true to the best of my knowledge and belief. I understand that if I do not provide the required information my application cannot be processed.

**APPLICANT MUST SIGN IN THE BOX BELOW**

X *Jocelyn Conwell*

Date Signed

9/30/14

7

PLAINTIFF EXHIBITORS'  
EXHIBIT I

1. Are you a U.S. citizen?  Yes  No  
 2. Will you be at least 18 years of age on or before the next general election?  Yes  No  
 If you answered NO to either of the questions, do not complete this form.

3. Last Name: CONWELL First Name: Jocelyn Middle Name or Initial: \_\_\_\_\_ Jr., II, etc.: \_\_\_\_\_  
 4. House Number and Street (Enter new address if changed): 4321 BAYARD RD. Apt. or Unit #: \_\_\_\_\_  
 5. City or Post Office: SO. EUCLID 6. ZIP Code: 44121

7. Additional Rural or Mailing Address (if necessary): \_\_\_\_\_  
 8. Birthdate (MO-DAY-YR) (required): 1-5-79 9. Ohio driver's license No. OR last 4 digits of Social Security No. (required to be listed if you have one): \_\_\_\_\_  
 10. County where you live: CUYAHOGA 11. Phone No. (voluntary): \_\_\_\_\_

12. PREVIOUS ADDRESS IF UPDATING CURRENT REGISTRATION - Previous House Number and Street: 1801 E. 124th St. #41234  
 Previous City or Post Office: CLEVELAND County: CUYAHOGA State: OHIO

13. CHANGE OF NAME ONLY Former Legal Name: \_\_\_\_\_ Former Signature: \_\_\_\_\_

I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding the next election, and will be at least 18 years of age at the time of the general election.

14. Your Signature → Jocelyn Conwell  
 Date 1.23.08  
 MO DAY YR

FOR BOARD  
 USE ONLY  
 SEC4010 (Rev. 8/07)

**Cuyahoga County Board of Elections**  
**2925 Euclid Avenue, Cleveland, Ohio 44115-2497**

Please read instructions on reverse side

Please type or print clearly with black pen

|   |  |  |   |
|---|--|--|---|
| 1. Are you a U.S. citizen? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  |  | 2. Will you be 18 years of age on or before the next general election? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |   |
| If you answered NO to either of the questions, do not complete this form.   |  |  |   |
| 3. Last Name<br><i>Smith</i>  | First Name<br><i>Jaclyn</i>  | METS 10/20/05 9:00   |   |
| 4. House Number and Street (Enter new address changed)<br><i>101 E. 12th St.</i>  | Ap. or Lot #<br><i>1014</i>  | 5. City or Post Office<br><i>WFO.</i>  | 6. Zip Code<br><i>44114</i>   |
| 7. Additional Rural or Mailing Address (if necessary)   |  | 8. County where you live<br><i>Cuyahoga</i>  |   |
| 9. Birthdate (MO-DAY-YR)<br><i>5/7</i>  | 10. Ohio driver's license No. OR last 4 digits of Social Security No. (required) |  | 11. Picture No. (voluntary)   |
| 12. ADDRESS CHANGED ONLY - PREVIOUS ADDRESS<br>Previous House Number and Street<br><i>1431 BAYARD RD.</i>   |  |  | FOR BOARD USE ONLY<br>SEC1010 (Rev. 10/03)  |
| Previous City or Post Office<br><i>WORTH BLDG</i>   |  |  |   |
| Previous County<br><i>CUYAHOGA</i>  |  |  |   |
| 13. CHANGE OF NAME ONLY<br>Former Last Name<br><i>Jaclyn</i>  |  |  | City, Village, Twp.<br>Ward<br>Precinct<br>School Dist.<br>Cong. Dist.<br>Senate Dist.<br>House Dist. |
| I declare under penalty of election falsification I am a citizen of the United States, will have lived in this state for 30 days immediately preceding this election, and I will be at least 18 years of age at the time of the general election. |  |  |   |
| 14. Signature of Applicant<br><i>Jaclyn Smith</i>   |  | Date signed <i>11/22/05</i><br>MO DAY YR   |   |

WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE.

Cuyahoga County Board of Elections

**VOTER INFORMATION REPORT**  
**JOCELYN CONWELL**  
**PRINTED ON: 4/24/2023**

**VOTER ID:** 757483  
**NAME:** JOCELYN CONWELL  
**RESIDENCE:** 3878 E 151ST ST  
**CITY/STATE/ZIP:** CLEVELAND, OH 44128

**CARE OF:**  
**STREET/BX:**  
**MAIL CITY:**  
**MAIL STATE/ZIP:**  
**COUNTRY:**

PLAINTIFF/RELATORS'  
EXHIBIT 8

**PHONE NUMBER:**

**STATUS:** ACTIVE  
**PARTY:** DEMOCRAT  
**REG DATE:** 04/10/2023

**PRECINCT:** CLEVE02N.01  
**PRECINCT NAME:** CLEVELAND -02-N

**POLLING PLACE:** ANDREW J RICKOFF PRE K-8 SCHOOL  
3500 EAST 147TH STREET

**SIGNATURE:** *Jocelyn Conwell*

I hereby certify that the above document is a true and correct copy of the original filed at the Cuyahoga County Board of Elections.

**VOTE**  
**CUYAHOGA COUNTY**  
**BOARD OF ELECTIONS**

**Election Official:** *Hasani Wheat*  
**Title:** *Interim Assistant Manager*  
**Date:** *April 24, 2023*  
**Signature:** *Hasani Wheat*

Protest Response

Jocelyn Conwell



**JOCELYN CONWELL. LLC**  
**ATTORNEY & COUNSELOR AT LAW**  
[jconwellllc@hotmail.com](mailto:jconwellllc@hotmail.com)

13940 Cedar Rd., #277  
University Heights, OH 44118  
PHONE: 216/574-9550  
FAX: 216/282-8595  
440/454-8041

August 22, 2023

Mariah Crenshaw  
3472 East 114<sup>th</sup> Street  
Cleveland, OH 44104

Dear Ms. Crenshaw,

Please accept this correspondence in response to your recent protest to my candidacy. First if you will note, instead of utilizing my campaign letterhead, and envelopes, instead I have chosen to utilize my law office letterhead, etc. I have deliberately chosen to do so, as demonstrative of the fact (contrary to your assertion), that the address contained herein, is a legitimate mailing address (which I have utilizing for almost ten (10) years), utilized exclusively for my law practice. Please further find enclosed herein, a business card for your review, along with the envelope, which contains this correspondence, which you will note, also contains the foregoing address. Please further find enclosed herein, what's marked as Exhibit #3, ie, a copy of the UPS Store's advertisement, which, as you will note, is the exact same address as my "mailing address", which you will note, contains the exact same address as my letterhead, etc., and in fact the exact same address, as you noted in your correspondence, which has been provided to the Supreme Court. I am providing all of the foregoing, as demonstrative of the fact that first of all, I have been renting a mail box (box #277), for business purposes from the UPS Store, for almost ten (10) years. Further, that, per your own submission of my "voting history", I've NEVER attempted to represent that to the Board of Elections, nor to the Supreme Court, that this University Heights address was my place of domicile.

Further, I submit regarding your concern as to where I conduct business, and where I reside, are totally separate issues, neither of which are related to the other, the former, having nothing what so ever to do with my voting location.

Further, I refute your assertion (which again is supported by your own submission of my voting history) that I've ever resided, or voted as a resident of the city of Gates Mills.

Further, with regards to your concerns, regarding my 2014 campaign website post, in which I provided THEN, that I had been a resident of South Euclid for over thirty (30) years. Was posted approximately nine (9) years ago, at which time I was in fact a resident of the city of South Euclid, although I stand to be corrected, as my "voting history" provides, from 2005 thru 2007, I resided in the City of Cleveland (former Chesterfield Apartments), specifically, former precinct 13 J, in which I was also the elected Democratic Party Precinct Person. I submit that my residing in South Euclid nine (9) years ago (per your Exhibit 7 documents), and not voting in the city of Cleveland, as a resident since the 2007 general election, does not (as you erroneously conclude) indicate that I'm a current resident of the city of South Euclid. I further refute the accuracy of the so "called data base", which you appear to have pulled from some website.

Your assertions regarding whether or not I reside at 4321 Bayard Rd., in the city of South Euclid, are erroneous in nature. As provided in your own exhibits, per the Cuyahoga County Recorders' Office, as well as my own (see attached Exhibits 4 thru 4C) I gained an ownership interest in said property, dating back to 1993, via a "survivorship deed" (as provided in Exhibit 4), further Dorothy Williams, was my maternal grandmother. However, as provided herein, I resided in the city of Cleveland from 2005 thru 2007, accordingly, I submit that having legal interest in real property is not indicative of some ones' residence, I submit arguendo, if that were the case, people who invest in real estate for income purposes (thereby becoming record owners of said property(ies) both in state and out of state, would be forever plagued with the problem of where they reside for purposes of voting.

Further with regards to your inquiry regarding my current residency at 3878 E. 151<sup>st</sup> Street, the current owner, per your obvious records search, is in fact Mary B. Kelly, however, as demonstrative of the often inaccurate information which online data bases tend to provide, Ms. Kelly has been the sole, fee simple owner of said property since 2019, subsequent to her now deceased spouses' demise, see attached Exhibits 5 & 5A. As of late November, 2022, Ms. Kelly and I entered into an oral "Month to Month Tenancy Agreement", which entails my paying \$650/month, commencing December 1, 2022, to present, ie, until either she or I decide to terminate the agreement, which has allowed me to reside at said premises as a tenant from December 1, 2022 to present, and there afterwards. Please further find copy of rental receipts attached hereto, ie, Exhibits 6 & 6A, along with (Exhibit 7) a copy of correspondence from my credit card company (containing my address), all indicative of my residence at 3878 E. 151<sup>st</sup> Street.

Further, since I occupy said address as a "tenant", I accordingly submit that I have no legal recognizable, ownership interest in the property, therefore, contrary to your assertion, my name would not appear on any ownership documents involving this property.

Further, please find attached Exhibit #9, which further addresses your concerns regarding your challenge regarding my proper voting location, and my residence, dated August 16, 2023. As provided therein, as of December 5, 2022, I submitted a voter registration card, thereby changing my voter registration to the foregoing address of 3878 E. 151<sup>st</sup> Street, subsequent thereto, I submitted a voter registration confirmation notice, as procedurally required, confirming my current residence at 3878 E. 151<sup>st</sup> street. I have also subsequent thereto, both filed candidate petitions containing the foregoing residential address, and voted in the most recent August 2023 special election, thereby further confirming my residence at 3878 E. 151<sup>st</sup> Street. Accordingly, your challenge regarding my residence, and proper voting location, has been officially denied by the Director of the Cuyahoga County Board of Elections, "due to insufficient information to proceed with this challenge".

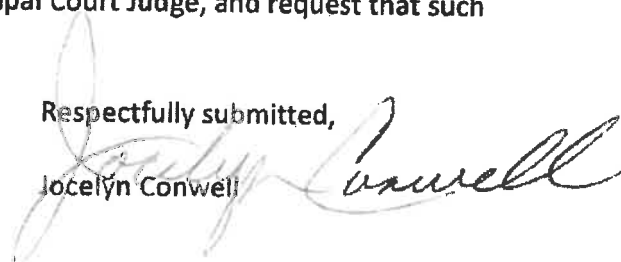
I digress, to address your other concerns, regarding the appropriateness of my Judicial candidacy, which appears to be premised upon your interpretation of Section 5 of the Charter of the City of Cleveland, and it's supposed application to Cleveland Municipal Court Judicial Candidates. As provided in an August 17, 2023, legal opinion correspondence from the City of Cleveland Law Department, specifically addressed to Brent Lawler, Manager of Candidate & Petition Services (see attached Exhibit #8), your interpretation of the foregoing Charter, is erroneous, as it in no way applies to judicial candidates for the Cleveland Municipal Courts, nor was it intended to do so, as this charter would be inconsistent with applicable state law, under Title 19 of the Revised Code, and local law cannot contradict state law, because state law always supersedes. Arguendo, as provided in said opinion, ie, one of the minimum requirements under Title 19, ie, that a "municipal court judge must be a resident of the court to which the judge is elected". In this particular instance, as provided in the law departments opinion, the territorial jurisdiction of the Cleveland Municipal Court extends beyond the geographical boundaries of the city, and affects the electors of the Village of Bratenahl. Thus, under state law, a Cleveland Municipal Court Judge may be a resident of the Village of Bratenahl. Accordingly, applying Section 5's requirements of the Charter, per your interpretation, that a judicial candidate must be an elector of the city of Cleveland, conflicts with applicable state law, which also permits electors of the Village of Bratenahl.

This opinion provides several other reasons why Section 5 of the Charter is inapplicable to candidates for judge of the Cleveland Municipal Court, more specifically, as provided therein, "Cleveland Municipal Court judges are not included among the identified elected city officers, under the City's Charter, therefore the requirements contained in Section 5 of the Charter do not apply to candidates for judge of the Cleveland Municipal Court.

For all of the foregoing reasons contained herein, I refute Protestor, Mariah Creshaw's challenges to my candidacy for Cleveland Municipal Court Judge, and request that such Challenges be appropriately denied.

Respectfully submitted,

Jocelyn Conwell



**Cc. Cuyahoga County Board of Election Board Members, etc:**

**Henry Curtis, Chairmen**

**Inajo Davis Chappell, Bd. Member**

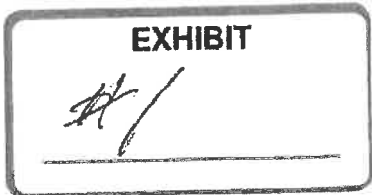
**Lisa M. Sticken, Bd. Member**

**Terrence M. McCafferty, Bd. Member**

**Anthony W. Perlatti, Director**

**Anthony N. Kaloger, Deputy Director**

**Mark Musson, Asst. County Prosecutor**



**JOCELYN CONWELL, LLC**  
**ATTORNEY & COUNSELOR AT LAW**  
[iconwellllc@hotmail.com](mailto:iconwellllc@hotmail.com)

**13940 Cedar Rd., #277**  
**University Heights, OH 44118**  
**PHONE: 216/574-9550**  
**FAX: 216/282-8595**  
**440/454-8041**



EXHIBIT  
*12*



Law Office of Jocelyn Conwell, LLC  
Jocelyn Conwell, LLC  
Law Office of Jocelyn Conwell, LLC

*12*



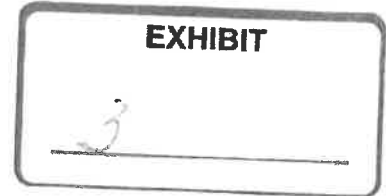
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Professional Shipping and Packing Services to Help You be Unstoppable

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13940 Cedar Road

University Heights, OH 44118

Cedar Center; Sw Corner Of Cedar & Warrensville Ctr Road



(216) 371-9300



(216) 371-9769



store1240@theupsstore.com



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Cookie Preferences & Do Not Share

Accept All Cookies

703-34-042  
CONWELL, JOCELYN  
4321 BAYARD RD  
SOUTH EUCLID, OH. 44121



## Transfer History

- Transfer Date: 11/04/2009
- Transfer Date: 05/29/2003
- Transfer Date: 05/14/2003
- Transfer Date: 08/23/1993

Transfer Date: 8/23/1993 12:00:00 AM  
AF Number: V93389280024  
Receipt: 17122C

| Parcel     | Deed Type         | Vol / Page   | Sales Amt | Convey Fee | Convey No | Multiple Sale / No of Parc |
|------------|-------------------|--------------|-----------|------------|-----------|----------------------------|
| 703-34-042 | Survivorship Deed | 38928 / 0024 | \$.00     | \$.00      |           | 0 / 0                      |

**Grantee(s)**  
Conwell Jocelyn  
Williams Dorothy

**Grantor(s)**  
Williams, Dorothy

- Transfer Date: 09/14/1988
- Transfer Date: 11/09/1983
- Transfer Date: 07/06/1979
- Transfer Date: 01/01/1975

[Top](#) [View Map](#)

Updated :08/11/2023 03:26:22 AM

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THANK YOU



703-34-042  
CONWELL, JOCELYN  
4321 BAYARD RD  
SOUTH EUCLID, OH. 44121



## Transfer History

Transfer Date: 11/04/2009

Transfer Date: 05/29/2003

Transfer Date: 05/14/2003

Transfer Date: 5/14/2003 12:00:00 AM  
AF Number: 200305140468  
Receipt:

| Parcel     | Deed Type          | Vol / Page | Sales Amt | Convey Fee | Convey No | Multiple Sale / No of Parce |
|------------|--------------------|------------|-----------|------------|-----------|-----------------------------|
| 703-34-042 | Quit Claim Deed Ex | /          | \$ .00    | \$ .00     | 11623d    | 0 / 1                       |

Grantee(s)

Williams, Dorothy

Grantor(s)

Conwell Jocelyn

Transfer Date: 08/23/1993

Transfer Date: 09/14/1988

Transfer Date: 11/09/1983

Transfer Date: 07/06/1979

Transfer Date: 01/01/1975

[Top](#)

[View Map](#)

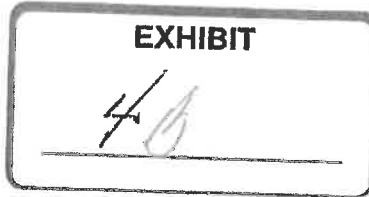
Updated :08/11/2023 03:26:22 AM

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THANK YOU

703-34-042  
CONWELL, JOCELYN  
4321 BAYARD RD  
SOUTH EUCLID, OH. 44121



## Transfer History

Transfer Date: 11/04/2009

Transfer Date: 05/29/2003

Transfer Date: 5/29/2003 12:00:00 AM  
AF Number: 200305290896  
Receipt:

| Parcel     | Deed Type         | Vol / Page | Sales Amt | Convey Fee | Convey No | Multiple Sale / No of Parcel |
|------------|-------------------|------------|-----------|------------|-----------|------------------------------|
| 703-34-042 | Transfer on Death | /          | \$ .00    | \$ .00     | 12694f    | 0 / 1                        |

Grantee(s)

Williams, Dorothy

Grantor(s)

Williams, Dorothy

Transfer Date: 05/14/2003

Transfer Date: 08/23/1993

Transfer Date: 09/14/1988

Transfer Date: 11/09/1983

Transfer Date: 07/06/1979

Transfer Date: 01/01/1975

[Top](#)

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THANK YOU

703-34-042  
CONWELL, JOCELYN  
4321 BAYARD RD  
SOUTH EUCLID, OH. 44121



## Transfer History

Transfer Date: 11/04/2009

Transfer Date: 11/4/2009 1:40:00 PM  
AF Number: 200911040277  
Receipt:

| Parcel     | Deed Type | Vol / Page | Sales Amt | Convey Fee | Convey No | Multiple Sale / No of Parcels |
|------------|-----------|------------|-----------|------------|-----------|-------------------------------|
| 703-34-042 | Affidavit | /          | \$ .00    | \$ .00     |           | 0 / 1                         |

Grantee(s)

CONWELL, JOCELYN

Grantor(s)

Williams, Dorothy

Transfer Date: 05/29/2003

Transfer Date: 05/14/2003

Transfer Date: 08/23/1993

Transfer Date: 09/14/1988

Transfer Date: 11/09/1983

Transfer Date: 07/06/1979

Transfer Date: 01/01/1975

Top

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THANK YOU

139-14-040  
KELLY, MARY B.  
3878 E 151 ST  
CLEVELAND, OH. 44128



## Transfer History

Transfer Date: 03/13/2019

Transfer Date: 3/13/2019 2:23:00 PM  
AF Number:  
Receipt:

| Parcel     | Deed Type     | Vol / Page | Sales Amt | Convey Fee | Convey No | Multiple Sale / No of Parcels |
|------------|---------------|------------|-----------|------------|-----------|-------------------------------|
| 139-14-040 | Probate Court | /          | \$ .00    | \$ .00     |           | 0 / 1                         |

Grantee(s)

KELLY, MARY B.

