

COMMONWEALTH OF KENTUCKY
CHRISTIAN CIRCUIT COURT
CIVIL ACTION NO. 22-CI-00392
DIVISION II

[Electronically Filed]

MARK A. GRAHAM

PETITIONER,

VS.

CHRISTIAN COUNTY BOARD OF ELECTIONS, and
DOUG WILCOX

RESPONDENTS.

RESPONDENT'S MOTION FOR JUDGMENT ON THE PLEADINGS
TO DISMISS PRIMARY ELECTION CONTEST,
AND NOTICE OF HEARING

The Respondent, Doug Wilcox, by and through his undersigned counsel, moves for judgment on the pleadings pursuant to CR 12.03. After consideration of this motion, this Honorable Court should dismiss the Petition because there is no showing that the purported irregularity affected the outcome of the primary election. In further support of this motion, the Respondent states his memorandum of law as follows.

INTRODUCTION

The Christian County Clerk vote records furnished to both candidates since the filing of this action established that, even accepting the Petitioner's alleged voting irregularity in precinct G104 as true, Mr. Wilcox's vote lead in unaffected precincts of E104 and G101 was insurmountable. While the initial focus has been on the 109 ineligible votes that were purportedly cast by ineligible voters in precinct G104, the actual issue is the **36 eligible votes** that were cast in precinct G104 were insufficient to overcome Mr. Wilcox's **52 vote lead** in the

remaining precincts of E104 and G101. Thus, it is now unquestionable that the purported voting irregularity in the Ward 7 Republican primary race actually worked to the Petitioner's advantage by making the Ward 7 election result appear closer than it actual was. Because the Petitioner cannot show that the purported irregularities affected the outcome of the election, this matter should be dismissed thereby confirming the Respondent as the prevailing Republican candidate for Hopkinsville City Council, Ward 7.

FACTS

1. The Petitioner, Mark A. Graham (hereinafter "**Petitioner**" or "**Graham**"), was a duly qualified candidate in the Republican Party primary for Hopkinsville City Council, Ward 7.

2. The Respondent, Doug Wilcox (hereinafter "**Respondent**" or "**Wilcox**"), was a duly qualified candidate in the Republican Party primary for Hopkinsville City Council, Ward 7.

3. A map of Ward 7 is available on the City of Hopkinsville's website, and a copy is attached herewith as Exhibit 1.

4. There are three voting precincts for Ward 7: E104, G101 and G104. Maps of the respective voting precincts are available on the Christian County Clerk's website, and copies are collectively attached herewith as Exhibit 2.

5. To summarize, precinct E104 includes Holiday Park, Southgate Drive, & Foston Chapel Rd. Precincts G101 includes Hunting Creek, Givens (located north of Little River), and Eagle Cove. Both of these precincts exclusively vote in Ward 7, and as discussed below, there are no reported voting irregularities in precincts E104 or G101.

6. The problem in this case are the votes cast in precinct G104, which is a split precinct. Two neighborhoods in precinct G104 are in Hopkinsville City Council Ward 7. Those

include Givens Addition (located south of Little River) and South Fork Place located off Lover's Lane. The balance of precinct G104 is located in Hopkinsville City Council Ward 8, which includes Cedar Creek, Sheffield Downs, Novadell, 41A, etc.

7. On May 17, 2022, primary elections were held throughout the Commonwealth of Kentucky. Ballots were cast by absentee (with excuse), early voting, or regular election day voting.

8. Around lunchtime on election day, it was reported to a deputy clerk that ineligible voters in precinct G104 were being furnished ballots for the Ward 7 race. The deputy clerk quickly notified the voting locations to hold any affected ballots to prevent the error from continuing. The deputy clerk then proceeded to contact the software vendor to notify them of the purported error. The deputy clerk reported that upon learning of the error, the problem was corrected within approximately 10 minutes.¹

9. After the close of all election polls, the Christian County Clerk reported that the final vote count was 185 for Wilcox and 184 for Graham, being a one vote (1) victory for Mr. Wilcox.

