

THE STATE OF NEW HAMPSHIRE

BALLOT LAW COMMISSION

BLC-2011-2

COMPLAINT OF KEITH RUSSELL JUDD

**ORDER**

On November 18, 2011, the Ballot Law Commission (“the Commission”) held a public hearing, pursuant to RSA 665:7 to hear and determine disputes arising over whether nomination papers or declarations of candidacy filed with the Secretary of State conform with the law. Specifically, the complainant alleges that he is in compliance with RSA 655:48, requiring candidates for the office of President to pay to the Secretary of State at the time of filing the declaration of candidacy a fee of \$1,000. The complainant did not appear at the hearing.

The complainant submitted a declaration of candidacy under RSA 655:47. The complainant’s declaration did not include payment of the \$1,000 fee. The complainant is currently incarcerated in the State of Texas. In 2007, he had filed a declaration of candidacy and, likewise, did not pay the fee at the time of filing. Subsequent to filing his declaration in 2007, the complainant sent three checks, all of which were returned by the Secretary of State’s office. He did not qualify to be on the ballot in 2008. The complainant argues that one of the payments he made in 2007 should be used in payment of the fee for the 2012 ballot. In the alternative, he argues that his submission to the

Secretary of State of an undated copy of a Request For Withdrawal of Inmate's Personal Funds form should suffice for payment under the statute. The candidate did not file a petition for indigency under RSA 655:48, II. The Secretary of State did not include the complainant's name on the presidential ballot for 2012 based on his failure to pay the required fee.

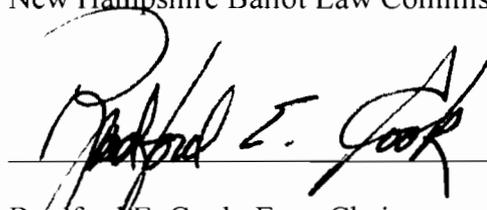
The Commission voted, unanimously, to uphold the decision of the Secretary of State and exclude the complainant's name from the 2012 presidential primary ballot.

So ordered,

New Hampshire Ballot Law Commission

Date:

11/30/11



Bradford E. Cook, Esq., Chairman  
Jane Clemmons  
Margaret-Ann Moran  
Martha Van Oot  
Jameson French