Grantor(s)

Kelly Kenneth

Transfer Date: 09/23/1981

Transfer Date: 11/13/1980

Transfer Date: 11/30/1978

Transfer Date: 01/01/1975

Top

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Updated :08/20/2023 03:57:01 PM

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THANK YOU



AFFIDAVIT

STATE OF OHIO            )  
  )  
  )  
COUNTY OF CUYAHOGA    )  
  )

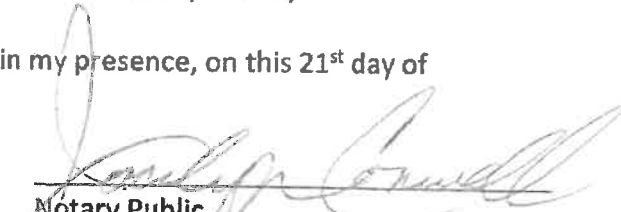
Upon being duly sworn, Affiant, Mary B. Kelly, in her capacity as current fee simple owner of real property located at 3878 E. 151<sup>st</sup> Street, Cleveland, OH 44128, states the following:

1. That Affiant became sole fee simple property owner of subject real property, herein, on March 13, 2019, subsequent to the demise of her, spouse (Kenneth Kelly) , per administration of his estate, via Probate Court of Cuyahoga County, and subsequent transfer, via the Cuyahoga County Recorders' Office, as reflected in attached Exhibit #5;
2. That further, as per affiants' ownership interest provided herein, affiant entered into a "Month to Month" oral tenancy agreement, on or about, November 25, 2022 with Jocelyn Conwell, in the amount of \$650/month, first payment due 12/1/22;
3. That further affiant has been in receipt of rental payments in the foregoing amount of \$650/month, commencing 12/1/2022 to present, from Jocelyn Conwell, as evidenced by attached rental receipts, ie, attached Exhibits 2, & 2A;
4. That accordingly, Jocelyn Conwell has commenced residency at subject property, ie, 3878 E. 151<sup>st</sup> Street, Cleveland, OH 44128, commencing on or about 12/1/2022 to present.

FURTHER AFFIANT SAYETH NAUGHT

  
\_\_\_\_\_  
Affiant-Mary B. Kelly

SWORN TO BEFORE ME and subscribed in my presence, on this 21<sup>st</sup> day of August, 2023.

  
\_\_\_\_\_  
Notary Public  
My Commission Has No Expiration Date

**RECEIPT** No. 769805

DATE 12/1/22

FROM Mary Kelly / Jocelyn Conwell \$ 650.00

Six hundred fifty <sup>00</sup> DOLLARS

FOR RENT  
 FOR 3878 E 157<sup>th</sup> St. Clive

|                    |                                       |                                      |
|--------------------|---------------------------------------|--------------------------------------|
| ACCT.              | <input checked="" type="radio"/> CASH | FROM <u>12/1/22</u> TO <u>1/1/23</u> |
| PAID <u>650.00</u> | <input type="radio"/> CHECK           |                                      |
| DUE                | <input type="radio"/> MONEY ORDER     |                                      |
|                    | <input type="radio"/> CREDIT CARD     |                                      |

BY M A-1152 T-4181



**RECEIPT** No. 769806

DATE 1/1/23

FROM Jocelyn Conwell \$ 650.00

Six hundred and fifty <sup>00</sup> DOLLARS

FOR RENT  
 FOR 3878 E 157<sup>th</sup> St. Clive

|                    |                                       |                                     |
|--------------------|---------------------------------------|-------------------------------------|
| ACCT.              | <input checked="" type="radio"/> CASH | FROM <u>1/1/23</u> TO <u>2/1/23</u> |
| PAID <u>650.00</u> | <input type="radio"/> CHECK           |                                     |
| DUE                | <input type="radio"/> MONEY ORDER     |                                     |
|                    | <input type="radio"/> CREDIT CARD     |                                     |

BY Mary Kelly A-1152 T-4181

**RECEIPT** No. 769807

DATE 2/1/23

FROM Jocelyn Conwell \$ 650.00

Six hundred fifty <sup>00</sup> DOLLARS

FOR RENT  
 FOR

|                    |                                       |                                     |
|--------------------|---------------------------------------|-------------------------------------|
| ACCT.              | <input checked="" type="radio"/> CASH | FROM <u>2/1/23</u> TO <u>3/1/23</u> |
| PAID <u>650.00</u> | <input type="radio"/> CHECK           |                                     |
| DUE                | <input type="radio"/> MONEY ORDER     |                                     |
|                    | <input type="radio"/> CREDIT CARD     |                                     |

BY Mary Kelly A-1152 T-4181

**RECEIPT** No. 769808

DATE 3/1/23

FROM Jocelyn Conwell \$ 650.00

Six hundred fifty <sup>00</sup> DOLLARS

FOR RENT  
 FOR

|                    |                                       |                                     |
|--------------------|---------------------------------------|-------------------------------------|
| ACCT.              | <input checked="" type="radio"/> CASH | FROM <u>3/1/23</u> TO <u>4/1/23</u> |
| PAID <u>650.00</u> | <input type="radio"/> CHECK           |                                     |
| DUE                | <input type="radio"/> MONEY ORDER     |                                     |
|                    | <input type="radio"/> CREDIT CARD     |                                     |

BY Mary Kelly A-1152 T-4181

**RECEIPT** No. 769809

DATE 4/1/23

FROM Jocelyn Conwell \$ 650.00

Six hundred fifty <sup>00</sup> DOLLARS

FOR RENT 3878 E. 151st St. Claves

FOR

ACCT.  CASH FROM 4/1/23 TO 5/1/23

PAID 650.00  CHECK

DUE  MONEY ORDER BY Mary Kelly A-1152 T-4161

CREDIT CARD

EXHIBIT

BA

**RECEIPT** No. 769812

DATE 7/1/23

FROM Jocelyn Conwell \$ 650.00

Six hundred fifty <sup>00</sup> DOLLARS

FOR RENT 3878 E. 151st St. Claves

FOR

ACCT.  CASH FROM 7/1/23 TO 8/1/23

PAID 650.00  CHECK

DUE  MONEY ORDER BY Mary Kelly A-1152 T-4161

CREDIT CARD

**RECEIPT** No. 769810

DATE 5/1/23

FROM Jocelyn Conwell \$ 650.00

Six hundred fifty <sup>00</sup> DOLLARS

FOR RENT 3878 E. 151st St.

FOR

ACCT.  CASH FROM 5/1/23 TO 6/1/23

PAID 650  CHECK

DUE  MONEY ORDER BY Mary Kelly A-1152 T-4161

CREDIT CARD

**RECEIPT** No. 769811

DATE 6/1/23

FROM Jocelyn Conwell \$ 650.00

Six hundred fifty <sup>00</sup> DOLLARS

FOR RENT

FOR

ACCT.  CASH FROM 6/1/23 TO 7/1/23

PAID 650.00  CHECK

DUE  MONEY ORDER BY Mary Kelly A-1152 T-4161

CREDIT CARD

**RECEIPT** No. 769813

DATE 8/2/23

FROM Jocelyn Conwell \$ 650.00

Six hundred fifty <sup>00</sup> DOLLARS

FOR RENT 3878 E. 151st St. Claves

FOR

ACCT.  CASH FROM 8/1/23 TO 9/1/23

PAID 650.00  CHECK

DUE  MONEY ORDER BY Mary Kelly A-1152 T-4161

CREDIT CARD

EXHIBIT  
7

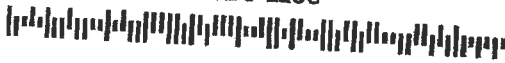
**usbank.**

P.O. Box 6352 Fargo, ND 58125-6352

\*\*\*\*\*AUTO\*\*5-DIGIT 44125

Jocelyn Conwell  
3878 E 151st St  
Cleveland, OH 44128-1108

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Mark Griffin, Director  
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Cleveland, Ohio 44114-1077  
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www.cleveland.oh.gov

August 17, 2023

Brent E. Lawler, Manager  
Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, OH 44115-2497

**Re: Section 5 of the Charter of the City of Cleveland and Candidates  
for the Cleveland Municipal Court Judge**

Dear Mr. Lawler,

Please accept this letter in your response to your requests for a legal opinion regarding whether Section 5 of the Charter of the City of the Cleveland ("Charter") applies to candidates for judge for Cleveland Municipal Court.

Briefly, municipal courts in Ohio are created by the Ohio Revised Code and are also governed by R.C. 1901.06, not by Cleveland City Charter Section 5. More specifically, because the geographic jurisdiction of the Cleveland Municipal Court includes the Village of Bratenahl, it is not possible for the Cleveland City Charter to govern electors from outside of Cleveland's boundaries.

Section 5 of the Charter provides as follows:

**§ 5 Nominating Petitions**

The name of any elector of the City shall be printed upon the ballot, when a petition in the form prescribed in this Charter is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least twelve (12) consecutive months immediately prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at

large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.

Section 5 does not apply to candidates for judge for Cleveland Municipal Court for several reasons. First, this section applies to candidates running for City office that are provided for in the City's Charter as evidenced by the beginning of this section which states "[t]he name of any elector of the City shall be printed on the ballot." Under the Charter, the elected officers of the City are specifically council members and the Mayor. See Section 24 which provides in relevant part that "[m]embers of Council shall be elected for a term of four years" and Section 68, which provides in relevant part that the Mayor shall be elected for a term of four years. See also Section 15 which provides in relevant part that "[a]ll elections provided for by this Charter, whether **for the choice of officers or the submission of questions to voters**, shall be conducted by the election authorities prescribed by general law of the State; and the provisions of general election laws of the State shall apply to all the elections except as provision is otherwise made by this Charter. . . )(emphasis added). Cleveland Municipal Court judges are not included among the identified elected City officers under the City's Charter and, therefore, the requirements contained in Section 5 of the Charter do not apply to candidates for judges for Cleveland Municipal Court.

Second, interpreting Section 5 to apply to candidates for the Cleveland Municipal Court would be inconsistent with state law. The Cleveland Municipal Court is established by R.C. 1901.01, under the authority of Article IV, Section 1 of the Ohio Constitution. Under R.C. 1901.02, the Cleveland Municipal Court's territorial jurisdiction includes the City of Cleveland and the Village of Bratenahl. Division (C)(1) of R.C. 1901.07 requires that a nominating petition for a Cleveland Municipal Court judge be signed by at least 50 electors of the territory of the court. The minimum qualifications to serve as a municipal court judge are established in R.C. 1901.06.

One of the minimum requirements is that a municipal court judge must be a resident of the court to which the judge is elected. The territorial jurisdiction of the Cleveland Municipal Court extends beyond the geographical boundaries of the City and affects the electors of the Village of Bratenahl. Thus, under state law, a Cleveland Municipal Court judge may be a resident of the Village of Bratenahl. Thus, applying Charter Section 5's requirement that a judicial candidate must be an elector of the City of Cleveland would conflict with state law that permits judges of the Cleveland Municipal Court be electors of the Village of Bratenahl.

Finally, statutes and regulations that limit an individual's right to hold office must be liberally construed to favor those seeking public office. See *State ex rel. O'Donnell v. Cuyahoga Cty. Bd. of Elections*, 136 Ohio App.3d 584, 737 N.E.2d 541 (8<sup>th</sup> Dist. Cuyahoga County 2000).

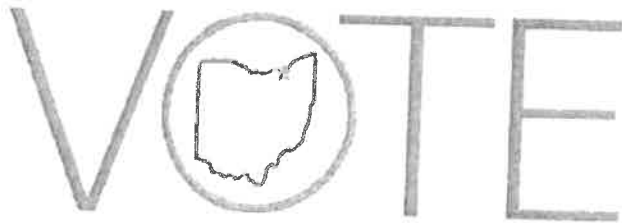
In conclusion, candidates for judge for the Cleveland Municipal Court are not subject to Section 5 of the City's Charter and the requirements contained therein.

Please feel free to contact me with any questions regarding the above.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Griffin". The signature is written in a cursive style with a horizontal line at the end.

Mark Griffin  
Director of Law



# CUYAHOGA COUNTY BOARD OF ELECTIONS

**Henry F. Curtis, IV**  
Chairman

**Inajo Davis Chappell**  
Member

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Member

**Anthony W. Perlatti**  
Director

**Anthony N. Kaloger**  
Deputy Director

August 16, 2023

Ms. Maria Crenshaw  
3472 East 114<sup>th</sup> Street  
Cleveland, Ohio 44104

**Via US Mail and Email**



Dear Ms. Crenshaw,

The Cuyahoga County Board of Elections (CCBOE) has received and reviewed the Challenge of Right to Vote and Correction of Registration List, SOS Form No. 257 you filed with the CCBOE.

In your challenge you indicate that Jocelyn Conwell does not reside in the City of Cleveland, but at 4321 Bayard Road, South Euclid, Ohio, 44121. You point to campaign literature from 2014 in which Ms. Conwell states she is a long-term South Euclid resident, and you also note her voting history while she was a South Euclid resident. While the information you provided seems to be accurate for the respective period, Ms. Conwell has updated her voter registration information since that time and is no longer a registered South Euclid voter.

The CCBOE is in receipt of a voter registration card signed by Ms. Conwell dated December 5, 2022 changing her registration to 3878 East 151<sup>st</sup> Street, Cleveland, Ohio, 44128. The CCBOE also has a voter registration confirmation notice signed by Ms. Conwell confirming her registration address at the 3878 East 151<sup>st</sup> Street address. In the August 8, 2023 Special Election Ms. Conwell voted the correct Cleveland ballot associated with the 3878 East 151<sup>st</sup> Street address. Additionally, Ms. Conwell has filed candidate petitions in 2023 with the CCBOE that include an affirmation statement signed by her affirming her address at the 3878 East 151<sup>st</sup> Street address.

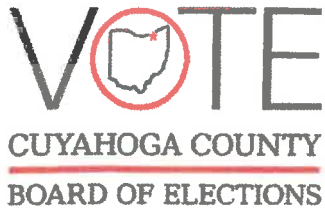
Based on the reasons stated above and the records held within the CCBOE, there is not sufficient information to proceed with your challenge and therefore this challenge is denied.

Sincerely,

Anthony Perlatti  
Director, Cuyahoga County Board of Elections

# Agenda Items

15 - 18



**Analysis of Protests : City of Euclid Mayoral Candidates  
November 7, 2023 General Election  
August 29, 2023 Board Meeting**

**Issue:** Each part-petition must be accompanied by a written "Acceptance of Nomination."

**Protests Filed By:** Christopher Michael Litwinowicz

- Candidates protested:**
1. Daniel J. Burns, Euclid Mayoral Candidate
    - 1 part-petition of 21 filed has signed acceptance.
  2. Marcus Epps, Euclid Mayoral Candidate
    - 37 part-petitions of 37 filed has signed acceptance.
  3. Taneika L. Hill
    - 41 part-petitions of 41 filed has signed acceptance.
  4. Kirsten Holzheimer Gail, Euclid Mayoral Candidate
    - 3 part-petitions of 24 filed has signed acceptance.

**BOE Response:**

- The "Acceptance of Nomination" is not an ORC requirement, but that of a municipal charter. As defined by the Euclid Charter, or by general law, a single petition may be circulated in several part-petitions, filed as a single document, according to Euclid's Law Director.
- CPS staff instructs candidates whose municipality requires an Acceptance of Nomination, that at least one part-petition must have the acceptance completed prior to filing the candidate petition.
- Each candidate signed the "Acceptance of Nomination" on some or all of their part petitions.
- At the September 4, 2015 Board meeting, Mr. Litwinowicz protested four Euclid candidates for that year's General election. And at the August 19, 2019 Board meeting, he challenged two candidates for the same reason. The CCBOE unanimously denied all the protests.

**City of Euclid Legal Analysis (full response attached)**

City of Euclid Law Director Kelley A. Sweeney's response reads in part "As the Charter plainly states, the petition may be circulated in separate parts but filed as one instrument. The filing of the petition must be accompanied by a single acceptance of nomination and no more."

**Issue:** Each petition shall be circulated by a registered elector of the city.

**Protests Filed By:** Christopher Michael Litwinowicz

**Candidates protested:** 1. Daniel J. Burns

- 21 part-petitions of 21 filed were circulated by Euclid residents.

2. Taneika L. Hill

- 39 part-petitions of 41 filed were circulated by Euclid residents.

***BOE Response:***

- In 2009, then-Law Director Chris Frey instructed the CCBOE that moving forward, nomination petitions for Mayor and Council are not required to be circulated by Euclid electors. From 2009 to the present CPS staff have not required circulators to be registered electors in Euclid.
- Other cities, including the City of Cleveland, have the same rules in their charters and CCBOE has also been advised by their legal counsel that circulators of Cleveland elected offices no longer need to be electors of Cleveland.
- According to the Election Officials Manual Chapter 13.03, circulators for candidate petitions are not required to be an Ohio resident nor registered elector (*Citizens in Charge v. Husted*).
- At the August 19, 2019 Board meeting, Mr. Litwinowicz protested one candidate for having circulators from outside of the City of Euclid. The Board unanimously denied the protest.

**City of Euclid Legal Analysis (full response attached)**

City of Euclid Law Director Kelley A. Sweeney's response reads in part "...It is also my legal opinion that City of Euclid Charter, Article VII, Section 1, cannot be enforced. As such, I do not find this is a valid basis for a protest of "insert candidate name" petitions."

---

**Supporting Documents**

- Legal Opinions – City of Euclid
- CCBOE Board Meeting Minutes August 19, 2019 – see page 2
- Protests (Burns, Epps, Holzheimer Gail, Hill)
- Protest Response (Hill)
- Euclid Charter Article VII Elections and Nominations

Euclid Law Director  
Legal Opinions  
Mayoral Candidates

1. Daniel Burns
2. Marcus Epps
3. Taneika Hill
4. Kirsten Holzheimer Gail





585 EAST 222<sup>ND</sup> STREET, EUCLID, OHIO 44123-2099

**Department of Law**  
Phone: 216/289-2746  
Fax: 216/289-2766

**Office of the Prosecutor**  
Phone: 216/289-2760  
Fax: 216/289-2749

August 15, 2023

Mr. Brent E. Lawler  
Manager Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, Ohio 44115-2497

**Re: Christopher Michael Litwinowicz Protest of Daniel Burns Petitions**

Dear Mr. Lawler:

At your request, I have reviewed the Charter of the City of Euclid along with relevant Ohio Revised Code sections and various federal cases as they pertain to the protest filed by Christopher Michael Litwinowicz against the nominating petitions of Daniel Burns. As I read the protest, there are two issues:

**(1) Candidate's signature on nomination petitions**

The City of Euclid Charter, Article VII, Section 1, provides in pertinent part that "each petition shall be accompanied by the written acceptance of the nominee...[and] the nomination of each candidate shall be made by a separate petition, but such petition may be circulated in separate parts, which shall be filed, however, as one instrument."

The Charter requires a candidate accept his or her nomination with the acceptance filed with the nominating petition. Nowhere does the Charter require that each part-petition reflect the acceptance of candidacy. Rather, the acceptance can be accomplished by filing a separate written acceptance along with the nominating petition or by signing the acceptance block on the nominating petition as provided by the Board of Elections. Either method of acceptance is in compliance with the Charter of the City of Euclid. As the Charter plainly states, the petition may be circulated in separate parts but filed as one instrument. The filing of the petition must be accompanied by a single acceptance of the nomination and no more.

If Mr. Burns signed one nomination petition or another document indicating acceptance of the nomination, I do not find this is a valid basis for a protest of Mr. Burns' petitions.

## (2) Circulators of petitions

The City of Euclid Charter, Article VII, Section 1, provides that “each petition shall be circulated by a registered elector of the City.” However, similar residency challenges have not been upheld. See *Nader v. Blackwell*, 545 F.3d 459 (6th Cir. 2008) where the appellate court held that [former] §3503.06 effectively imposed unconstitutional requirements (both residency and registration) on Nader’s circulators.

Post *Nader*, the Ohio General Assembly enacted Ohio Revised Code 3503.06(C)(1)(a) which provides: “Except for a nominating petition for presidential electors, no person shall be entitled to circulate any petition unless the person is a resident of this state and is at least eighteen years of age.”