10. It was also determined by the Christian County Clerk that a total of 109 ineligible voters in precinct **G104/Ward 8** were incorrectly issued ballots for Hopkinsville City Council/

¹ These facts are found on a video recording of a Christian County Board of Elections meeting held on May 17, 2022. The video is posted by the Petitioner on his public Facebook page, "Mark Graham for City Council, Ward 7." A copy of the Facebook post and video are attached as **Exhibit 3**. In the video, Mr. Graham is asking questions of the deputy clerk(s) and they responded to his inquires with the information summarized above.

Ward 7 race. See, "Petition pursuant to KRS 120.017" filed on May 23, 2022, Christian Circuit Court, Case No. 22-CI-00397.

11. On May 20, 2022, Mr. Graham filed the subject lawsuit styled as a "Petition for Recount." In his Petition, Mr. Graham seeks relief pursuant to "KRS 120.155, and other applicable law²." Petition at ¶ 10. The specific grounds asserted in the Petition are as follows: "over 100 voters in Ward 8 voted for Ward 7 candidates. The Court is requested to determine the best way to remedy the obviously flawed election." *Id.*

12. In his Petition, Mr. Graham also seeks a recount of the votes pursuant to KRS 120.185. However, as acknowledged in the separate recount lawsuit filed by the Christian County Clerk (Case No. 22-CI-00397), a recount is not likely to address the issue that 109 ineligible votes were apparently cast in the Ward 7 race. See *also*, Attorney General Opinion letter dated May 20, 2022.

13. On May 22, 2022, Mr. Wilcox was served with a summons and copy of the Petition.

14. On May 27, 2022, Mr. Wilcox filed his answer and defenses to the Petition.

15. Since the primary election, Mr. Graham and Mr. Wilcox have been provided with more detailed election results, namely the "Precinct Results Report" for each of applicable precincts. See, Wilcox Answer, Ex. 1-3.

² The Petitioner appears to have cited the wrong statute. KRS 120.055 et. seq. governs contested primary elections and KRS 120.155 et. seq. governs contested regular elections. The procedures are similar, but contests to primary elections have shorter deadlines.

16. On May 31, 2022, the undersigned received the attached response to an Open Records Request sent to the Christian County Clerk. A copy of the Open Records Response along with the confirmed Precinct Results Report for precincts E104, G101, & G104 are collectively attached as Exhibit 4, which is incorporated herein by reference.

17. Importantly, the foregoing Precinct Results Report confirm 145 ballots for G104 were cast in in the Ward 7 race. From that information, one can deduce that if 109 of those voters were ineligible, then it must follow that a total of **36 eligible voters** in precinct G104 cast valid ballots in the Ward 7 race.

18. As explained below, even if the 36 eligible votes cast in G104 were all awarded to Mr. Graham (which is highly unlikely), that margin was still insufficient for him to have won the primary election.

LEGAL STANDARD

"[A] judgment based on a motion for judgment on the pleadings is reserved for those cases in which the pleadings demonstrate that one party is conclusively entitled to judgment." *KentuckyOne Health, Inc. v. Reid*, 522 S.W.3d 193, 194 (Ky. 2017). As explained by the Supreme Court of Kentucky, the purpose of the rule is to "expedite the termination of a controversy where the ultimate and controlling facts are not in dispute." *Id.*, quoting *City of Pioneer Vill. v. Bullitt Cty.*, 104 S.W.3d 757, 759 (Ky. 2003). A motion for judgment on the pleadings admits the adversary's well-pled allegations of fact and fair inferences drawn therefrom, but the motion tests the legal sufficiency of a claim or defense in view of those the adverse pleadings. "The judgment should be granted if it appears beyond doubt that the nonmoving party cannot prove any set of facts that would entitle him/her to relief." *Id.* As this case pertains to public

records regarding the election outcome, public records may properly be considered on a motion for judgment on the pleadings without converting to a motion for summary judgment. *See, Netherwood v. Fifth Third Bank, Inc.*, 514 S.W.3d 558, 563 (Ky. Ct. App. 2017); see also, *Schell v. Young*, 640 S.W.3d 24, 33 (Ky. Ct. App. 2021) (“no conversion occurs if the circuit court considers matters of public record”).

ARGUMENTS

1. The Petitioner’s Grounds for Relief are Limited to the Issue of whether the Purported 109 Ineligible Votes Cast in Precinct G104 Affected the Outcome.