A circulator must be at least 18 years of age and a resident of the State of Ohio. There are no additional requirements in the state code that an individual must reside in a municipality to circulate a petition for a candidate or issue in that municipality.

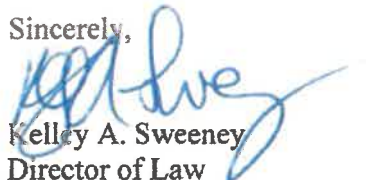
I found a letter from former Euclid Law Director L. Christopher Frey in 2009 advising the Board of Elections that “[b]ased upon my review, it is my conclusion that the present Euclid Charter provision, Article VII, Section 1, cannot be enforced as written.” Furthermore, Law Director Frey gave the following instructions to the Board of Elections:

You are accordingly advised that until such time as the City of Euclid reviews this provision of the Charter and develops a record to support the compelling need to have registered voters of the City of Euclid be the only persons permitted to circulate nominating petitions, nominating petitions for City of Euclid Council and Mayor should not carry such a requirement.

I have not found any additional correspondence from Law Director Frey following the directive he gave to the Board of Elections issued in 2009. It is also my legal opinion that City of Euclid Charter, Article VII, Section 1, cannot be enforced. As such, I do not find this is a valid basis for a protest of Daniel Burns’ petitions.<sup>1</sup>

Please advise the Director and Board as necessary and feel free to follow-up with any questions.

Sincerely,



Kelly A. Sweeney  
Director of Law  
[ksweeney@cityofeuclid.com](mailto:ksweeney@cityofeuclid.com)

cc: Christopher Michael Litwinowicz  
Daniel Burns

---

<sup>1</sup> So the Board is aware, Euclid Charter, Article VII, Section 1 is before the city’s Charter Review Commission for potential Charter change to alleviate this issue in the future.



585 EAST 222<sup>ND</sup> STREET, EUCLID, OHIO 44123-2099

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**Office of the Prosecutor**  
Phone: 216/289-2760  
Fax: 216/289-2749

August 22, 2023

Mr. Brent E. Lawler  
Manager Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, Ohio 44115-2497

**Re: Christopher Michael Litwinowicz Protest of Marcus Epps' Petitions**

Dear Mr. Lawler:

At your request, I have reviewed the Charter of the City of Euclid along with relevant Ohio Revised Code sections and various federal cases as they pertain to the protest filed by Christopher Michael Litwinowicz against the nominating petitions of Marcus Epps. As I read the protest, there is one issue regarding the candidate's signature not being on every nomination petition submitted to the Cuyahoga County Board of Elections.

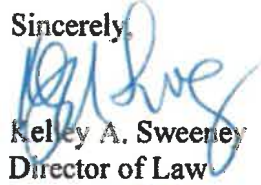
The City of Euclid Charter, Article VII, Section 1, provides in pertinent part that "each petition shall be accompanied by the written acceptance of the nominee....[and] the nomination of each candidate shall be made by a separate petition, but such petition may be circulated in separate parts, which shall be filed, however, as one instrument."

The Charter requires a candidate accept his or her nomination with the acceptance filed with the nominating petition. Nowhere does the Charter require that each part-petition reflect the acceptance of candidacy. Rather, the acceptance can be accomplished by filing a separate written acceptance along with the nominating petition or by signing the acceptance block on the nominating petition as provided by the Board of Elections. Either method of acceptance is in compliance with the Charter of the City of Euclid. As the Charter plainly states, the petition may be circulated in separate parts but filed as one instrument. The filing of the petition must be accompanied by a single acceptance of the nomination and no more.

If Mr. Epps signed one nomination petition or another document indicating acceptance of the nomination, I do not find this is a valid basis for a protest of Mr. Epps' petitions.

Please advise the Director and Board as necessary and feel free to follow-up with any questions.

Sincerely,



Kelley A. Sweeney  
Director of Law

[ksweeney@cityofeuclid.com](mailto:ksweeney@cityofeuclid.com)

cc: Christopher Michael Litwinowicz  
Marcus Epps



585 EAST 222<sup>ND</sup> STREET, EUCLID, OHIO 44123-2099

**Department of Law**  
Phone: 216/289-2746  
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**Office of the Prosecutor**  
Phone: 216/289-2760  
Fax: 216/289-2749

August 15, 2023

Mr. Brent E. Lawler  
Manager Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, Ohio 44115-2497

**Re: Christopher Michael Litwinowicz Protest of Taneika Hill Petitions**

Dear Mr. Lawler:

At your request, I have reviewed the Charter of the City of Euclid along with relevant Ohio Revised Code sections and various federal cases as they pertain to the protest filed by Christopher Michael Litwinowicz against the nominating petitions of Taneika Hill (misspelled Tamekia). As I read the protest, there are two issues:

**(1) Candidate's signature on nomination petitions**

The City of Euclid Charter, Article VII, Section 1, provides in pertinent part that "each petition shall be accompanied by the written acceptance of the nominee...[and] the nomination of each candidate shall be made by a separate petition, but such petition may be circulated in separate parts, which shall be filed, however, as one instrument."

The Charter requires a candidate accept his or her nomination with the acceptance filed with the nominating petition. Nowhere does the Charter require that each part-petition reflect the acceptance of candidacy. Rather, the acceptance can be accomplished by filing a separate written acceptance along with the nominating petition or by signing the acceptance block on the nominating petition as provided by the Board of Elections. Either method of acceptance is in compliance with the Charter of the City of Euclid. As the Charter plainly states, the petition may be circulated in separate parts but filed as one instrument. The filing of the petition must be accompanied by a single acceptance of the nomination and no more.

If Ms. Hill signed one nomination petition or another document indicating acceptance of the nomination, I do not find this is a valid basis for a protest of Ms. Hill's petitions.

## (2) Circulators of petitions

The City of Euclid Charter, Article VII, Section 1, provides that “each petition shall be circulated by a registered elector of the City.” However, similar residency challenges have not been upheld. See *Nader v. Blackwell*, 545 F.3d 459 (6th Cir. 2008) where the appellate court held that [former] §3503.06 effectively imposed unconstitutional requirements (both residency and registration) on Nader’s circulators.

Post *Nader*, the Ohio General Assembly enacted Ohio Revised Code 3503.06(C)(1)(a) which provides: “Except for a nominating petition for presidential electors, no person shall be entitled to circulate any petition unless the person is a resident of this state and is at least eighteen years of age.”

A circulator must be at least 18 years of age and a resident of the State of Ohio. There are no additional requirements in the state code that an individual must reside in a municipality to circulate a petition for a candidate or issue in that municipality.

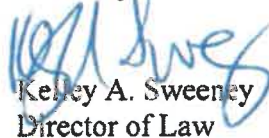
I found a letter from former Euclid Law Director L. Christopher Frey in 2009 advising the Board of Elections that “[b]ased upon my review, it is my conclusion that the present Euclid Charter provision, Article VII, Section 1, cannot be enforced as written.” Furthermore, Law Director Frey gave the following instructions to the Board of Elections:

You are accordingly advised that until such time as the City of Euclid reviews this provision of the Charter and develops a record to support the compelling need to have registered voters of the City of Euclid be the only persons permitted to circulate nominating petitions, nominating petitions for City of Euclid Council and Mayor should not carry such a requirement.

I have not found any additional correspondence from Law Director Frey following the directive he gave to the Board of Elections issued in 2009. It is also my legal opinion that City of Euclid Charter, Article VII, Section 1, cannot be enforced. As such, I do not find this is a valid basis for a protest of Taneika Hill’s petitions.<sup>1</sup>

Please advise the Director and Board as necessary and feel free to follow-up with any questions.

Sincerely,



Kelley A. Sweeney  
Director of Law

[ksweeney@cityofeuclid.com](mailto:ksweeney@cityofeuclid.com)

cc: Christopher Michael Litwinowicz  
Taneika Hill

<sup>1</sup> So the Board is aware, Euclid Charter, Article VII, Section 1 is before the city’s Charter Review Commission for potential Charter change to alleviate this issue in the future.



585 EAST 222<sup>ND</sup> STREET, EUCLID, OHIO 44123-2099

**Department of Law**  
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August 15, 2023

Mr. Brent E. Lawler  
Manager Candidate & Petition Services  
Cuyahoga County Board of Elections  
2925 Euclid Avenue  
Cleveland, Ohio 44115-2497

**Re: Christopher Michael Litwinowicz Protest of Kirsten Holzheimer Gail Petitions**

Dear Mr. Lawler:

At your request, I have reviewed the Charter of the City of Euclid along with relevant Ohio Revised Code sections and various federal cases as they pertain to the protest filed by Christopher Michael Litwinowicz against the nominating petitions of Mayor Kirsten Holzheimer Gail. As I read the protest, there are three (3) issues:

**(1) Candidate's signature on nomination petitions**

The City of Euclid Charter, Article VII, Section 1, provides in pertinent part that "each petition shall be accompanied by the written acceptance of the nominee...[and] the nomination of each candidate shall be made by a separate petition, but such petition may be circulated in separate parts, which shall be filed, however, as one instrument."

The Charter requires a candidate accept his or her nomination with the acceptance filed with the nominating petition. Nowhere does the Charter require that each part-petition reflect the acceptance of candidacy. Rather, the acceptance can be accomplished by filing a separate written acceptance along with the nominating petition or by signing the acceptance block on the nominating petition as provided by the Board of Elections. Either method of acceptance is in compliance with the Charter of the City of Euclid. As the Charter plainly states, the petition may be circulated in separate parts but filed as one instrument. The filing of the petition must be accompanied by a single acceptance of the nomination and no more.

If Ms. Gail signed one nomination petition or another document indicating acceptance of the nomination, I do not find this is a valid basis for a protest of Ms. Gail's petitions.

## **(2) Circulators of petitions**

The City of Euclid Charter, Article VII, Section 1, provides that “each petition shall be circulated by a registered elector of the City.” However, similar residency challenges have not been upheld. See *Nader v. Blackwell*, 545 F.3d 459 (6th Cir. 2008) where the appellate court held that [former] §3503.06 effectively imposed unconstitutional requirements (both residency and registration) on Nader’s circulators.

Post *Nader*, the Ohio General Assembly enacted Ohio Revised Code 3503.06(C)(1)(a) which provides: “Except for a nominating petition for presidential electors, no person shall be entitled to circulate any petition unless the person is a resident of this state and is at least eighteen years of age.”

A circulator must be at least 18 years of age and a resident of the State of Ohio. There are no additional requirements in the state code that an individual must reside in a municipality to circulate a petition for a candidate or issue in that municipality.

I found a letter from former Euclid Law Director L. Christopher Frey in 2009 advising the Board of Elections that “[b]ased upon my review, it is my conclusion that the present Euclid Charter provision, Article VII, Section 1, cannot be enforced as written.” Furthermore, Law Director Frey gave the following instructions to the Board of Elections:

You are accordingly advised that until such time as the City of Euclid reviews this provision of the Charter and develops a record to support the compelling need to have registered voters of the City of Euclid be the only persons permitted to circulate nominating petitions, nominating petitions for City of Euclid Council and Mayor should not carry such a requirement.

I have not found any additional correspondence from Law Director Frey following the directive he gave to the Board of Elections issued in 2009. It is also my legal opinion that City of Euclid Charter, Article VII, Section 1, cannot be enforced. As such, I do not find this is a valid basis for a protest of Ms. Gail’s petitions.<sup>1</sup>

## **(3) Term Limits**

Mr. Litwinowicz alleges that Mayor Holzheimer Gail is term limited in that she “never took a full term of 4 years off before filing for new office.”

Mayor Holzheimer Gail is in her second term of Mayor and can serve one more term if elected. Prior to being elected Mayor, she served as City of Euclid Council President. There is nothing in the City of Euclid Charter that imposes a break in service from one office to another as Mr. Litwinowicz alleges. As such, this protest has no merit.

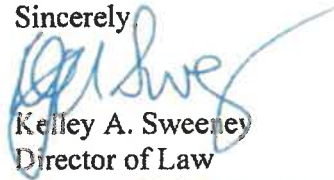
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<sup>1</sup> So the Board is aware, Euclid Charter, Article VII, Section 1 is before the city’s Charter Review Commission for potential Charter change to alleviate this issue in the future.



Please advise the Director and Board as necessary and feel free to follow-up with any questions.

Sincerely



Kelley A. Sweeney  
Director of Law

[ksweeney@cityofeuclid.com](mailto:ksweeney@cityofeuclid.com)

cc: Christopher Michael Litwinowicz  
Mayor Kirsten Holzheimer Gail

CCBOE

Board Meeting Minutes

August 19, 2019



**Board Meeting  
8-19-2019**

**Attending:**

Jeff Hastings, Chairman  
Inajo Davis Chappell, Member  
Robert S. Frost, Member  
David J. Wondolowski, Member  
Anthony W. Perlatti, Director  
Shantiel Soeder, Deputy Director  
Kelli Perk, Assistant Prosecutor, Cuyahoga County

Anthony Alto, Clerk to the Board  
Linda Walker, Clerk to the Board

---

The Board Meeting began at 9:32 am.

Chairman Hastings noted that all board members were present.

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**Agenda Item 1: Approval of minutes from the July 15, 2019 board meeting**

The Board voted unanimously to approve the minutes from the July 15, 2019 board meeting.

**Agenda Item 2: Acknowledgement of Secretary of State Directives and Advisories**

The Board voted unanimously to acknowledge Secretary of State Directives 2019-10 & 2019-11, and Advisories 2019-06 & 2019-07.

Director Perlatti stated that staff has already complied with these directives.

**Agenda Item 3: Update on the September 10, 2019 Primary Election, and Last Chance Mailing**

Director Tony Perlatti stated early voting has begun and will continue through September 9th. Staff will ensure that there is adequate signage for voters. Staff has received 829 vote-by-mail applications so far and has processed 13 early voters. We anticipate a 20% turnout. There will be one (1) new polling location in Fairview Park. Signage will be posted at the old location notifying voters of the change. One hundred percent of poll workers have been hired. Seventy percent have been trained.

Director Perlatti stated that staff sent out 32,552 notices for the last chance mailing. Staff has received back 9,320 notices as undeliverable.

**Agenda Item 4: Protest Hearing against the candidacy of Kirsten Holzheimer-Gail**

Candidate and Petition Services Manager Brent Lawler stated that Mr. Christopher Litwinowicz filed two protests against the candidates running for Euclid Mayor, Kirsten Holzheimer-Gail and Richard Montgomery II. Mr. Litwinowicz argues that since the candidates did not sign each part petition those unsigned part petitions should be thrown out. Mr. Litwinowicz protested candidates on the same issue in 2009, and the Board denied those protests. The Euclid Law Director opined that each part petition does not have to be signed. Staff recommended that both protests be denied and that the candidates be certified to the ballot.

Chairman Hastings noted that Christopher Litwinowicz, Mayor Holzheimer-Gail, Richard Montgomery, and Euclid Law Director Kelly Sweeney were all present.

Michael Litwinowicz was sworn in. He presented the Board with Article 7 of the Euclid Charter and read it. He stated that each petition must be accompanied by a signature. The petitions without signatures should be thrown out. After the petitions are thrown out the candidates will not have enough valid signatures. The candidates should be removed from the ballot.

Chairman Hastings stated that the Board received and reviewed the protest, responses, and legal opinion.

Euclid Law Director, Kelley Sweeney was sworn in. Ms. Sweeney stated the Euclid charter states that a candidate's petition must be signed by the candidate, and may be filed in separate parts, but shall be filed as one instrument. Mayor Holzheimer-Gail signed at least one of the part-petitions, therefore she signed the petition.

Richard Montgomery was sworn in. He was represented by Mr. Treppi. Mr. Treppi stated that the Euclid Law Director came to the correct conclusion. Mr. Litwinowicz's second argument against Mr. Montgomery fails because it is contradictory to Ohio law. Ohio law does not prohibit using non-resident circulators. However, even if those petitions were thrown out, Mr. Montgomery would still satisfy the number of signatures required. Mr. Litwinowicz made a final argument that Ms. Coretta Mock did not sign the petition. Mr. Montgomery verified that Ms. Mock did sign the petition and has an affidavit as evidence.

Chairman Hastings asked Mr. Montgomery if his signature is on his petition. Mr. Montgomery said that it is.

Board Member Chappell moved to deny the protest.

Board Member Wondolowski seconded.

The Board voted unanimously to deny the protest.

**Agenda Item 5: Protest Hearing against the candidacy of Richard T. Montgomery II**

Board Member Frost moved to deny the protest.

Board Member Wondolowski seconded the motion.

Board Member Frost asked Mr. Lawler if the signatures from the petition circulated by the non-electors were removed would Mr. Montgomery still have the required number of signatures. Mr. Lawler replied that he would.

Board Member Chappell stated that the Ohio Revised Code 3503.06(C)(1)(A) makes it clear that a circulator of a petition does not have to be a registered elector of the city.

**Agenda Item 6: Acknowledgement of candidate and issue withdrawals**

The Board voted unanimously to acknowledge the candidate and issue withdrawals as provided in the meeting materials.

**Agenda Item 7: Acknowledgement of appointment to elected office**

The Board voted unanimously to acknowledge the appointment to elected office as provided in the meeting materials.

**Agenda Item 8: Certification of candidates and issues to the November 5, 2019 General Election**

Mr. Lawler stated that staff is not recommending some candidates to be certified because they do not meet the number of signatures required. All candidates were notified and invited to the meeting.

The Board voted not to certify those candidates recommended by staff for failing to meet the signature requirement.

Chairman Hastings recused himself from voting on the certification of candidates for the Parma Board of Education.

Board Members Chappell, Frost, and Wondolowski voted to certify the candidates of the Parma Board of Education.

The Board voted unanimously to certify the rest of the candidates and issues to the November 5, 2019 General Election as provided in the meeting materials.

**Agenda Item 9: Approval to allocate 263 voting booths, 36 DS200 precinct scanners, 13 ADA AutoMark voting units, and 46 electronic poll books for the September 10, 2019 Primary Election**

The Board voted unanimously to allocate 263 voting booths, 36 DS200 precinct scanners, 13 ADA AutoMark voting units, and 46 electronic poll books for the September 10, 2019 Primary Election.

**Agenda Item 10: Approval to process payment in the amount not-to-exceed \$900.00 for 3 private locations being used for the September 10, 2019 Election**

The Board voted to approve processing payment in the amount not-to-exceed \$900.00 for 3 private locations being used for the September 10, 2019 Election.

**Agenda Item 11: Approval to process payment for 13 Voting Location Managers, 15 Voting Location Deputies, 165 Precinct Election Officials, and 15 Standby Workers in the amount not-to-exceed \$35,228.00 for the September 10, 2019 Election**

The Board voted unanimously to approve processing payment for 13 Voting Location Managers, 15 Voting Location Deputies, 165 Precinct Election Officials, and 15 Standby Workers in the amount not-to-exceed \$35,228.00 for the September 10, 2019 Election.

**Agenda Item 12: May Election PEO Performance Review**

Election Officials Assistant Manager Peter James stated that at the last Board meeting the Board approved a review policy for precinct election officials. All PEOs were notified of the new process and provided the rubrics against which they will be evaluated. There were very few complaints from workers or voters relative to the execution of the election. Overall, the May election was a success and a model for future elections. The materials sent to the Board contain the specifics of the performance review.

Board Member Chappell suggested having a contest or award as an incentive.

The Board voted unanimously to acknowledge the PEO Performance Review from the May Primary Election.

**Agenda Item 13: Approval of vouchers**

The Board voted unanimously to approve the vouchers as provided in the meeting materials.

**Agenda Item 14: Presentation on the Biennial Budget Recommendation**

Director Perlatti stated that the budget is based on both the previous period and four years prior. The OBM and Board of Elections fiscal officers work together to determine a base budget. The proposed budget is \$16.2 million for 2020 and \$13.1 million for 2021.

The budget for 2020 is 2% higher than 2016. The budget for 2021 is 7% higher than 2017. The increase is attributed to salary increases and higher costs for maintenance. Cost-saving practices and equipment include electronic poll books, a new ballot printer, and electronic voter

registration. There are also less polling locations because several of them have been consolidated. Staff is exploring lowering the number of poll workers at each precinct in multi-precinct locations pursuant to the new laws and regulations.

Board Member Chappell asked what increased costs the Board will incur in regards to the change of the March Primary to March 17, 2020. Director Perlatti stated that staff will have to send out more notifications. Deputy Director Shantiel Soeder stated that there will be money in the budget to accommodate this change.

Director Perlatti stated that the budget includes several new initiatives for the biennial period. These include replacing old voting booths, cyber security software licensing, Mail Ballot Verifier, Elections Asset Inventory Management System, compensation study, new early in-person voting center, and voting equipment.

Staff will ask the Board to approve the budget at the next meeting. After Board approval executive management will meet with fiscal representatives from the County. County Council will have to approve the final budget.

#### **Agenda Item 15: Approval of personnel agenda**

The Board voted unanimously to approve the personnel agenda as provided in the meeting materials.

#### **New Business:**

##### New Logo:

Deputy Director Soeder stated that staff is looking to unify the branding of the Board of Elections. Currently there are four (4) logos in use. There are some staff who have graphic design skills who can help design a new logo. The new logo will be consistent with the new website design.

##### New Early Voting Location

Director Perlatti stated that there is a need to find a new early voting location. New legislation will make early voting easier. Staff is working with the County to determine whether moving early voting to the warehouse is practical and efficient. We are creating a task force on this matter. Board Members Frost and Wondolowski volunteered to sit on the task force.

#### **Public Comment:**


##### Christopher Litwinowicz

Mr. Litwinowicz spoke about a variety issues.

The Board unanimously voted to adjourn at 11:06 am.

Certification: I have reviewed the above minutes and certify that they are an accurate summary of the actions taken by the Cuyahoga County Board of Elections at its meeting held on August 19, 2019.

Jeff Hastings, Chairman

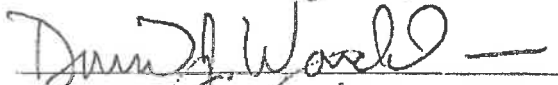
  
\_\_\_\_\_  
Handwritten signature of Inajo Davis Chappell

Inajo Davis Chappell, Member

Robert S. Frost, Member

  
\_\_\_\_\_

David J. Wondolowski, Member

  
\_\_\_\_\_

Anthony Perlatti, Director

  
\_\_\_\_\_



# Euclid Charter

## Article VII Nominations

## **SECTION 1. PROCEDURES.**

Nominations for elective officers of the City shall be made only by petition. Candidates at large shall file a petition signed by registered electors of the City not less in number than two percent (2%) of the number voting in the City at the last preceding general election. Candidates for Ward Councilman shall file a petition signed by registered electors in their respective wards, not less in number than two percent (2%) of the number voting in such ward at the last preceding general election. Each petition shall be accompanied by the written acceptance of the nominee. Each petition shall be circulated by a registered elector of the City. The nomination of each candidate shall be made by a separate petition, but such petition may be circulated in separate parts, which shall be filed, however, as one instrument. No primary election shall be held for the selection of any candidate for any elective office of this City; and no nomination for any such office shall be of any effect unless made as required by this Section 1. The ballot used in the election of officers of the City shall be without party mark or designation. The names of all candidates for any City office shall be placed upon the same ballot and shall be rotated in the manner provided by the Laws of Ohio. Except as otherwise provided in this Charter, the Laws of Ohio shall govern the nomination and election of the elective officers of the City.

(Amended November 6, 1979.)

# Euclid Mayoral Candidate Protests

1. Daniel J. Burns
2. Marcus Epps
3. Kirsten Holzheimer Gail
4. Taneika L. Hill

# Agenda Item

#15

**WRITEN PROTEST - AUGUST 11<sup>TH</sup>, 2023**

**FROM: CHRISTOPHER MICHAEL LITWINOWICZ**

**21970 MORRIS AVENUE**

**EUCLID , OHIO, 44123**

**TO: CUYAHOGA COUNTY BOARD OF ELECTIONS**

**2925 EUCLID AVENUE**

**CLEVELAND, OHIO,**

**SUBJECT : WRITEN PROTEST AGAINST :**

**1. KIRSTEN HOLZHEIMER-GAIL – FILED ON JULY 10, 2023 . SO I FILE THIS WRITEN PROTEST ON AUGUST 11, 2023. FILED WITH-IN 5 DAYS OF THE FILING DEADLINE PRESCRIBE BY STATE LAW.**

**A. FAILURE TO FOLLOW CITY OF EUCLID, OHIO CHARTER ARTICLE VII SECTION 1 NOMINATIONS AND PROCEDURES..... ARTICLE VII NOMINATIONS AND ELECTIONS**

**SECTION 1. PROCEDURES.**

**. Each petition shall be accompanied by the written acceptance of the nominee.**

**LEGAL NOTE: USE THIS ATTACHED CITY OF EUCLID CHARTER ARTICLE VII NOMINATIONS AND PROCEDURES AS A LAW REFERENCE . ALSO THIS DOCUMENT IS ALL READY FILED WITH THE CUYAHOGA COUNTY BOARD OF ELECTIONS..... . Each petition shall be accompanied by the written acceptance of the nominee.**

**IF THERE IS 18 SIGNATURES ALLOWED TO EACH PART PETITION AND YOU ONLY SIGN 3 NOMINATION ACCEPTANCE BOX. 18 SIGNATURES TIME 3 IS 54..... CANDIDATES NEED 260 VALID SIGNATURE INCLUDING RESIDENTS TO BE REGISTER AS A VOTER BEFORE THEY SIGN ANY PETITION...**

**ALSO CIRCULATORS ... LIKE KENT SMITH GIVES RED FLAGS.....ALSO ALL PARTS OF THE NOMINATION PETITION(S) SHOULD OF BEEN ACCEPTED BY ALL CANDIDATE(S) INCLUDING KIRSTEN HOLZHEIMER GAIL.....WHICH FILED ON JULY 10, 2023 AT THE CUYAHOGA COUNTY BOARD OF ELECTIONS LOCATED AT 2925 EUCLID AVENUE, CLEVELAND, OHIO, 44115. LAST TERM LIMITED: NEVER TOOK A FULL TERM OF 4 YEARS OFF BEFORE FILING FOR A NEW OFFICE.....ORAL ARGUMENT REQUESTED NOT JUST BY ME... EXAMPLE OTHER MAYORAL CANDIDATES WOULD LIKE TO SPEAK TO THE BOARD . ASAP...**

**RESPECTFULLY SUBMITTED ;**

**CHRISTOPHER MICHAEL LITWINOWICZ**

**21970 MORRIS AVENUE, EUCLID, OHIO, 44123 (216)598-8141 MIKELITWINOWICZ@YAHOO.COM**



**American Legal**  
Publishing

2023 S-13 (current)

Euclid Overview

Euclid, OH Code of Ordinances

CODIFIED ORDINANCES OF THE CITY OF EUCLID, OHIO

CERTIFICATION

DIRECTORY OF OFFICIALS (2022)

PRELIMINARY UNIT

THE CHARTER OF THE CITY OF EUCLID, OHIO

PREAMBLE

ARTICLE I POWERS

ARTICLE II THE COUNCIL

SECTION 1. POWER, ELECTION AND TERM OF OFFICE.

SECTION 2. ORGANIZATION OF COUNCIL.

SECTION 3. COUNCIL MEETINGS.

SECTION 4. RULES AND JOURNAL OF COUNCIL.

SECTION 5. GENERAL ORDINANCES.

SECTION 6. EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS.

SECTION 7. VACANCY.

SECTION 8. LIMITATION ON RATE OF TAXATION FOR CURRENT EXPENSES.

SECTION 9. LEVIES FOR DEBT SERVICE.

SECTION 10. SUBMISSION OF EXTRA LEVY TO VOTE.

SECTION 11. OTHER TAXES.

SECTION 12. MUNICIPAL INCOME TAX CREDIT.

SECTION 13. TAX REDUCTION.

ARTICLE III INITIATIVE, REFERENDUM AND RECALL

ARTICLE IV THE MAYOR

ARTICLE V ADMINISTRATIVE DEPARTMENTS AND COMMISSIONS

ARTICLE VI SALARIES AND BONDS

**ARTICLE VII NOMINATIONS AND ELECTIONS**

**SECTION 1. PROCEDURES.**

SECTION 2. VACANCIES IN ELECTIVE OFFICES.

ARTICLE VIII FINANCES

ARTICLE IX FRANCHISES

ARTICLE X AMENDMENTS TO THE CHARTER

ARTICLE XI MISCELLANEOUS

PART ONE - ADMINISTRATION CODE

PART THREE - TRAFFIC CODE

PART FIVE - GENERAL OFFENSES CODE

PART SEVEN - BUSINESS REGULATION AND TAXATION CODE

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE

PART ELEVEN - HEALTH AND SANITATION CODE

PART THIRTEEN - PLANNING AND ZONING CODE

PART FIFTEEN - FIRE PREVENTION CODE

PART SEVENTEEN - BUILDING AND HOUSING CODE

## ARTICLE VII NOMINATIONS AND ELECTIONS

### SECTION 1. PROCEDURES.

Nominations for elective officers of the City shall be made only by petition. Candidates at large shall file a petition signed by registered electors of the City not less in number than two percent (2%) of the number voting in the City at the last preceding general election. Candidates for Ward Councilman shall file a petition signed by registered electors in their respective wards, not less in number than two percent (2%) of the number voting in such ward at the last preceding general election. Each petition shall be accompanied by the written acceptance of the nominee. Each petition shall be circulated by a registered elector of the City. The nomination of each candidate shall be made by a separate petition but such petition may be circulated in separate parts, which shall be filed, however, as one instrument. No primary election shall be held for the selection of any candidate for any elective office of this City; and no nomination for any such office shall be of any effect unless made as required by this Section 1. The ballot used in the election of officers of the City shall be without party mark or designation. The names of all candidates for any City office shall be placed upon the same ballot and shall be rotated in the manner provided by the Laws of Ohio. Except as otherwise provided in this Charter, the Laws of Ohio shall govern the nomination and election of the elective officers of the City.

(Amended November 6, 1979.)

### SECTION 2. VACANCIES IN ELECTIVE OFFICES.

The office of an elected officer of the City shall become vacant upon his death or resignation, or upon his recall, pursuant to [Section 2 of Article III](#) of this Charter, and may, upon complaint and hearing, be declared vacant by resolution of the Council, if: (a) he shall not be a registered elector of the City; (b) he shall not reside in the City, or shall not have resided in the City continuously for a period of at least one year immediately preceding his election; or, in the case of a Ward Councilman, he shall not reside in his ward or shall not have resided therein continuously for a period of at least the one year immediately preceding his election; (c) he shall hold any incompatible public office; or (d) he shall have any material financial interest in any contract to which the City is a party.

**Disclaimer:** This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality. American Legal Publishing provides these documents for informational purposes only. These documents should not be relied upon as the definitive authority for local legislation. Additionally, the formatting and pagination of the posted documents varies from the formatting and pagination of the official copy. The official printed copy of a Code of Ordinances should be consulted prior to any action being taken. For further information regarding the official version of any of this Code of Ordinances or other documents posted on this site, please contact the Municipality directly or contact American Legal Publishing toll-free at 800-445-5588. **Hosted by:** American Legal Publishing

# Agenda Item

## #16



Written Protest

Requested to see petition

Against Daniel Burns

Nomination petitions

Filed ON ~~JULY~~ August 4 2023

At Cuyahoga County Board of

Elections. Failure to follow

City of Euclid Charter Article VII

Nomination AND Elections section 1

Procedures . . . . .

(Each petition must be accepted by  
the nominee)

Each circulator must be from city  
of Euclid, Ohio,

Aug 14, 2023,

Respectfully Christopher Michael Titunius

Christopher Michael Titunius

AUG 14 2023 11:15 AM

# Agenda Item

#17

Written Protest  
AGAINST TAMEKIA Hill

Requested  
to see  
petitions

Nomination petitions

File ON August 9th, 2023

AT Cuyahoga County Board  
of Elections. Failure to

Follow city of Euclid Charter

Article  
VII NOMINATIONS AND ELECTIONS

SECTION 1 Procedures . . . .

(Each petition must be Accepted by  
the NOMINEE).

Each circulator must be from city of Euclid

Respectfully, Submitted

8-14-2023 Christopher Michael Futwinowice

Aug 14 23 AM 1:45

Protest Response

Taneika Hill

## Re: CCBOE Protest Hearing Notification

Taneika Hill <friendsfortaneikahill@gmail.com>

Wed 8/23/2023 10:09 AM

To: Mary L. Bejjani <mbejjani@cuyahogacounty.gov>; Brent Lawler <blawler@cuyahogacounty.gov>

📎 1 attachments (2 MB)

letter to Lawler re CML Hill protest.pdf;

Good afternoon,

Please accept this letter as my response to the above protest. It is clear that I have not violated the Euclid Charter in filing my petitions. The first protest states that each petition has to be signed and the nomination has to be accepted by the candidate. While our charter states that each petition is a part of one whole, meaning that only one page has to be signed, however, to ensure that there is no confusion and because I anticipated this protest, each one of my petitions were signed and the nomination was accepted by me. It was also said that the circulator has to live in the city of Euclid. Per the ORC the circulator only has to live in be a registered voter and live in the state of Ohio. I have also attached the legal opinion from the Euclid Law Director Kelley Sweeney to this email. I believe this adequately defends my position in this matter.

On Wed, Aug 16, 2023 at 5:27 PM Mary L. Bejjani <mbejjani@cuyahogacounty.gov> wrote:

Dear Ms. Taneika Hill,

The Cuyahoga County Board of Elections (CCBOE) has received the attached protest regarding the nominating petitions for Tamekia Hill, candidate for the Mayor of Euclid in the November 7, 2023, General Election.

The Board has scheduled a hearing regarding the matter on:

**Tuesday, August 29, 2023, at 9:30 a.m. at the Cuyahoga County Board of Elections Board Room (4<sup>th</sup> floor) located 2925 Euclid Ave, 4th Floor Board Room, Cleveland, OH 44115.**

There is a deadline to file all position papers and other documentation related to the protest by 12:00 p.m. on Tuesday, August 22, 2023, at the Board of Elections.

Please review the attached notification letter and notice of procedures for detailed instructions.

The CCBOE will also send this information via certified and standard mail to your attention.

Should you have any questions, please contact me.

Please confirm receipt of this notification.

Sincerely,

Mary Bejjani

# Agenda Item

#18

# Written Protest

To Whom it may concern

To: Cuyahoga County Board of Election

Voter CANDIDATES Service MANAGE/

ATTACH IS LITURE: PAID for BY FRIEND / <sup>PAID FOR BY</sup> Department of Elect Manu  
From: Christopher MICHAEL Litwinowicz <sup>D. Epps for Mayor City of Euclid.</sup>

Subj - Protest against the <sup>can</sup> ~~star~~ Nominating of

CANDIDACY of Mayor for MARCUS EPPS  
living at 25591 TUNGSTEN. voter ID 2655147  
with in the city of Euclid, Ohio

Filed ON August 9th, 2023

EVEN IF NAME IS printed on Ballot votes <sup>Don't COUNT</sup>  
CAN NOT accept the nomination If he/she wins.

① Failure to follow charter of the City of Euclid Article VII

Nominations AND Elections  
SECTION 1. Procedures.

'23 AUG 16 PM 2:34

Each petition must be Accompany by the  
ACCEPTANCE of the NOMINEE. 18 Each page  
need 260 Register voters. <sup>aug 16, 2023</sup> Christopher Michael Litwinowicz

# Agenda Item

#19



**VOTE** CUYAHOGA COUNTY  
BOARD OF ELECTIONS

**Candidate & Issue Withdrawal Acknowledgment**

**Candidate Withdrawn from the November 7, 2023 General Election**

| <b><u>Office</u></b>                    | <b><u>Name</u></b>   | <b><u>Party</u></b> |
|---|----------------------|---------------------|
| Chagrin Falls Village Member of Council | Andrew Rockey        | Nonpartisan         |
| Bay Village CSD, School Board Member    | Gayatry Jacob-Mosier | Nonpartisan         |



CUYAHOGA COUNTY  
BOARD OF ELECTIONS

Date: 8-21-2023

I, Andrew Rocky, withdraw my candidacy for

(check one):

May 2, 2023 Primary Election

September 12, 2023 Primary Election

November 7, 2023 General Election

Other: \_\_\_\_\_

Party (if applicable): \_\_\_\_\_

Office: Council Member

Term date (if applicable): fall

Signature: 

Printed Name: Andrew Rocky

Street Address: 157 Bradley St

City / Zip Code: Chagrin Falls 44022

Phone: (216) 406-0631

Email: Councilman.Rocky@gmail.com

23 AUG 21 PM 1:11

# VOTE



## CUYAHOGA COUNTY BOARD OF ELECTIONS

Date: August 25<sup>th</sup> 2023

I, Gayatry Jacob-Mosier, withdraw my candidacy for

(check one):

- May 2, 2023 Primary Election
- September 12, 2023 Primary Election
- November 7, 2023 General Election
- Other: \_\_\_\_\_

Party (if applicable): \_\_\_\_\_

Office: Board of Education

Term date (if applicable): \_\_\_\_\_

Signature: 

Printed Name: Gayatry Jacob-Mosier

Street Address: 617 Elmwood Rd

City / Zip Code: Bay Village 44140

Phone: 440 808-8561

Email: gayatry@sbcglobal.net

# Agenda Item

#20

# VOTE CUYAHOGA COUNTY BOARD OF ELECTIONS

## Agenda Item Request

Requested By: Becky Brake

Department: Election Officials

Requested Action:  Approval  
 Authorization  
 Other \_\_\_\_\_

Type of Request  RFP/contract  
 Travel/Training  
 Personnel  
 Provisional Rejections  
 Absentee Rejection  
 Certification  
 Protest  
 Other \_\_\_\_\_

Requested for the 08/29/2023 Board Meeting Agenda.  
Date

**Specific description of request:**

Approval to appoint not less than two Precinct Election Officials for each precinct pursuant to ORC 3501.22 for the

November 7, 2023 General Election

Estimated Expense: \_\_\_\_\_

Budgeted Item: Yes  No

Requestor Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Manager Signature: Becky Brake

Date: 8/18/23

Fiscal Officer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Deputy Director: Anthony N. Kales

Date: 8/23/23

Director Approved: Yes  No

Director's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**\*Please enclose all associated documentation along with this request form to the Clerk of Board.\***

Forward to the Clerk of the Board: Date: 8/18/23

Received by the Clerk of the Board: Date: 8/18/23

# Agenda Item

#21

FISCAL  
VOUCHER A  
(FIS-V-A)

**Resolution No. R2023-8-29-FIS-V**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the printing and mailing of the Voter Information Guides for all registers households in the November 2023 General Election in an amount not to exceed \$31,000.00 (PO Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: August 29, 2023

Agenda Item: Fiscal Services A

Vendor: Midwest Direct

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- Chairman Curtis

Motion seconded by: ----- Board Member Davis Chappell

Vote of the Board Members:

|                              |   |                              |
|------------------------------|---|------------------------------|
| Henry F Curtis, IV, Member   | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Inajo Davis Chappell, Member | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Lisa M. Stickan, Member      | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Terence McCafferty, Member   | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |

Resolution adopted at the Cuyahoga County Board of Elections meeting on 29th  
AUGUST 2023

Signature of Chairman Henry F Curtis, IV

Signature of Director [Signature]





# CUYAHOGA COUNTY BOARD OF ELECTIONS

Henry F Curtis, IV  
Member

Inajo Davis Chappell  
Member

Lisa M. Stickan  
Member

Terence M. McCafferty  
Member

Anthony W. Perlatti  
Director

Anthony N. Kaloger  
Deputy Director

## Memorandum

**To:** Board Members

**Cc:** **Anthony W. Perlatti, Director**  
**Anthony N. Kaloger, Deputy Director**

**From:** Shaunquitta Walker, Fiscal Services Manager

**Date:** August 25, 2023

**Re:** Voter Information Guide November 7, 2023 General Election

---

As you are aware, a General Election will take place on November 7, 2023. The plan is to mail out a Voter Information Guide to all registered voters, households only, for this election—approximately 550,000 households.