Under Kentucky law, the timeline for completing discovery and proof in a primary election contest is ***extremely expedited***. The obvious policy is these cases must be decided swiftly to allow the candidates and public to have a clear outcome in time to prepare and campaign for the general election. As explained below, the pleadings are now closed and the issue before the Court is well-defined. Therefore, it is appropriate for the Court to address whether Mr. Graham can show the issue raised in his Petition had any impact on the election.

Election contests are “strictly statutory proceedings” and thus “a contestant must rely upon statutory authority to initiate a contest.” Attorney General Letter, p. 2, citing *Napier v. Noplis*, 318 S.W.2d 875, 877 (Ky. 1958). Under current Kentucky statutes, a petition to contest a ***primary election*** must be filed within ten (10) days of the election. KRS 120.055. The petition to contest a primary election must “state ***specific grounds*** relied upon for the contestant.” *Id.* (emphasis added). Any request to amend the petition must be brought within the time allowed for filing the petition. After that time expires, “no ground of contest by either party shall be filed or made more definite by amendment.” *Id.* The Petitioner’s window to file an

amended Petition closed on May 27, 2022, and cannot now be extended to assert different grounds to contest the election (i.e. 10 days after the primary). *Id*

It should be observed that the usual amended pleading rules and timelines are not applicable in “special statutory proceeding.” CR 1 (Civil Rules apply in all proceedings “except for special statutory proceedings” where the statutory procedures apply to the extent inconsistent with the Civil Rules); *see also, McCann v. Sullivan Univ. Sys.*, 528 S.W.3d 331, 334 (Ky. 2017) (recognizing that election contests are special statutory proceedings). While the Civil Rules contain different timelines and freely allow amended pleadings, that is not true in contested election proceedings because they are designed to move expeditiously. Therefore, under the operative statutory framework, Mr. Graham cannot defend this motion by asserting that he hopes to identify additional issues in discovery or any evidentiary hearing. Any grounds to contest the election must have been specifically asserted by May 27th and the **only** issue before the Court is whether the asserted 109 ineligible votes had any impact on the outcome of this election.

2. **Courts will not Grant Relief Unless it is Clearly Shown the Asserted Election Irregularity had an Actual Impact on the Outcome.**

In the matter of *Hardin v. Montgomery*, 495 S.W.3d 686, 709 (Ky. 2016), the Supreme Court of Kentucky recently provided a comprehensive analysis of Kentucky law regarding contest elections. In that matter, following a bench trial that included 27 witnesses, the trial court found that based on the “totality of circumstances”, the election was the product of “fraud and bribery” to the extent neither contestant could be determined to have been fairly

elected. The trial court determined the office was vacant pending a new election. On appeal, the Supreme Court of Kentucky reversed with directions to dismiss the election contest.

In its holding, the Supreme Court of Kentucky makes very clear that vacating an election is a highly disfavored result. In an election contest proceeding, the challenger bears the burden of affirmatively proving: (1) that grounds to challenge the election existed, and (2) "that they affected the result to such an extent that it cannot be reasonably determined who was elected." *Id.* at 710, *Skain v. Milward*, 138 Ky. 200, 215, 127 S.W. 773, 778 (1910). "The established rule is that where, after giving the evidence of fraud (or irregularities) its fullest effect, and fraudulent or illegal votes may be eliminated, and *the result of the election be fairly ascertained from votes which were regular or untainted*, the court should not go to the extreme of declaring the election void." *Hardin*, 495 S.W.3d at 709, quoting *McClendon v. Hodges*, 272 S.W.3d 188, 191 (Ky. 2008) (emphasis in original). Thus, if the challenger of the election results cannot make a showing of these threshold issues, the election contest matter must be dismissed.