The Voter Information Guide includes the following information:

- Notifying voters that the Ohio Secretary of State will be mailing Vote-by-Mail applications;
- How to request a Vote-By-Mail application from the Board of Elections;
- Early In-Person voting dates and hours at the Board of Elections;
- The voter's Election Day poll location and voting hours;
- Identification requirements for voting on Election Day;

Early In-Person voting begins on Wednesday, October 11, 2023. **The voter information guide will be mailed approximately one week before early voting begins.**

An unrestricted, informal bid was conducted through the Cuyahoga County's procurement system, INFOR, to 35 registered suppliers. The bid closed on Friday, August 18, 2022 at 12:00pm EST. There was only one bidders. A second effort was performed to attempt to obtain a minimum of three (3) quotes by extending the open bid period. The second effort bid closed Monday, August 21, 2023 at 3:30pm EST. where two additional quotes were obtained. Please see bid summary below:

### Bid Tabulation

| Rank | Bidder Name               | Total          |
|------|---------------------------|----------------|
| 1    | Midwest Direct            | \$ 29,811.00 * |
| 2    | Weekley's Mailing Service | \$ 30,683.00   |
| 3    | Election IQ               | \$ 69,692.70   |

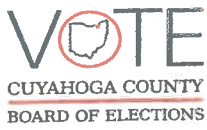
\* *Lowest, Best Bidder*

**Midwest Direct** was the lowest and best bidder for a total of **\$29,811.00** for the printing and mailing of the November 7, 2023 General Election Voter Information Guide. Please note that CCBOE has determined that we may need to send Midwest multiple data files (\$315/file), we are creating the purchase order in the amount of \$31,000.00 to allow for any additional cost and any unused fund will be returned back to the budget.

See summary of the total expected costs for the printing, mailing and postage for an estimated 550,000 Voter Information Guides.

| Voter Information Guide - November 7, 2023 |                      |
|--|----------------------|
| Printing (\$34.60 per M)                   | \$ 16,954.00         |
| Mailing (\$26.24 per M)                    | \$ 12,857.60         |
| Postage (\$0.11 per piece)                 | \$ 97,350.00         |
| <b>Total Expected Cost</b>                 | <b>\$ 127,161.60</b> |

Necessary funds were allocated in the 2023 BOE General Election Budget for this purpose.



# DEPARTMENT APPROVAL

## CUYAHOGA COUNTY BOARD OF ELECTIONS

FEDERAL ID # 34-6000817

STATE OF OHIO # 29

**Vendor Name:** Midwest Presort dba Midwest Direct

**Vendor Number:** 25242

**PO Number:** 23003849 EXTB

**Requested By:** Anthony Perlatti, Director

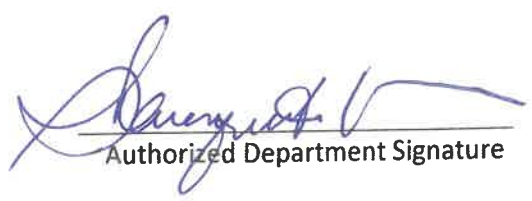
**Date:** 8/25/23

|  |
|--|
| <b>BILL TO:</b><br>Board of Elections<br>2925 Euclid Avenue<br>Cleveland, OH 44115 |
| <b>DELIVER TO:</b><br>USPS BMEU<br>2400 Orange Ave<br>Cleveland, OH 44101          |

| Item | Quantity | UOM | Description   | Unit Price   | Total Price  |
|------|----------|-----|---|--------------|--------------|
| 1    | 1        | LO  | Printing and Mailing of 490,000 Voter Information Guides for the November 2023 General Election | \$ 31,000.00 | \$ 31,000.00 |

|                  |              |
|------------------|--------------|
| <b>PO TOTAL:</b> | \$ 31,000.00 |
|------------------|--------------|

|                         |          |
|-------------------------|----------|
| <b>Accounting Unit:</b> | BE100115 |
| <b>Account:</b>         | 54450    |
| <b>Sub-Account:</b>     | 0        |
| <b>Type:</b>            | Service  |
| <b>Asset:</b>           | N/A      |

  
 Authorized Department Signature

**FISCAL  
VOUCHER B  
(FIS-V-B)**

**Resolution No. R2023-8-29-FIS-V**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the extension of the current purchase order print, assemble and mail purchase order for the VBM Application packet in an additional not to exceed amount \$31,474.80 (PO Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: August 29, 2023

Agenda Item: Fiscal Services B

Vendor: Weekley's Mailing Services

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- CHAIRMAN CURTIS

Motion seconded by: ----- BOARD MEMBER DAVIS CHAPPELL

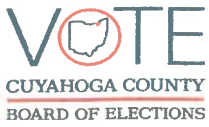
Vote of the Board Members:

|                              |   |                              |
|------------------------------|---|------------------------------|
| Henry F Curtis, IV, Chairman | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Inajo Davis Chappell, Member | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Lisa M. Stickan, Member      | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Terence McCafferty, Member   | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |

Resolution adopted at the Cuyahoga County Board of Elections meeting on 29th  
AUGUST 2023

Signature of Chairman Henry F Curtis, IV

Signature of Director [Signature]



# DEPARTMENT APPROVAL

## CUYAHOGA COUNTY BOARD OF ELECTIONS

FEDERAL ID # 34-6000817

STATE OF OHIO # 29

**Vendor Name:** Weekley's Mailing Services

**Vendor Number:** 5048

**PO Number:** 23002676 EXTB

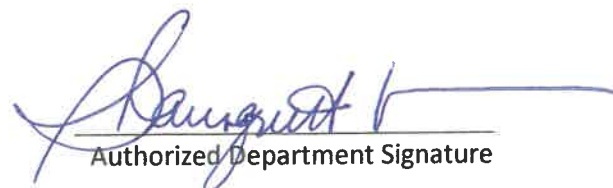
|   |
|---|
| <b>BILL TO:</b>   |
| Board of Elections<br>2925 Euclid Avenue<br>Cleveland, OH 44115 |
| <b>DELIVER TO:</b>  |
| USPS BMEU<br>2400 Orange Avenue<br>Cleveland, OH 44101          |

**Requested By:** Jessica King, Ballot Department **Date:** 8/25/23

| Item | Quantity | UOM | Description   | Unit Price   | Total Price  |
|------|----------|-----|---|--------------|--------------|
| 1    | 1        | LO  | Print, Assemble, and Mail 180,000 VBM Application Packets for June, July, and August 2023 | \$ 31,474.80 | \$ 31,474.80 |
| 2    | 1        | LO  | Extension of Service through December 31, 2023  | \$ 31,474.80 | \$ 31,474.80 |

**PO TOTAL:** \$ 62,949.60

|                         |          |
|-------------------------|----------|
| <b>Accounting Unit:</b> | BE100115 |
| <b>Account:</b>         | 54450    |
| <b>Sub-Account:</b>     | 0        |
| <b>Type:</b>            | Service  |
| <b>Asset:</b>           | N/A      |

  
 Authorized Department Signature

# Agenda Item

#22

FISCAL  
CONTRACT A  
(FIS-C-A)



**Resolution No. R2023-8-29-FIS-C**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the amended moving and storage contract for June 1, 2023 to May 31, 2025 in an amount not to exceed \$264,219.24, to include the additional cost for the August 2023 Special Election (Contract Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: August 29, 2023

Agenda Item: Fiscal Services A

Vendor: Midfitz, Inc. dba Berman Moving and Storage

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- CHAIRMAN CURTIS

Motion seconded by: ----- BOARD MEMBER DAVIS CHAPPELL

Vote of the Board Members:

|                              |   |                              |
|------------------------------|---|------------------------------|
| Henry F Curtis, IV, Chairman | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Inajo Davis Chappell, Member | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Lisa M. Stickan, Member      | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Terence McCafferty, Member   | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |

Resolution adopted at the Cuyahoga County Board of Elections meeting on 29th,  
AUGUST 2023

Signature of Chairman Henry F Curtis, IV

Signature of Director [Signature]

FIRST MODIFICATION TO THE CONTRACT  
between the  
CUYAHOGA COUNTY BOARD OF ELECTIONS  
and  
BERMAN MOVING AND STORAGE, INC.

THIS FIRST MODIFICATION, made as of this \_\_\_\_\_ day of \_\_\_\_\_, 2023, amends the Contract, dated as of May 23, 2023, between the Cuyahoga County Board of Elections ("BOARD"), and Berman Moving and Storage, Inc., ("CONTRACTOR").

WHEREAS, the BOARD and the CONTRACTOR entered into the Contract to provide for the delivery and return of voting equipment for all elections occurring from June 1, 2023 through May 31, 2025; and

WHEREAS, the Contract contained a not-to-exceed amount of \$209,122.54 obtain such delivery services throughout the term based on the unit pricing and estimated quantities contained in the Bid, incorporated in the Contract as Exhibit B; and

WHEREAS, the estimated quantities were based on the elections scheduled during the term at the time the Contract was executed, but subsequent to the effective date of the Contract the State of Ohio scheduled a special election to take place in August 2024, which increased the estimated quantities necessary to furnish the requirements of the Board during the term by \$55,096.70 under the unit pricing contained in the Contractor's Bid;

WHEREAS, the parties desire to modify the contract to increase the not-to-exceed amount to reflect the revised estimated quantities of the Board's requirements for delivery services; and

NOW, THEREFORE, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONTRACTOR and the BOARD agree to the following modifications to the Contract:

I. **Modification to Not to Exceed Amount.** For the purpose of increasing the not-to-exceed amount reflecting the revised estimated quantities due to the addition of the August 8, 2023 special election, Article I. A. of the Contract is amended as follows, with additions depicted in **bold print**, and deletions are represented using ~~struck through text~~:

A. Initial Term: The initial term of this Contract shall commence June 1, 2023 through May 31, 2025, unless earlier terminated or canceled (the "Initial Term"). Payments made by the BOARD to CONTRACTOR during this Initial Term shall not exceed ~~two hundred nine thousand, one hundred twenty two dollars and fifty four cents (\$209,122.54)~~ **two hundred sixty four thousand one hundred nineteen dollars and twenty four cents (\$264,219.24)**.

II. **Incorporation.** Through the execution of this First Modification, the BOARD and the CONTRACTOR agree to amend the Contract though the modification set forth above. Except to the extent that the Contract is specifically amended under this First Modification, which shall be fully incorporated into the Contract as if fully rewritten therein upon becoming effective on the first date appearing above, all terms, conditions and covenants of the Contract shall remain valid and effective.

IN WITNESS WHEREOF, the BOARD and CONTRACTOR have each caused this First Modification to be signed and delivered by its duly authorized representative.

**CONTRACTOR**

By: \_\_\_\_\_

Printed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**CUYAHOGA COUNTY  
BOARD OF ELECTIONS**

By: \_\_\_\_\_  
Anthony W. Perlatti, Director

Date: \_\_\_\_\_

The legal form and correctness of this Contract is hereby approved:

Office of the Prosecutor, Cuyahoga County, Ohio

By: \_\_\_\_\_  
Mark Musson, Assistant Prosecutor

FISCAL  
CONTRACT B  
(FIS-C-B)

**Resolution No. R2023-8-29-FIS-C**

WHEREAS, the Cuyahoga County Fiscal Office (CCFO) requires the Cuyahoga County Board of Elections (CCBOE) to provide multiple documents to the CCFO to facilitate the procurement and subsequent accounts payable functions associated with CCBOE contracts for goods and services from vendors. The Resolution is necessary for the CCBOE to continue to provide for the usual operational services critical to election administration.

RESOLVED, that the Cuyahoga County Board of Elections hereby authorizes the Director, on behalf of the Board, to undertake all actions necessary to procure and subsequently pay the items identified as the amended ballot printing contract for June 1, 2023 to May 31, 2025 in an amount not to exceed \$2,496,901.96, to include the additional cost for the August 2023 Special Election (Contract Attached).

RESOLVED, this Resolution shall take effect and be in force immediately upon receiving the affirmative vote of a quorum of members of the CCBOE. All formal actions of this Board relating to the adoption of this Resolution were adopted in an open meeting of the Board, open to the public, and in compliance with all legal requirements of the Ohio Revised Code.

FURTHER RESOLVED, the Director and Chair are authorized to authenticate this resolution upon adoption through their signatures thereon, and the Director is instructed to transmit copies of this resolution to those individuals deemed necessary to effectuate the intent of its adoption.

Board Meeting Date: August 29, 2023

Agenda Item: Fiscal Services B

Vendor: with Mid-West Presort Mailing Services, Inc., dba Midwest Direct

Motion: (as presented on the agenda with any edits made during the meeting)

Motion made by: ----- CHAIRMAN CURTIS

Motion seconded by: ----- BOARD MEMBER DAVIS CHAPPELL

**Vote of the Board Members:**

|                              |   |                              |
|------------------------------|---|------------------------------|
| Henry F Curtis, IV, Chairman | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Inajo Davis Chappell, Member | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Lisa M. Stikkan, Member      | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |
| Terence McCafferty, Member   | <input checked="" type="checkbox"/> Yay | <input type="checkbox"/> Nay |

Resolution adopted at the Cuyahoga County Board of Elections meeting on 29th  
August 2023

Signature of Chairman Henry F Curtis, IV

Signature of Director [Signature]

FIRST MODIFICATION TO THE CONTRACT  
between the  
CUYAHOGA COUNTY BOARD OF ELECTIONS  
and  
MID-WEST PRESORT MAILING SERVICES, INC  
dba MIDWEST DIRECT

THIS FIRST MODIFICATION, made as of this \_\_\_\_ day of \_\_\_\_\_, 2023, amends the Contract, dated as of June 1, 2023, between the Cuyahoga County Board of Elections ("BOARD"), and Mid-West Presort Mailing Services, Inc. dba Midwest Direct ("CONTRACTOR").

WHEREAS, the BOARD and the CONTRACTOR entered into the Contract to provide for the ballot printing, mailing and furnishing associated supplies and services for all elections occurring from June 1, 2023 through May 31, 2025; and

WHEREAS, the Contract contained a not-to-exceed amount of \$2,041,911.96 to obtain such supplies and services throughout the term based on the unit pricing and estimated quantities contained in the Bid, incorporated in the Contract as Exhibit B; and

WHEREAS, the estimated quantities were based on the elections scheduled during the term at the time the Contract was executed, but subsequent to the effective date of the Contract the State of Ohio scheduled a special election to take place in August 2024, which increased the estimated quantities necessary to furnish the requirements of the Board during the term by \$454,990.00 based on the unit pricing contained in the Contractor's Bid;

WHEREAS, the parties desire to modify the contract to increase the not-to-exceed amount to reflect the revised estimated quantities of the Board's requirements for the CONTRACTOR's supplies and services; and

NOW, THEREFORE, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CONTRACTOR and the BOARD agree to the following modifications to the Contract:

I. **Modification to Not to Exceed Amount.** For the purpose of increasing the not-to-exceed amount reflecting the revised estimated quantities due to the addition of the August 8, 2023 special election, Article I. A. of the Contract is amended as follows, with additions depicted in **bold print** and deletions are represented using ~~struck through text~~:

A. **Initial Term:** The initial term of this Contract shall commence June 1, 2023 through and continue through May 31, 2025, unless earlier terminated or canceled (the "Initial Term"). Payments made by the BOARD to CONTRACTOR during this Initial Term shall not exceed ~~two million, forty one thousand, nine hundred eleven dollars and ninety six cents (\$2,041,911.96)~~ **two million, four hundred ninety six thousand nine hundred one dollars and ninety six cents (\$2,496,901.96)**.

II. **Incorporation.** Through the execution of this First Modification, the BOARD and the CONTRACTOR agree to amend the Contract through the modification set forth above. Except to the extent that the Contract is specifically amended under this First Modification, which shall be fully incorporated into the Contract as if fully rewritten therein upon becoming effective on the first date appearing above, all terms, conditions and covenants of the Contract shall remain valid and effective.

IN WITNESS WHEREOF, the BOARD and CONTRACTOR have each caused this First Modification to be signed and delivered by its duly authorized representative.

**CONTRACTOR**

**CUYAHOGA COUNTY  
BOARD OF ELECTIONS**

By: \_\_\_\_\_

By: \_\_\_\_\_

Anthony W. Perlatti, Director

Printed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

The legal form and correctness of this Contract is hereby approved:

Office of the Prosecutor, Cuyahoga County, Ohio

By: \_\_\_\_\_

Mark Musson, Assistant Prosecutor

Exhibits

provided during  
hearings



**Jeff Johnson**



## Ohio Revised Code

### Section 1901.07 Term of office of judge - nomination, election.

Effective: June 13, 2017

Legislation: Senate Bill 25, House Bill 215 - 132nd General Assembly

(A) All municipal court judges shall be elected on the nonpartisan ballot for terms of six years. In a municipal court in which only one judge is to be elected in any one year, that judge's term commences on the first day of January after the election. In a municipal court in which two or more judges are to be elected in any one year, their terms commence on successive days beginning the first day of January, following the election, unless otherwise provided by section 1901.08 of the Revised Code.

(B) All candidates for municipal court judge may be nominated either by nominating petition or by primary election, except that if the jurisdiction of a municipal court extends only to the corporate limits of the municipal corporation in which the court is located and that municipal corporation operates under a charter, all candidates shall be nominated in the same manner provided in the charter for the office of municipal court judge or, if no specific provisions are made in the charter for the office of municipal court judge, in the same manner as the charter prescribes for the nomination and election of the legislative authority of the municipal corporation.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, all candidates for party nomination to the office of municipal court judge shall file a declaration of candidacy and petition not later than four p.m. of the ninetieth day before the day of the primary election in the form prescribed by section 3513.07 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.05 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court. If no valid declaration of candidacy is filed for nomination as a candidate of a political party for election to the office of municipal court judge, or if the number of persons filing the declarations of candidacy for nominations as candidates of one political party for election to the office does not exceed the number of candidates that that party is entitled to nominate as its candidates for election to the office, no primary election shall be held for the purpose of nominating candidates of that party

EXHIBIT A



for election to the office, and the candidates shall be issued certificates of nomination in the manner set forth in section 3513.02 of the Revised Code.

If the jurisdiction of a municipal court extends beyond the corporate limits of the municipal corporation in which it is located or if the jurisdiction of the court does not extend beyond the corporate limits of the municipal corporation in which it is located and no charter provisions apply, nonpartisan candidates for the office of municipal court judge shall file nominating petitions not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. The petition shall conform to the requirements provided for those petitions of candidacy contained in section 3513.257 of the Revised Code, except that the petition shall be signed by at least fifty electors of the territory of the court.

The nominating petition or declaration of candidacy for a municipal court judge shall contain a designation of the term for which the candidate seeks election. At the following regular municipal election, the candidacies of the judges nominated shall be submitted to the electors of the territory on a nonpartisan, judicial ballot in the same manner as provided for judges of the court of common pleas, except that, in a municipal corporation operating under a charter, all candidates for municipal court judge shall be elected in conformity with the charter if provisions are made in the charter for the election of municipal court judges.

(C) Notwithstanding divisions (A) and (B) of this section, in the following municipal courts, the judges shall be nominated and elected as follows:

(1) In the Cleveland municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Cleveland for filing petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(2) In the Toledo municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in the statutory form and



shall be filed in the manner and within the time prescribed by the charter of the city of Toledo for filing nominating petitions for city council. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(3) In the Akron municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. It shall be in statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Akron for filing nominating petitions of candidates for municipal offices. Each elector shall have the right to sign petitions for as many candidates as are to be elected, but no more. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(4) In the Hamilton county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least one hundred electors of the judicial district of the county from which the candidate seeks election, which petitions shall be signed and filed not later than four p.m. of the day before the day of the primary election in the form prescribed by section 3513.261 of the Revised Code. Unless otherwise provided in this section, the petition shall conform to the requirements provided for nominating petitions in section 3513.257 of the Revised Code. The judges shall be elected by the electors of the relative judicial district of the county at the regular municipal election and in the manner provided by law for the election of judges of the court of common pleas.

(5) In the Franklin county municipal court, the judges shall be nominated only by petition. The petition shall be signed by at least fifty electors of the territory of the court. The petition shall be in the statutory form and shall be filed in the manner and within the time prescribed by the charter of the city of Columbus for filing petitions of candidates for municipal offices. The judges shall be elected by the electors of the territory of the court in the manner provided by law for the election of judges of the court of common pleas.

(6) In the Auglaize, Brown, Carroll, Clermont, Crawford, Hocking, Jackson, Lawrence, Madison, Miami, Morrow, Paulding, Perry, Putnam, Sandusky, and Wayne county municipal courts, the judges shall be nominated only by petition. The petitions shall be signed by at least fifty electors of

**FINAL REPORT**  
to Cleveland City Council

**December 1, 2018**



2018 City of Cleveland

# CHARTER REVIEW COMMISSION





## **2018 City of Cleveland Charter Review Commission**

Councilman  
**Martin J. Keane, Chair**

**Justin M. Bibb**

Councilwoman  
**Dona Brady**

**Frank A. Camardo**

Councilwoman  
**Phyllis E. Cleveland**

**Johnny E. Hamm**

Councilman  
**Kenneth L. Johnson, Sr.**

Councilman  
**Brian Kazy**

**Michelle A. Kenney**

**Barbara A. Langhenry**

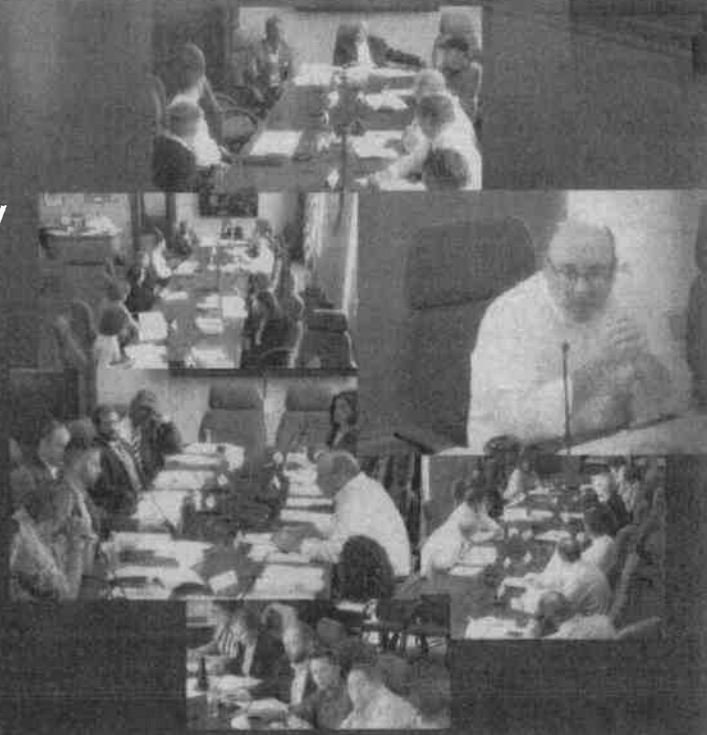
Councilman  
**Kerry McCormack**

**Thomas S. McNair**

**Aaron L. Phillips**

Councilwoman  
**Jasmin Santana**

**Nicholas M. Vento**



2018 City of Cleveland  
**CHARTER REVIEW  
COMMISSION**  
**FINAL REPORT**

December 1, 2018

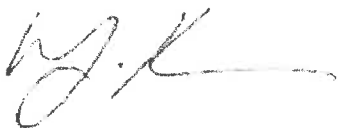
Cleveland City Council  
c/o Kevin J. Kelley, Council President  
Room 220 City Hall  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Council President Kelley and Members of Cleveland City Council:

It is with great pride that I present you with the 2018 Charter Review Commission's Final Report. This report contains 29 specific recommendations for amending the Charter of the City of Cleveland; also included here are three proposals which were voted on but were not recommended by the Commission. The Cleveland Charter Review Commission believes that these recommended changes will improve the effectiveness of our city and improve the City's ability to deliver services to Cleveland residents.

We ask that you carefully review each recommendation and the reason given for the change. These recommendations were arrived at after careful and thoughtful discussion by the Charter Review Commission. It is now your responsibility to decide exactly what to present to the voters of Cleveland.

The members of the Charter Review Commission have devoted much time and effort over the past six months in reviewing the Charter, examining options and debating changes to the City Charter. I extend my deepest appreciation for their dedication and commitment, and their collaborative approach to this task. I also appreciate the efforts of our staff and their valuable assistance to the Commission.



**Councilman Martin J. Keane, Chair**  
2018 Charter Review Commission  
City of Cleveland

# SYNOPSIS

## **Cleveland City Council put out a public notice in January, 2018,**

inviting citizens to apply for a seat on the Charter Review Commission. Council President Kevin J. Kelley and the Council approved the following Cleveland residents to be the 2018 Charter Review Commission for the City of Cleveland: Justin M. Bibb – Senior Consultant and Head of Global Cities Practice, Gallup, Inc.; Dona Brady - Ward 11 Council Member; Frank A. Camardo – Associate Director, Newmark Knight Frank; Phyllis Cleveland - Ward 5 Council Member; Johnny E. Hamm – Cleveland Police Lieutenant, 2nd District Community Services Unit; Kenneth L. Johnson - Ward 4 Council Member; Brian Kazy - Ward 16 Council Member; Martin J. Keane - Ward 17 Council Member; Michelle A. Kenney - Financial Accountant, Urban League of Greater Cleveland; Barbara A. Langhenry – Law Director, City of Cleveland; Kerry McCormack - Ward 3 Council Member; Thomas S. McNair – Executive Director, Ohio City, Inc.; Aaron Phillips – Pastor, Sure House Baptist Church Ministries; Jasmin Santana - Ward 14 Council Member; Nicholas M. Vento - Attorney. The Commission selected Councilman Martin J. Keane to serve as its Chair.

The 2018 Charter Review Commission of the City of Cleveland, Ohio, had its first meeting on April 26, 2018, and its final meeting on November 15, 2018. Each of the 11 meetings during that time was advertised on the Cleveland City Council website and was broadcast over the city’s cable station, Channel 20 on Spectrum Cable. The Charter Review Commission reviewed every section of the City Charter and heard testimony from various city departments relating to charter issues that affect them, as well as from the Cuyahoga County Board of Elections on various election-related issues in the Charter. The Charter Review Commission approved 35 recommendations for Cleveland City Council to consider putting before the voters; the Commission disapproved three other proposals. Most of the approved recommendations are to update the Charter in consideration of modern practices and technology.

Staffing assistance was provided to the Charter Review Commission by the following Cleveland City Council staff: Clerk of Council Patricia J. Britt; Allan Dreyer, Deputy Clerk; Jennifer Heinert O’Leary, Special Counsel; John James, Policy and Research Director; Joan Mazzolini, Chief of Communications; Rachel Nigro Scalish, Special Counsel. The following City staff provided additional assistance: Tiffaney Beasley, Council Communications Staff/Graphic Designer; Kathy Allen, General Manager of Channel 20.



# APPROVED RECOMMENDATIONS

**Recommendations are organized by Charter Section Number. The actual recommendation number and vote follows each recommendation with bullets:**

- ▶ **RECOMMENDATION #; Date of Vote**
  - Yeas
  - Nays
  - NP=Not Present for Vote

# Recommendation

**Amend section 5 to provide that an elector of the City, in order to be a candidate for office in the City, must have been an elector of the City for at least 12 consecutive months prior to the next regular Municipal election, or the next election required by law or charter, whichever occurs first.**

**REASON:** prevents a person from running for elective office unless the person is an elector of the city for at least 12 consecutive months prior to the next regular Municipal election, or the next election as required by law or by charter, which includes any special election or primary.

## § 5 Nominating Petitions

The name of any elector of the City shall be printed upon the ballot, when a petition in the form hereinafter prescribed ~~in this Charter shall have been~~ is filed in the elector's behalf with the election authorities, and the elector has been an elector of the City for at least 12 consecutive months prior to the next regular Municipal election or the next election, as required by law or Charter, whichever occurs first. Such petition shall be signed by at least three thousand (3,000) electors of the City, for the nomination of a candidate for an office filled by election from the City at large, and by at least two hundred (200) electors of the ward if for the nomination for an office to be filled by election from a ward.

### ► #24, 7/19/2018

- **10 Yeas:** Brady, Hamm, Johnson, Kazy, Keane, Kenney, Langhenry, McNair, Phillips, Santana
- **2 Nays:** Camardo, McCormack
- **3 NP:** Bibb, Cleveland, Vento

# Recommendation

**Amend section 7 to require that candidates use a state-wide standard candidacy and nominating petition form from the Secretary of State instead of the City of Cleveland petition form.**

**REASON:** currently, Cleveland uses its own candidacy and nominating petition form, which has different requirements than the standard form issued by the Ohio Secretary of State. No longer requiring candidates to use Cleveland's form will eliminate confusion and maintain consistency with the rest of Cuyahoga county cities.

## § 7 Candidacy and Nominating Petition Papers

The ~~form~~ of statement of candidacy and nominating petition papers shall be standard forms of the Secretary of State as required under the general law of the State.—substantially as follows:

### STATEMENT OF CANDIDACY

I, \_\_\_\_\_ (Name of Candidate), the undersigned, hereby declare under penalty of election falsification that my voting residence is in \_\_\_\_\_ precinct of Ward \_\_\_\_\_ of the City of Cleveland; that my voting residence is \_\_\_\_\_ (Street and Number); and that I am a qualified elector in the precinct in which my voting residence is located. I hereby declare that I desire to be a candidate for nomination to the office of \_\_\_\_\_ at the primary election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
—(Signature of Candidate)

—The statement of candidacy shall contain the penalty for election falsification as prescribed by the general law of the State.

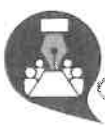
### ~~NOMINATING PETITION~~

We, the undersigned, qualified electors of the City of Cleveland (or \_\_\_\_\_ ward of the City of Cleveland); State of Ohio, whose voting residence is at the street address, ward, and precinct set opposite our names, request that \_\_\_\_\_ (Name of Candidate) be placed upon the primary election ballot as a candidate for nomination for the office of \_\_\_\_\_ at the primary election to be held in the City (or the ward) on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
—Signature — Street Number — Ward Precinct

Date of Signing (Must use address on file with the Board of Elections)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



\_\_\_\_\_ (Name of Circulator of Petition), declares under penalty of election falsification that the circulator of the petition is a qualified elector of the state of Ohio and resides at the address appearing below the circulator's signature; that the circulator is the circulator of the foregoing petition paper containing \_\_\_\_\_ (Number) signatures; that the circulator witnessed the affixing of every signature; that all signers were to the best of the circulator's knowledge and belief qualified to sign; and that every signature is to the best of the circulator's knowledge and belief the signature of the person whose signature it purports to be.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Signature of Circulator)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Address of Circulator)

The nominating petition shall contain the penalty for election falsification as prescribed by the general law of the State.

► #15, 6/21/2018

- 14 Yeas: Bibb, Brady, Camardo, Hamm, Johnson, Kazy, Keane, Kenney, Langhenry, McCormack, McNair, Phillips, Santana, Vento
- 0 Nays
- 1 NP: Cleveland

# Recommendation

If the amendment is made to section 7 to require that candidates use a state-wide standard candidacy and nominating petition form from the Secretary of State instead of the City of Cleveland petition form, then to further amend section 7 to clarify that a candidate is not required to have a designated committee of petitioners under this Charter.

**REASON:** because the standard state form includes a section designating a committee of petitioners, the Charter should clarify that a committee of petitioners is not required in Cleveland.

## § 7 Candidacy and Nominating Petition Papers

The ~~form of~~ statement of candidacy and nominating petition papers shall be standard forms of the Secretary of State as required under the general law of the State. Candidates are not required to designate a committee of petitioners. —substantially as follows:

### ~~STATEMENT OF CANDIDACY~~

I, \_\_\_\_\_ (Name of Candidate), the undersigned, hereby declare under penalty of election falsification that my voting residence is in \_\_\_\_\_ precinct of Ward \_\_\_\_\_ of the City of Cleveland; that my voting residence is \_\_\_\_\_ (Street and Number); and that I am a qualified elector in the precinct in which my voting residence is located. I hereby declare that I desire to be a candidate for nomination to the office of \_\_\_\_\_ at the primary election to be held on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
(Signature of Candidate)

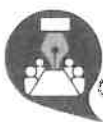
~~The statement of candidacy shall contain the penalty for election falsification as prescribed by the general law of the State.~~

### ~~NOMINATING PETITION~~

We, the undersigned, qualified electors of the City of Cleveland (or \_\_\_\_\_ ward of the City of Cleveland), State of Ohio, whose voting residence is at the street address, ward, and precinct set opposite our names, request that \_\_\_\_\_ (Name of Candidate) be placed upon the primary election ballot as a candidate for nomination for the office of \_\_\_\_\_ at the primary election to be held in the City (or the ward) on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_  
~~Signature Street Number Ward Precinct~~

~~Date of Signing (Must use address on file with the Board of Elections)~~





# Recommendation

## Amend section 8 to eliminate the extra five days a candidate has to file nominating petitions.

**REASON:** no other city in the county allows extra time to file petitions; eliminating the extra 5 days makes Cleveland consistent with other cities in the county.

### § 8 Filing and Verification of Petitions

All separate papers comprising a statement of candidacy and nominating petition shall be assembled and filed with the election authorities as one instrument no later than four p.m. on the seventy-fifth day prior to the day of the primary election. Within ten days after the filing of a nominating petition the election authorities shall notify the person named therein in the petition as a candidate whether the petition is found to be signed by the required number of qualified electors. ~~If insufficient, the person named therein as candidate may, amend the petition by filing within five (5) days after notification of insufficiency by the election authorities, additional petition papers. Within five (5) days after the filing of the additional petition papers, the election authorities shall notify the person named therein as candidate whether the amended petition is found to be signed by the required number of qualified electors.~~

#### ► #3, 6/7/2018

- **11 Yeas:** Bibb, Brady, Camardo, Johnson, Kazy, Keane, Kenney, Langhenry, McCormack, McNair, Phillips
- **0 Nays**
- **4 NP:** Cleveland, Hamm, Santana, Vento

# Recommendation

**Amend section 8 to provide that the filing deadline for nominating petitions shall be on the 90<sup>th</sup> day prior to the primary election, instead of the 75<sup>th</sup> day.**

**REASON:** to provide more time between the filing deadline and the primary and to be consistent with other cities in the county.

## **§ 8 Filing and Verification of Petitions**

All separate papers comprising a statement of candidacy and nominating petition shall be assembled and filed with the election authorities as one instrument no later than four p.m. on the ~~seventy-fifth~~ ninetieth day prior to the day of the primary election. Within ten days after the filing of a nominating petition the election authorities shall notify the person named ~~therein in the~~ petition as a candidate whether the petition is found to be signed by the required number of qualified electors. If insufficient, the person named therein as candidate may, amend the petition by filing within five (5) days after notification of insufficiency by the election authorities, additional petition papers. Within five (5) days after the filing of the additional petition papers, the election authorities shall notify the person named therein as candidate whether the amended petition is found to be signed by the required number of qualified electors

### ▶ #2, 6/7/2018

- **11 Yeas:** Bibb, Brady, Camardo, Johnson, Kazy, Keane, Kenney, Langhenry, McCormack, McNair, Phillips
- **0 Nays**
- **4 NP:** Cleveland, Hamm, Santana, Vento



### Nominating Petition and Statement of Candidacy

Office Sought: Cleveland Municipal Court  
 Filing Fee: \$80      Signatures: 50-150      Filing Deadline: 6/14 @ 4:00 pm

#### For Judge or Clerk of the Municipal Court

To be filed with the Board of Elections not later than 4 p.m. of the day before the primary election.  
R.C. 1901.07, 1901.31, 3501.38, 3513.261

#### Statement of Candidacy

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, Jeffrey David Johnson, the undersigned, hereby declare under penalty of election falsification that  
Printed Name of Candidate  
 my voting residence address is 9024 PARKGATE AVE., Cleveland, Ohio 44108  
Street Number and Address (or rural route and number)      City or Village      Zip Code

and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Judge of the  
Insert "Judge" or "Clerk"  
Cleveland Municipal Court for the:  one  full term commencing 1/15/2024  
Name of Municipal Court      Full Term Commencing Date  
 or  unexpired term ending \_\_\_\_\_, in Cuyahoga County, Ohio at the general election  
Unexpired Term Ending Date      County  
 election to be held on the 7 day of November, 2023.  
Day      Year

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 5 day of December, 2022.  
Day      Month      Year

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

JEFF Johnson  
Print name as it should appear on ballot  
 \*\*\* Case Sensitive \*\*\*

[Signature]  
Signature of Candidate

#### WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE

I, Jeffrey D. Johnson, hereby designate the persons named below as a committee to represent me:  
Printed Name of Candidate

| Name                          | Residence                              |
|-------------------------------|--|
| <del>Michael J. Johnson</del> | <del>1234 Main St, Cleveland, OH</del> |
|                               |  |
|                               |  |
|                               |  |

#### Nominating Petition

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate Jeffrey David Johnson as a  
Printed Name of Candidate  
 candidate for election to the office of Judge of the Cleveland  
Insert "Judge" or "Clerk"      Name of Municipal Court  
 Municipal Court for the:  one  full term commencing 1/15/2024

EXHIBIT



Advertisement

**OPINION**

# No on Cleveland Issue 20, requiring one year's residency to run for elective office in Cleveland

Published: Nov. 01, 2019, 5:59 a.m.



Students from Cleveland State University introduce the candidates for the 2017 Cleveland mayoral primary debate sponsored by the City Club of Cleveland held at the Global Center for Health Innovation Aug. 25, 2017. (Gus Chan / The Plain Dealer, File) The Plain Dealer

**By Editorial Board, [cleveland.com](http://cleveland.com) and the Plain Dealer**

Right now, you have to live in Cleveland to run for Cleveland mayor, Cleveland City Council or Cleveland Municipal Court. That makes sense.

It's also about as far as the residency requirement goes. The city charter does not require a ward council member to live in his or her ward to seek election to represent it, for instance. That's left up to voters.

The only wrinkle is that if you *do* live in the ward at the time you're elected to represent it on council, and move out later, you forfeit your ward seat. That also makes sense. The council person has violated an electoral compact with voters who expected a resident ward council member.

Advertisement

The charter of the city of Cleveland, in other words, trusts the wisdom of city electors to make these decisions.

It is on that basis that our editorial board urges a "no" vote on Cleveland Issue 20 on the Nov. 5 ballot.

Issue 20 would add an unnecessary mandate to be able to run for office in Cleveland -- a required 12-month consecutive residency in Cleveland.

Why?

Surely, it's better to leave it up to the voters of Cleveland to determine, as they always have, which candidates are worthy of their vote, and whether a newcomer, someone who's moved into the city within the year -- or someone who's returned home after working elsewhere -- has the requisite experience, leadership and understanding of Cleveland to be elected. That's what elections are for: for the people to decide, not for politicians to try to narrow the options beforehand.

It is not clear why this ballot issue is being proposed now. Unlike most of the city's 2018 Charter Review Commission recommendations, it was not unanimously adopted, and the summary report gives no idea of what's behind it.

Some cynics suggest it might be the Eric Brewer rule -- aimed at the controversial and outspoken former mayor of East Cleveland who moved into Cleveland to run for mayor two years ago.

But Brewer received a paltry 486 votes, not quite 1.5 percent of the total, in the September 2017 primary. The voters rendered their verdict decisively.

Cleveland voters should do the same by saying no to Issue 20 on the Nov. 5 ballot. Early voting has begun.

***About our editorials:*** Editorials express the view of the editorial board of cleveland.com and The Plain Dealer -- the senior leadership and editorial-writing staff. As is traditional, editorials are unsigned and intended to be seen as the voice of the news organization.