3. **Precinct Vote Totals Establish the Asserted Irregularity of 109 Ineligible Votes Cast in G104 Helped Mr. Graham – Therefore, the Election Outcome Must Stand.**

On a motion to dismiss, it must be assumed Mr. Graham's asserted facts are true (i.e. that 109 ineligible votes were cast in the Ward 7 race), but that alone is insufficient to alter the election. What Mr. Graham has failed to assert – much less show – is how the 109 ineligible votes could have tipped the outcome of the election in his favor. The precinct specific voting records now conclusively establish Mr. Graham cannot prevail under any circumstance. The precinct results reported the following vote totals:

Table 1 - Reported Ward 7 Votes				
Candidate	E104 Votes	G101 Votes	G104Votes	TOTALS
	Total (85)	Total (139)	Total (145)	
Graham	53	33	98	184
Wilcox	32	106	47	185

The Precinct Results Report also confirms a total of 36 eligible G104/Ward 7 votes were cast in the Ward 7 race (i.e. 145 total reported G104 votes – 109 ineligible G104 votes = 36 eligible G104 votes). Thus, even if this Court hypothetically presumes each of the 36 eligible votes in G104/Ward 7 were cast in Mr. Graham’s favor, the final vote count still would have been as follows:

Table 2 - Reported Ward 7 Votes (less 109 ineligible G104 votes)				
Candidate	E104 Votes	G101 Votes	G104Votes	TOTALS
	Total (85)	Total (139)	Total (36)	
Graham	53	33	36	122
Wilcox	32	106	0	138

To summarize, the 109 ineligible votes did not affect the outcome. After those 109 votes are discarded and assuming that all remaining 36 votes in G104 were cast in Mr. Graham’s favor, Mr. Wilcox still would have won the election by 16 votes. In this instance, it is shown that Mr. Graham actually benefited from the 109 ineligible votes cast and, therefore, there is no basis for this Court to interfere with the will of the eligible voters. Mr. Wilcox being

declared the winner of the Ward 7 primary must stand and the petition to contest the primary election filed by Mr. Graham should be dismissed.

CONCLUSION

After consideration of the foregoing, this Honorable Court should enter an Order dismissing the Petition for Recount filed on May 20, 2022, thereby confirming Doug Wilcox as the duly elected Republican candidate for Hopkinsville City Council, Ward 7

SO MOVED, this 1st day of June, 2022.

/s/ James G. Adams III
James G. Adams III
THOMAS, ARVIN & ADAMS, PLLC
1209 S. Virginia Street
P.O. Box 675
Hopkinsville, Kentucky 42241-0675
(270) 886-6363 (Telephone)
(270) 886-8544 (Facsimile)
jadams@thomasandarvin.com

*Counsel for the Respondent,
Doug Wilcox*

NOTICE OF HEARING

Please take notice that the foregoing Motion for Judgment on the Pleadings to Dismiss Primary Election Contest will be schedule for a hearing at a time to be determined during the status conference presently scheduled before Hon. John L. Atkins, Judge, Christian Circuit Court, Division II, on **Wednesday, June 1, 2022, 12:00 p.m. (local time)**, or as soon thereafter as counsel may be heard.

CERTIFICATE OF SERVICE

I hereby certify that I have electronically filed the foregoing Respondent's Motion for Judgment on the Pleadings and Notice of Hearing with the Clerk of the Court using the KY eCourts system and served the same on the following via email, facsimile, regular U.S. Mail and/or hand deliver, this 1st day of June, 2022.

Hon. Ben S. Fletcher III
FLETCHER LAW FIRM
700 South Main Street
P.O. Box 1107
Hopkinsville, Kentucky 42241-1107
Email: bsf@lawfr.com
Counsel for Petitioner, Mark A. Graham

Hon. John T. Soyars
Christian County Attorney
209 E. 14th Street
P.O. Box 24
Hopkinsville, Kentucky 42241-0024
Email: jtsoyars.christiancoatty@gmail.com
*Counsel for Respondents,
Christian County Board of Electors, and
Mike Kem, in his Official Capacity as
Clerk of Christian County, Kentucky*