***Have something to say about this topic?***

*\* Use the comments to share your thoughts. Then, stay informed when readers reply to your comments by using the "Follow" option at the top of the comments, and look for updates via the small blue bell in the lower right as you look at more stories on cleveland.com.*

*\* Send a letter to the editor, which will be considered for print publication.*

*\* Email general questions about our editorial board or comments on this editorial to Elizabeth Sullivan, director of opinion, at esullivan@cleveland.com.*

**CLEVELAND MUNICIPAL COURT  
GENERAL ELECTION ONLY – November 7, 2023  
(NO PRIMARY PER CHARTER)**

**PETITION NUMBER:** 3-31 (**GENERAL- INDEPENDENT/NONPARTISAN CANDIDATE**)  
**LAST FILING DATE:** June 14, 2023 – 4:00 p.m. (90 days prior to 2<sup>nd</sup> Tuesday in September)  
**FILING FEE:** \$50.00 + \$30.00 OEC Fee = Total Fee \$80.00

| ELECTED OFFICES                    |             |            | NUMBER OF SIGNATURES |
|------------------------------------|-------------|------------|----------------------|
| POSITION and NUMBER IN OFFICE      | TERM LENGTH | ELECT 2023 | O.R.C. 1901.07(C)(1) |
| 13<br>For Judge of Municipal Court | 6 Years     | Yes (6)    | Min. 50 – Max. 150   |
| 1<br>For Clerk of Municipal Court  | 6 Years     | Yes        | Min. 50 – Max. 150   |

**IMPORTANT CIRCULATION AND FILING NOTES:**

***Cleveland City Charter governs filing requirements for judicial offices***

1. Candidates, when filing, must fill out and sign a notice of understanding of the Cleveland Charter rules in reference to petitions.
2. If petitions are insufficient, a candidate has five days from notification to submit additional signatures.
3. An elector can sign only one petition per each seat to be filled. O.R.C. 1901.07(C)(1).
4. Write-ins permitted based on Ohio Revised Code.

**INCUMBENT JUDGES TO BE ELECTED IN 2023:**

|                         |     |          |
|-------------------------|-----|----------|
| Joseph J. Zone          | FTC | 1/1/2024 |
| Jazmin Torres-Logo      | FTC | 1/2/2024 |
| Vacant (Carr)           | FTC | 1/3/2024 |
| Shiela Turner McCall    | FTC | 1/4/2024 |
| ← Michael L. Nelson Sr. | FTC | 1/5/2024 |
| Michelle Denise Earley  | FTC | 1/6/2024 |

**INCUMBENT CLERK TO BE ELECTED 2023:**

|                 |     |          |
|-----------------|-----|----------|
| Earle B. Turner | FTC | 1/1/2024 |
|-----------------|-----|----------|

**MUNICIPALITIES OF COURT DISTRICT**

Cleveland  
Bratenahl

EXHIBIT 9

Mariah Crenshaw

**PLAINTIFF/RELATORS'**  
**EXHIBIT /**

**Mariah Crenshaw**

**Opposition to the legal opinion of the City of Cleveland Law Director Mark Griffin**

Now comes Mariah Crenshaw, Petitioner, (hereinafter referred to as “Petitioner”) in reference to the August 17, 2023, legal opinion of City of Cleveland Law Director, Mark Griffin, (hereafter referred to as “Griffin”) stating the legal opinion errs in the interpretation of home rule and is void of the inclusion of specific language necessary to determine if judicial races are not considered at-large. Griffin does not cite any language within the City of Cleveland Charter that ***excludes and or exempts*** judicial candidates from complying with the three thousand (3,000) required signatures when running for *at-large* seats in the municipality. Petitioner argues this more fully below.

**I. Home rule**

It is important to remember that Municipalities derive their powers of self-government directly from Section 3, Article XVIII of the Ohio Constitution, which provides: “Municipalities ***shall have*** authority to exercise all powers of local self-government and to ***adopt*** and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws.” See, also, W. Jefferson v. Robinson (1965), 1 Ohio St.2d 113, 30 O.O.2d 474, 205 N.E.2d 382, paragraph one of the syllabus. The court of appeals correctly set forth the three-part test to determine whether a provision of a state statute takes precedence over a municipal ordinance. A state statute takes precedence over a local ordinance when (1) the ordinance is in conflict with the statute, (2) the ordinance is an exercise of voting rights and powers rather than of local self-government, and (3) the statute is a general law. See Ohio Assn. of Private Detective Agencies, Inc. v. N. Olmsted (1992), 65 Ohio St.3d 242,

**In the Cuyahoga County Board of Elections  
August 29, 2023**

244-245, 602 N.E.2d 1147, citing Auxter v. Toledo (1962), 173 Ohio St. 444, 20 O.O.2d 71, 183 N.E.2d 920.

**II. The three prongs to determine if the language of the Charter conflicts or rules in the matter of at-large municipal offices in the City of Cleveland**

Prong (1) the ordinance is in conflict with the statute. In the instant matter the legal opinion does not suggest there is a conflict between the state and municipal statutes. Griffin relies on the State of Ohio minimum requirements of fifty (50) signatures and ignores the language of the City Charter which requires municipal races at-large requirements. Griffin refers to the City of Bratenahl whose electors are governed by the City of Cleveland Municipal Court who are unable to vote for candidates in judicial races. This is a state legislative issue neither the City of Cleveland and or the Village of Bratenahl has addressed at the state level to ensure electors in the village have the same access to the municipal court races as residents in the City of Cleveland. Griffins' opinion characterizes the voter disenfranchisement of residents of the village and does not cite within the city of Cleveland Charter the relevance to the requirement of candidates running in at-large races needing 3,000 signatures.

Therefore Petitioner and Griffin seemingly agree the first prong has been met. The state minimum requirements have been met by the candidates in question. Prongs (2) the ordinance is an exercise of voting rights and powers rather than of local self-government, and (3) the statute is a general law are not addressed in Griffins' opinion. The only issue before this *quasi-judicial* body is to determine if the language currently in the City of Cleveland Charter Chapter 3, section 5 includes the **exclusion** of judicial and clerk of courts races as at-large and if the home rule governs the required



**In the Cuyahoga County Board of Elections**  
**August 29, 2023**

number of signatures in addition to the state minimum requirements. Petitioner argues the language is inclusive of all at-large seats.

**III. Cleveland Municipal Seats deemed at-large**

Petitioner states the City of Cleveland has three (3) seats which would be deemed at-large in the municipality. The City of Cleveland Mayor, The Municipal Clerk of Court, and The Municipal Judges. Currently there are no races for an at-large Councilperson supported by the City of Cleveland Charter. Griffin errs when deeming the judicial races as being excluded from the requirement. The ‘opinion’ does not address and or provide any supporting case law or recitation of the City Charter governing municipal courts races that exempts and or excludes judicial candidates in *at-large* races. The language of the charter does not allude to or rely upon RC 1901.07 and 3313.05 for determining the minimal requirements as set forth in the City Charter. Griffin states, “Cleveland Municipal Judges are not included among the identified elected officers under the City Charter, and therefore the requirements do not apply to candidates for judges for Cleveland Municipal Court.” Griffin ignores the language “at-large” in the City Charter and that the language does not ***exclude*** the office of judge.

Griffins’ interpretation of the charter is deeply flawed and includes material not relevant to the protests filed by Petitioner. Petitioner focuses on one aspect of the home rule which is not addressed by Griffin and the judicial candidates: candidates interested in running for an at-large seat in the municipality must have three thousand ( 3,000) signatures. There is no language in the charter this Body can refer to that ***excludes and or exempts*** two (2) of the three (3) at large seats electors can run for office. Simply put, when relying on Griffins’ opinion the office of Mayor and Clerk of Courts would not require the 3,000 signatures because the section of the Charter does not

**In the Cuyahoga County Board of Elections**  
**August 29, 2023**

identify those municipal offices either. Griffin errs. *At-large* does specifically identify which races are subject to the requirement to the three thousand signatures. Using Griffins' logic would have exempted current Mayor Bibbs' candidacy. Bibb submitted Five Thousand Two Hundred Twenty Six (5,226) electors' signatures because it was an *at-large* race. (See Exhibit 3)

Petitioner states Griffin cites minimal requirements and ignores the maximum requirements of the city charter. Griffin does not offer one case law to support the opinion candidates for judicial races are excluded. RC 1901.07 and 3313.15 are not general laws and a reasonable mind can conclude that they violate the Home-Rule Amendment, Section 3, Article XVIII, Ohio Constitution and, as such, must be struck down as a clear violation of the home rule when determining if judicial races fall within the at-large requirement of the City of Cleveland Charter.

Since 1929, Courts have held that general laws are enacted by the General Assembly "to safeguard the peace, health, morals, and safety, and to protect the property of the people of the state." *Schneiderman v. Sesanstein* (1929), 121 Ohio St. 80, 82-83, 167 N.E. 158. Moreover, general laws "apply to all parts of the state alike." Id. at 83, 167 N.E. 158. In *Schneiderman*, the court held that a statute setting speed limits throughout Ohio was a general law. In a landmark home-rule case in 1965, The Ohio Supreme Court considered a municipal ordinance prohibiting uninvited solicitation of orders for the sale of goods in private homes and a state statute that barred municipalities from enacting such ordinances. See *W. Jefferson v. Robinson*, 1 Ohio St.2d 113, 30 O.O.2d 474, 205 N.E.2d 382. The High Court held that the statutes in question, R.C. 715.63 and 715.64, which prohibited municipal corporations from requiring licenses to sell certain products, purport only to grant and

**In the Cuyahoga County Board of Elections**  
**August 29, 2023**

to limit legislative power of municipal corporations to adopt or enforce police regulations. The Court further concluded that, as such, the statutes were not “general” laws.

Griffin relies on general laws and fails to enforce home rule as in surrounding municipalities which have the same and similar language governing at-large races. In Ohio Assn. of Private Detective Agencies, 65 Ohio St.3d 242, 602 N.E.2d 1147, the court struck down an ordinance attempting to exact a fee for the registration or licensure of private investigators because it conflicted with a statewide regulatory program, R.C. Chapter 4749. *Id.* at syllabus. In settling the question of generality, the court continued to view statutory schemes in their entirety, rather than a single statute in isolation, and continued to determine whether the statutes promoted “statewide uniformity.” Griffin isolates the state statutes and ignores the language of home rule.

The court in *Clermont*, 2 Ohio St.3d 44, 2 OBR 587, 442 N.E.2d 1278, and Ohio Assn. of Private Detective Agencies, 65 Ohio St.3d 242, 602 N.E.2d 1147, considered whether the respective statutes at issue in those cases were part of a statewide and comprehensive legislative scheme. In *Clermont*, the court answered in the affirmative because the statute was part of a statewide comprehensive enactment concerning disposal of hazardous waste throughout the state. *Id.*, paragraphs one and two of the syllabus. Similarly, in Ohio Assn. of Private Detective Agencies, the Court held that a statute regulating the registration and licensing of private investigators was part of a comprehensive statewide legislative scheme. Private Detective Agencies, syllabus.

In contrast RC 1901.07 and 3313.15 are not part of a statewide comprehensive requirement and the Ohio Secretary of State properly differs to the charters in multiple municipalities to guide potential candidates for additional signature requirements. These

**In the Cuyahoga County Board of Elections**  
**August 29, 2023**

are general laws and not comprehensive binding the electors of the municipality to a mere fifty (50) signatures. Surrounding municipalities have similar language in their charter requiring at-large seats obtain more than the state minimum of fifty. The City of Euclid Charter ARTICLE VII NOMINATIONS AND ELECTIONS SECTION 1. PROCEDURES states in part;

“Nominations for elective officers of the City shall be made only by petition.

*Candidates at large shall file a petition signed by registered electors of the City not less in number than two percent (2%) of the number voting in the City at the last preceding general election.”* City of Euclid incumbent Judge Patrick Gallagher submitted Two Hundred Sixty (260) signatures for the upcoming election in compliance with the *at-large* elected office. The language does not specify the judicial seat and it is clear the candidate understood the assignment by submitting more than the state minimum requirements of fifty (50) signatures. (See Exhibit 1) The City of Euclid Charter is also void of any language excluding and or exempting judicial candidates from obtaining the 2% of electors signatures.

City of Cleveland Heights Charter SECTION 2. NOMINATION AND ELECTION.

The provisions of Article VII of this Charter shall govern the nomination and election of the Judge of the Cleveland Heights Municipal Court. (Amended 11-7-72.) SECTION 3. PETITION FOR PLACES ON BALLOTS.

The name of any elector of the City shall be printed upon the ballot if there is filed with the election authorities prescribed by general law a petition in accordance with the following requirements:

**In the Cuyahoga County Board of Elections  
August 29, 2023**

(a) Such petition shall state the name and place of residence of the person whose name is presented for a place upon the ballot and the name of the office for which he is a candidate. The nomination of each candidate shall be made by separate petition.

(b) Such petition shall be signed by electors of the Municipality equal in number to not less than two percent of the total number of voters voting at the last regular election of municipal officers.

Incumbent Municipal Court Judge for the City of Cleveland Heights, James Costello, submitted Three Hundred Sixty Five (365) signatures (See Exhibit 2) to the Board on June 6, 2023 per the requirements of the City Charter. To state the minimum requirements are restricted to the general laws of the state is a misinterpretation and limited in the pattern and practices of other municipal court judges who are subject to the home rule of their charters.

**Conclusion**

Griffin does not contemplate the Cuyahoga County Board of Elections enforcement of surrounding municipalities with similar language that requires judicial candidates who run *at-large*, to obtain a certain number of required signatures beyond the state minimum. To further this Griffin ignores the State of Ohio Secretary of State Candidate 2023 Manual which specifically directs municipal court candidates in the City of Cleveland to refer to the City charter for additional signature requirements. Griffin does not rely on the directives of the State of Ohio and the independent review falls short of the states' information to guide potential candidates in Cleveland Municipal Court races. Griffin argues a conflict regarding Village of Bratenahl and the City of Cleveland Charter which is not a question before this Body. There are no candidates

**In the Cuyahoga County Board of Elections**  
**August 29, 2023**

currently residing in the village running for elected office in the City of Cleveland  
Municipal Court races.

Finally, in *Linndale v. State* (1999), 85 Ohio St.3d 52, 706 N.E.2d 1227, The High Court summarized the above definitions of “general law” and looked to whether the statute in question was part of a system of uniform statewide regulation on the subject matter, and whether the legislative enactment prescribed a rule of conduct upon citizens generally. The Court ruled and held that the statute was not part of a system of uniform statewide regulation on the subject of traffic law enforcement, nor did it impose a rule of conduct on citizens generally. As such, it was not a general law, and it was required to yield to the municipal ordinance.

The municipal charter dictates the number of signatures any candidate running for an at-large seat must obtain and because there is no specific ***exclusionary*** language exempting judicial candidates from the three thousand (3,000) signature requirements this Body must enforce the home rule governing the at-large races. Griffin relies on the state general law and has no legal arguable basis to support judicial candidates who are exempt from obtaining the three thousand (3,000) electors signatures to qualify for the upcoming election[s].

Humbly submitted,

/s/ *Mariah Crenshaw*, Petitioner  
3472 E 114th Street  
Cleveland, Ohio 44104  
(216) 609-7554  
[mariahcren@gmail.com](mailto:mariahcren@gmail.com)

**In the Cuyahoga County Board of Elections  
August 29, 2023**



**CUYAHOGA COUNTY  
BOARD OF ELECTIONS**

**CUYAHOGA COUNTY BOARD OF ELECTIONS  
OFFICIAL CANDIDATE FILING RECEIPT**

**Receipt Number:** 66025  
**Receipt Date:** 07/11/2023  
**Election:** November 7, 2023 General Election

|                                  |                                      |
|----------------------------------|--------------------------------------|
| <b>Name to Appear on Ballot:</b> | GALLAGHER, PATRICK J.                |
| <b>Office Sought:</b>            | EUCLID MUNI COURT JUDGE FTC 1/1/2024 |
| <b>City / Ward / Precinct:</b>   | EUCLID -04-A                         |

**Party Affiliation:** UNAFFILIATED

**Address:** 145 E 197TH ST  
EUCLID, OH 44119

**Phone Number:** 216-924-2100

**Email:** pgallagher102189@gmail.com

**Amount Filing Fee:** \$ 50.00

**Amount O.E.C:** \$ 30.00

**Total Filing Fee:** \$80.00

**Total Paid:** \$80.00

**Check Number:** 102

**Total Due:** 0 00

**Part Petitions Filed:** 29 parts w/ 519 sigs

**Minimum Signatures Required:** 260

**Valid Signatures on Petition:**

**Insufficient by No. of Signatures:**

**Valid For Certification:** Yes No

**Candidate Approval:** X

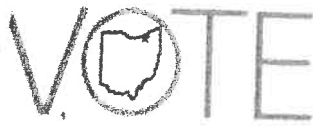
**Staff Approval:** X

**Date:** \_\_\_\_\_

**PLAINTIFF/RELATORS'  
EXHIBIT  
/A**

**CANDIDATE / PETITION SERVICES & ABSENTEE VOTING**  
 2925 Euclid Avenue \* Cleveland, Ohio 44115-2415  
 (216) 443-3231 \* Fax (216) 443-6466  
 www.boe.cuyahogacounty.us \* Ohio Relay Service 711





CUYAHOGA COUNTY  
BOARD OF ELECTIONS

### CUYAHOGA COUNTY BOARD OF ELECTIONS OFFICIAL CANDIDATE FILING RECEIPT

Receipt Number: 65865  
Receipt Date: 06/06/2023  
Election: November 7, 2023 General Election

Name to Appear on Ballot: COSTELLO, JAMES J.  
Office Sought: CLEVE HTS MUNI COURT JUDGE FTC 1/1/2024  
City / Ward / Precinct: CLEVELAND HEIGHTS -01-E  
Party Affiliation: UNAFFILIATED

Address:



Phone Number: 216-374-5624  
Email: costello4judge@gmail.com

Amount Filing Fee: \$ 50.00  
Amount O.E.C: \$ 30.00  
Total Filing Fee: \$80.00  
Total Paid: \$80.00  
Check Number:  
Total Due: 0.00

Part Petitions Filed: 22 pets - 365 signs  
Minimum Signatures Required: 232  
Valid Signatures on Petition:  
Insufficient by No. of Signatures:

Valid For Certification: Yes No

Candidate Approval: X James J. Costello

Staff Approval: X \_\_\_\_\_

Date: \_\_\_\_\_

CONFIDENTIAL

PLAINTIFF/RELATORS'  
EXHIBIT  
1B

CANDIDATE / PETITION SERVICES & ABSENTEE VOTING  
2925 Euclid Avenue \* Cleveland, Ohio 44115-2415  
(216) 443-3231 \* Fax (216) 443-6466  
www.boe.cuyahogacounty.us \* Ohio Relay Service 711

PAID  
CUYAHOGA COUNTY  
BOARD OF ELECTIONS



CUYAHOGA COUNTY BOARD OF ELECTIONS
OFFICIAL CANDIDATE FILING RECEIPT

Receipt Number: 64819
Receipt Date: 06/10/2021
Election: SEPTEMBER 14, 2021 PRIMARY ELECTION

Name to Appear on Ballot: BIBB, JUSTIN
Office Sought: CLEVELAND MAYOR
City / Ward / Precinct: CLEVELAND -03-L
Party Affiliation: UNAFFILIATED

Address: 1600 EUCLID AVE APT2911
CLEVELAND, OH 44115

Phone Number: 216-327-2627
Email: jmb@bibbforcle.com

Amount Filing Fee: \$ 20.00
Amount O.E.C: \$ 25.00
Total Filing Fee: \$45.00
Total Paid: \$45.00
Check Number: 1154
Total Due: 0.00

Part Petitions Filed: 448 pets - 5226 signs
Minimum Signatures Required: 3,000

Valid Signatures on Petition: [ ]
Insufficient by No. of Signatures: [ ]

Valid For Certification: Yes No
Candidate Approval: X

Staff Approval: X

Date: [ ]

1C EXHIBIT PLAINIFF/RELATORS

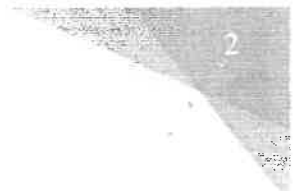
VOTE CUYAHOGA COUNTY  
BOARD OF ELECTIONS



# PETITION PROTOCOLS

Candidate and Petition Services

8/1/2022



**Table of Contents**

Petition Criteria ..... 2  
No Petition Pre-Checks ..... 2  
Official Time and Location of Filing ..... 3

**Petition Criteria**

Prior to circulating petitions, the Cuyahoga County Board of Elections (CCBOE) will provide candidates who pull petitions from the CCBOE with general information regarding what needs to appear on petitions as well as information about the process of filing. Additionally, candidates are directed to review the Secretary of State’s (SOS) free publications, especially the Ohio Candidate Requirement Guide.

*It is critical that candidates review the municipal charter for the jurisdictions they are seeking prior to circulating petitions. Not every municipality has the same petition criteria. The Law Department for each municipality is the subject matter expert for their municipality’s charter.*

If duplicate signatures are received in municipalities with elector signature limitations, the official petition filing timestamp is utilized to rank the order of petitions received. This timestamp and not the date the elector signed the petition will be reviewed to process duplicate signatures on multiple candidate petition filings.

**No Petition Pre-Checks**

Pursuant to SOS Directive<sup>1</sup>, no board of elections shall pre-check any petition to determine the petition’s validity and sufficiency before such time as the original petition has been filed, along with the appropriate filing fee, with a board of elections, the SOS Office, or other public office as provided by law.

While pre-checks may appear to be a public service that potential candidates might rely on to improve their chances of being certified to the ballot pre-checks provide a false sense of security for candidates and issue groups. It is a well-established principle of Ohio election law that the candidate is solely responsible for ensuring that his or her own petition satisfies the requirements of law. Candidates and issue groups are obligated to investigate, learn, and know the law governing the election process.

<sup>1</sup> <https://www.sos.state.oh.us/eicpalassets/elections/directives/2022/eom/dir2022-17-ch13.pdf>

### **Official Time and Location of Filing**

The CCBOE accepts petition filings at its offices at 2925 Euclid Avenue, Cleveland, OH 44115. To be considered as timely filed, candidates must obtain an official CCBOE timestamp no later than 4:00 p.m. on the date of the filing deadline. The timestamp clock(s) located in the CCBOE's Candidate and Petition Services Department holds the official time for petition filings.

Simply being on the Board's property (e.g., CCBOE parking lot) prior to the time of the filing deadline does not constitute a timely filing. Candidates' petitions must contain an official timestamp on or before the time of the filing deadline to be considered timely filed.

Petition filings will be accepted through mail/delivery service; however, the petition must arrive at the CCBOE offices by 4:00 p.m. on the date of the filing deadline with the applicable filing fee. A postmark is not a timestamp for the purpose of determining if a petition is timely filed. Any petition received via mail/delivery service without the applicable filing fee is considered an incomplete petition filing.

**No petition filed *in person* shall be timestamped or accepted for filing after 4:00 p.m. on the date of the filing deadline.**

Christopher  
Litwinowicz

**In This Honorable Cuyahoga County Board Of Election:**

**Cuyahoga County / State Of Ohio**

|                            |   |                                       |
|----------------------------|---|---------------------------------------|
| Christopher Michael        | ) | Judge: BOARD MEMBERS                  |
| Litwinowicz                | ) |                                       |
| Plaintiff/ Protester       | ) | CASE NO: PROTEST HEARING              |
| <b>Vs.</b>                 | ) | <b>PLAINTIFF'S MOTION FOR</b>         |
| Kiristen Holzheimer-Gail ; | ) | <b>DEFAULT/SUMMARY JUDGEMENT</b>      |
| Tameikia Latoya Hill ;     | ) | IN THE MATTER OF JUSTICE TO A         |
| Marcus Dupree Epps ;       | ) | FAIR AND HONEST ELECTION'S            |
| Daniel James Burns .       | ) | <b>NOVEMBER 7<sup>TH</sup> , 2023</b> |

Defendant/ Responant

AUGUST 29<sup>TH</sup> , 2023

NOW COMES PROTESTER, CHRISTOPHER MICHAEL LITWINOWICZ

FILING THIS PLAINTIFF'S MOTION TO APPEAR AS PRO, SE. LIDIGANT .

RESPECTFULLY SUMMITTED YOUR HONOR,

CHRISTOPHER MICHAEL LITWINOWICZ  
21970 MORRIS AVENUE  
EUCLID, OHIO, 44123.....

**LEGAL NOTE :**

**WELL: If a party fails to respond to a fact proposed by the opposing party, the court will accept the opposing party's proposed fact as undisputed. If a party's response to a proposed fact does not comply with the court's procedures or cites evidence that is not admissible, the court will take the opposing party's factual statement as true and undisputed.**

respectfully summitted,  
Christopher Michael litwinowicz

*Christopher Michael Litwinowicz*

**EXCEPT CHRISTOPHER MICHAEL LITWINOWICZ NAME FOR MAYOR CITY OF EUCLID, OHIO ; CUYAHOGA, OHIO.**

**ALL PROTESTED Mayoral Candidate(s) NAMES MUST NOT BE PRINTED ON THE BALLOT FOR NOVEMBER 07<sup>TH</sup>, 2023 GENERAL ELECTION;**

**IT SO BE ORDER.**

**This combined AMMENDED WRITTEN PROTEST(S) AGAINST THE NOMINATING PETITION(S) AND STAEMENT OF CANDIDACY . IS ONLY TOO BETTER UNDERSTAND AND EXPLAIN THE MISTAKES.....OF ALL MAYORAL CANDIDATE(s) listed ABOVE, WHICH SCHULD NOT BE VALID TO MAKE THE BALLOT ON NOVEMBER 7<sup>TH</sup> 2023;**

**IT BE SO ORDER ;**

**AND FINAL JUDGEMENT BE RENDER INFAVOR OF THE PLAINTIFF AND BE AWARDED JUDGEMENT TODAY**

**TO THE PROTESTER CHRISTOPHER MICHAEL LITWINOWICZ**

**IT IS TO BE ORDER..... AS OF AUGUST 29, 2023 AT 9:30 AM**

**NO OFFICIAL RESPONSE TO THE PROTEST AGAINST EACH CANDIDATE**

**BY LEGAL TERMS THEY ALL DEFAULTED ON THIS CIVIL COMPLAINT**

**NOW COMES PROTESTER, CHRISTOPHER MICHAEL LITWINOWICZ FILING THIS PLAINTIFF'S MOTION FOR DFEAULT/ SUMMARY JUDGEMENT AS A PRO, SE. LIDIGANT . RESPECTFULLY SUMMITTED YOUR HONOR,**

**NOTE WELL: If a party fails to respond to a fact proposed by the opposing party, the court will accept the opposing party's proposed fact as undisputed. If a party's response to a proposed fact does not comply with the court's procedures or cites evidence that is not admissible, the court will take the opposing party's factual statement as true and undisputed.**



respectfully submitted,

Christopher Michael litwinowicz  
21970 MORRIS AVENUE, EUCLID, OHIO, 44123

ATTNY:  
ALLEN C HUFFORD  
22408 LAKESHORE BLVD.  
EUCLID OHIO,44123  
(216)264-0322

**CERTIFICATE OF SERVICE**

I CHRISTOPHER MICHAEL LITWINOWICZ CERTIFIED That I sent BY US MAIL, a copy of this forgoing motion NOTICE TO APPEAR/ MOTION FOR DEFAULT //SUMMARY JUDGEMENT IN FAVOR THE PLAINTIFF/PROTESTER

It be so order

IN THIS HONORABLE COURT / HONOR BOARD OF ELECTIONS. SENT/FILED CUYAHOGA BOARD OF ELECTIONS 2945 EUCLID AVENUE, CLEVELAND, OHIO, 44115 by FILING IT WITH THE CLERK OF THE BOARD , ON THE SECOND FLOOR LOCATED AT 2945 EUCLID AVENUE, EUCLID, OHIO, 44115 on AUGUST 29<sup>TH</sup>, 2023

respectfully submitted,

  
Christopher Michael litwinowicz

21970 MORRIS AVENUE  
EUCLID, OHIO, 44123  
(216) 598-8141  
[mikelitwinowicz@yahoo.com](mailto:mikelitwinowicz@yahoo.com)

cc:

Copies fFor All Board Member

Kiraten Holzheimer-gail

Tameika Latoya Hill

Marcus Dupree Epps

Daniell James Burns

Cuyahoga County Prosecor

**Plaintiff's 'S INITIAL**

**: DISCLOSURES PURSUANT TO RULE**

**: 26(B)(3) :**

Plaintiff, by and through counsel, submits the following Initial Disclosures pursuant to Ohio R. Civ. P. 26(B)(3):

**INTRODUCTORY STATEMENT**

Plaintiff makes the following disclosures on the basis of the information reasonably available to him at this time. However, Plaintiff does not waive his right to object to the production of any document or tangible thing on the basis of any privilege, work product doctrine, relevancy, undue burden or any other valid ground. **SEP. A. Ohio R. Civ. P. 26(B)(3)(a)(i)**

Plaintiff has not yet decided which witnesses he may call to testify at trial, and may not have identified all witnesses who may have information about this litigation. However, the following witnesses may have discoverable information. By identifying these witnesses, Plaintiff does not represent that he/ SHE has control over producing them to testify; nor does Plaintiff make any representation about the content, scope or relevancy of their knowledge:

(1) CHRISTOPHER M. LITWINOWICZ , 21970 MORRIS AVENUE, EUCLID, OHIO, 44123, (216-457-7299. CHRISTOPHER M. LITWINOWICZ will testify as to the facts and damages relevant to his claim. In particular, the injuries he has sustained as a result of the negligence of the PLAINTIFF in this case.

**B. Ohio R. Civ. P. 26(B)(3)(a)(ii)**

Based upon the reasonably available information, Plaintiff believes that the following documents and tangible things may be relevant to the claims in this litigation:

CHRISTOPHER M. LITWINOWICZ WILL USED LAW TO SHOW CAUSE AND TALK ABOUT basis of law: Rule 15 (c), Rules of Civil Procedure for District Courts, 28 U.S.C.A. following section 723c, provides, "Whenever the claim or defense asserted in the amended pleading arose out of the conduct, transaction, or occurrence set forth or attempted to be set forth in the original pleading, the amendment relates back to the date of the original pleading."

Plaintiff's second claim is based upon the same facts set forth in the original petition, the only change being one of theory from contract to tort for conversion under the ohio statute. Before the Federal Rules the Supreme Court had allowed amendments to

pleadings when the statute of limitation would otherwise have been a bar where the only change was "from law to law". United States v. Memphis Cotton Oil Co., 1933, 288 U.S. 62, 67, 53 S. Ct. 278, 280, 77 L. Ed. 619. See Clinchfield R. Co. v. Dunn, 6 Cir., 1930, 40 F.2d 586, 74 A.L.R. 1276, certiorari denied, 1930, 282 U.S. 860, 51 S. Ct. 34, 75 L. Ed. 761. Under the present rules, unless there is a substantial change from the claim as originally alleged, the amendment will relate back to the beginning of the action and is not barred by the statute of limitations. Perry v. Southern Ry. Co., D.C. E.D.Tenn. Aug. 30, 1939, 29 F. Supp. 1006. Rule 15. Defendant cannot claim surprise or prejudice by the amended pleading for it must have known all the facts from the commencement of the action, and, therefore, the amendment will relate back. See United States v. Powell, 4 Cir., 1938, 93 F.2d 788.

Plaintiff's motion for leave to file an amended complaint should be granted....

Respectfully submitted,

CHRISTOPHER MICHAEL LITWINOWICZ

21970 MORRIS AVENUE, EUCLID, OHIO, 44123

(216) 598-8141 / mikelitwinowicz@yahoo.com

FOR YOUR INFO.....

ALLEN C. HUFFORD (0019327) BARRY L SWEET <sup>SEP</sup>22400 LAKESHORE BLVD;  
EUCLID, Ohio 44123

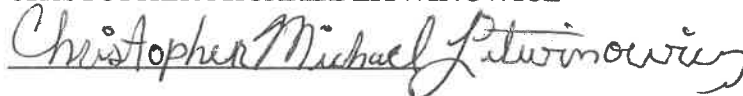
*Attorney for Plaintiff, if we need to go to a higher court*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing has been served upon all attorneys and parties of record on August 29, 2023 via electronic mail. AND US MAIL ON AUGUST 29<sup>TH</sup>, 2023

/s/ CHRISTOPHER MICHAEL LITWINOWICZ

CHRISTOPHER MICHAEL LITWINOWICZ



**ORDER TO SHOW CAUSE (DEFAULT JUDGEMENT/ORDER)**

**FAILURE TO APPEAR IN PERSON AND DEFEND MAY RESULT IN AN ORDER BEING ENTERED BY THE COURT WHICH GRANTS THE RELIEF REQUESTED IN ACCOMPANYING MOTION WITHOUT FURTHER NOTICE TO YOU.**

**OTHER:**

**DATE:** \_\_\_\_\_

**JUDGE:** \_\_\_\_\_

PRESENTED BY: CHRISTOPHER MICHAEL LITWINOWICZ

X

SIGNATURE:

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF OHIO THAT THE FOREGOING IS TRUE AND CORRECT.

SIGNED AT CUYAHOGA COUNTY BOARD OF ELECTION FILED AUGUST 29<sup>TH</sup>, 2023  
; 2945 EUCLID AVENUE, CLEVELAND, OHIO , 44115 ON AUGUST 29<sup>TH</sup>, 2023

RESPECTFULLY SUMMITED,

  
CHRISTOPHER MICHAEL LITWINOWICZ

MOTION FOR ORDER TO SHOW CAUSE  
JUDGEMENT/ORDER

- Civil Rule 60(a): Clerical mistake(s) in the Judgment, Order, or other parts of the record;
- Civil Rule 60(b)(1): Mistake, inadvertence, surprise, excusable neglect or irregularity in obtaining <sup>the</sup> Judgment/Order;
- Civil Rule 60(b)(2): Erroneous proceedings against a minor or person of unsound mind and the <sup>condition</sup> of the defendant/respondent did not appear in the record nor was the error discovered <sup>during</sup> proceedings;
- Civil Rule 60(b)(3): Newly discovered evidence which by due diligence could not have been <sup>discovered</sup> in time to move for a new trial under CR 59(b);
- Civil Rule 60(b)(4): Fraud, misrepresentation or other misconduct of an adverse party;
- Civil Rule 60(b)(5): The Judgment/Order is void;
- Civil Rule 60(b)(6): The judgment has been satisfied, released, or discharged, or a prior judgment <sup>upon</sup> which it is based has been reversed or otherwise vacated, or it is no longer equitable that the <sup>judgment</sup> should have prospective application;
- Civil Rule 60(b)(7): If the defendant was served by publication, relief may be granted as prescribed <sup>in</sup> RCW 4.28.200;
- Civil Rule 60(b)(8): Death of one of the parties before the Judgment in the action;
- Civil Rule 60(b)(9): Unavoidable casualty or misfortune preventing

the party from prosecuting or defending;

□ •Civil Rule 60(b)(10): Error in judgment shown by a minor, within 12 months after arriving at full age;

□ •Civil Rule 60(b)(11): Any other reason justifying relief from the operation of the judgment;

**MOTION FOR ORDER TO SHOW CAUSE**

- A. A SIGNATURE MUST BE CLEARLY IDENTIFIABLE.....**
- B. FROM A CANDIDATE AND A CIRCULATOR...**
- C. A GOVERNMENT PAPERWORK MUST BE IN FULL LEGAL DETAILS, AND EVEN GRAMER AND ENGLISH MATTER TO COMPLETE A SENTENCE.**
- D. DON'T FORGET TO CROSS YOUR T'S AND DOT YOUR I'S**
- E. CITY OF EUCLID, OHIO CHARTER ARTICLE VII NOMINATIONS AND ELECTION'S SECTION 1: PROCEDURES**

**LEGAL NOTE:**

The motion shall be made within a reasonable time and for reasons (1), (2) or (3) not more than 1 year after the judgment, order, or proceeding was entered or taken. If the party entitled to relief is a minor or a person of unsound mind, the motion shall be made within 1 year after the disability ceases. A motion under this section (b) does not affect the finality of the judgment or suspend its operation.

(c) Other Remedies. This rule does not limit the power of a court to entertain an independent action to relieve a party from a judgment, order, or proceeding.

(d) Writs Abolished--Procedure. Writs of coram nobis, coram vobis, audita querela, and bills of review and bills in the nature of a bill of review are abolished. The procedure for obtaining any relief from a judgment shall be by motion as prescribed in these rules or by an independent action.

(e) Procedure on Vacation of Judgment.

(1) Motion. Application shall be made by motion filed in the cause stating the grounds upon which relief is asked, and supported by the affidavit of the applicant or his attorney setting forth a concise statement of the facts or errors upon which the motion is based, and if the moving party be a defendant, the facts constituting a defense to the action or proceeding.

(2) Notice. Upon the filing of the motion and affidavit, the court shall enter an order fixing the time and place of the hearing thereof and directing all parties to the action or proceeding who may be affected thereby to appear and show cause why the relief asked for should not be granted.

(3) Service. The motion, affidavit, and the order to show cause shall be served upon all parties affected in the same manner as in the case of summons in a civil action at such time before the date fixed for the hearing as the order shall provide; but in case such service cannot be made, the order shall be published in the manner and for such time as may be ordered by the court, and in such case a copy of the motion, affidavit, and order shall be mailed to such parties at their last known post office address and a copy thereof served upon the attorneys of record of such parties in such action or proceeding such time prior to the hearing as the court may direct.

Statutes. Except as modified by this rule, RCW 4.72.010-.090 shall remain in full force and effect.

Exhibit Litwinowicz

**For Board of Elections use only - Do not write in this box**

Office Sought: Euclid - Mayor

Filing Fee: 45.00 Signatures: 260-7808-9-236 Filing Deadline: 4pm

(10)

**Nominating Petition and Statement of Candidacy**

**For Nonpartisan Office Municipal Office**

To be filed with the Board of Elections not later than 4 p.m. of the 90<sup>th</sup> day before the general election. If filing for an office in a charter municipality, refer to the charter for the filing deadline.

R.C. 3501.38, 3513.251, 3513.261, 3513.263

**Statement of Candidacy**

**NOTE - The candidate must fill in, sign and date this statement of candidacy before the signatures of electors are affixed.**

I, Daniel James Burns, the undersigned, hereby declare under penalty of election falsification that

Name of Candidate

my voting residence address is 341 E 255<sup>th</sup> St, Euclid, OH 44132.  
Street Number and Address, if any, (or rural route and number) City or Village State Zip Code

and I am a qualified elector.

I further declare that I desire to be a candidate for election to the office of Mayor in

Office

the City or Village of Euclid for the:

Name of City or Village

Check  full term or  unexpired term ending \_\_\_\_\_, in Cuyahoga County, Ohio at

Unexpired Term Ending Date

County

the general election to be held on the 7 day of November, 2023.

Day

Year

I further declare that I am an elector qualified to vote for the office I seek.

Dated this 19 day of May, 2023.

Day

Month

Year

| BOARD USE ONLY        |  |
|-----------------------|--|
| City, Ward & Precinct |  |
| Voter ID              |  |
| Signature             |  |
| Initials              |  |

Daniel J. Burns

Print name as it should appear on the ballot

[Signature]

Signature of Candidate

\*\*\* Case Sensitive \*\*\*

**WHOEVER COMMITS ELECTION FALSIFICATION IS GUILTY OF A FELONY OF THE FIFTH DEGREE**

I, \_\_\_\_\_, hereby designate the persons named below as a committee to represent me:

Name of Candidate

| Name | Residence |
|------|-----------|
|      |           |
|      |           |
|      |           |
|      |           |
|      |           |

**Nominating Petition**

We, the undersigned, qualified electors of the State of Ohio, whose voting residence is in the county, city, village, or township set opposite our names, hereby nominate Daniel J. Burns as a candidate for election to the office of Mayor in the City or Village of \_\_\_\_\_.

Name of Candidate

Euclid for the  full term or  unexpired term ending \_\_\_\_\_.

Name of City or Village

Check one

Office

Unexpired Term Ending Date

to be voted for at the next general election, and certify said person is, in our opinion, well qualified to perform the duties of the office or position to which the person desires to be elected.