/s/ James G. Adams III
James G. Adams III
THOMAS, ARVIN & ADAMS, PLLC

EXHIBIT 1

Ward 7

7

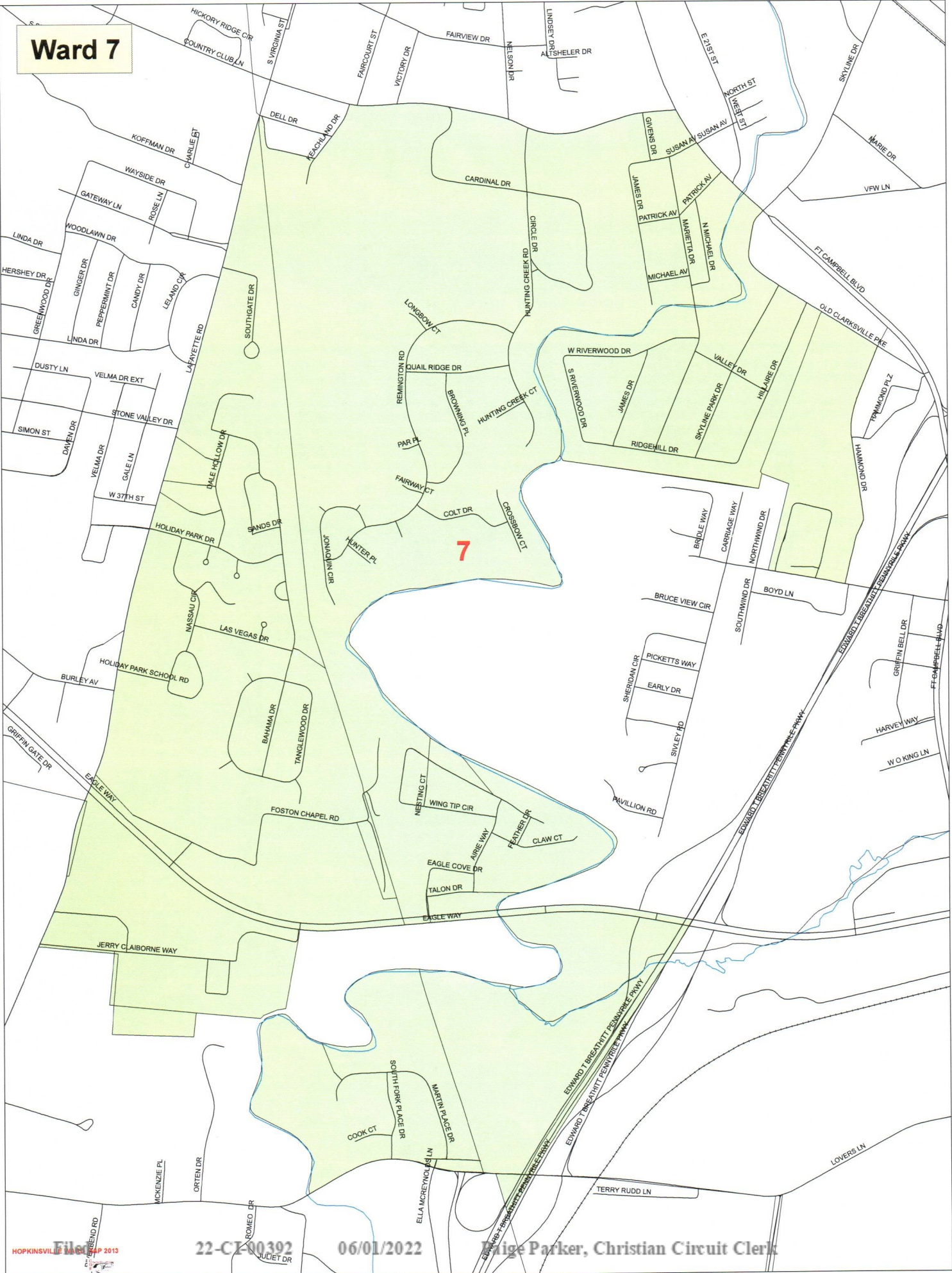
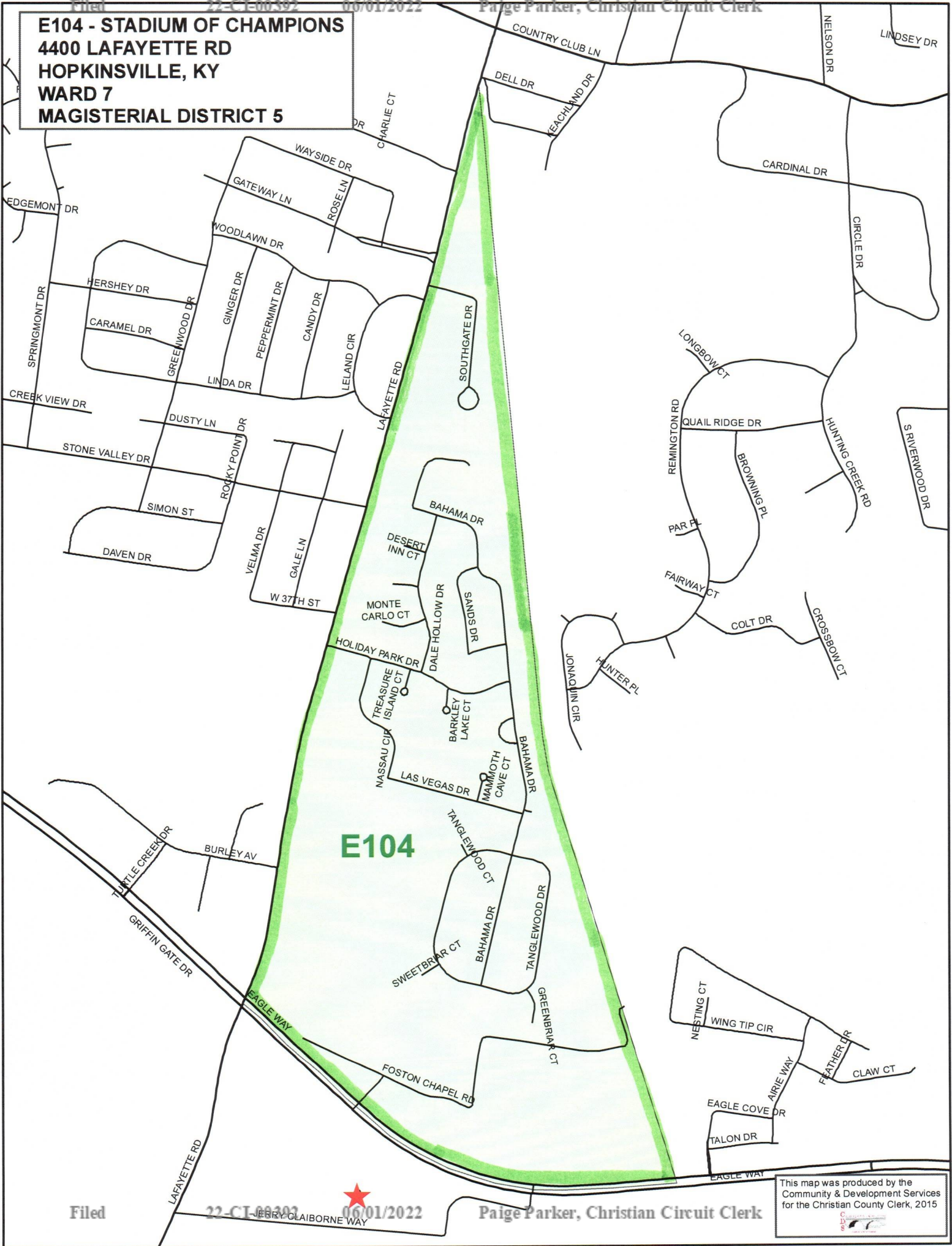


EXHIBIT 2

**E104 - STADIUM OF CHAMPIONS
 4400 LAFAYETTE RD
 HOPKINSVILLE, KY
 WARD 7
 MAGISTERIAL DISTRICT 5**



This map was produced by the Community & Development Services for the Christian County Clerk, 2015

3D250438-4C00-46F3-A57D-7F3081D18C09 : 000015 of 000029

EXH : 000002 of 000002

EXHIBIT 3

8:28 5G

◀ Mail
Caleb Ballard was live. May 18 at 5:00 PM · 🌐

Like Comment Share

Mark A. Graham for City Council, Ward 7 ...
May 18 at 8:01 PM · 🌐

Election Board meeting about the Hopkinsville City Council Ward 7 voting issues. Please watch and listen carefully. Part 1



Caleb Ballard was live. May 18 at 5:16 PM · 🌐

1 Share

Like Comment Share

Mark A. Graham for City Council, Ward 7 ...
May 18 at 4:02 PM · 🌐

🔒 facebook.com

3D250438-4C00-46F3-A57D-7F3081D18C09 : 000017 of 000029

EXH : 000002 of 000002

EXHIBIT 4



**JOHN T. SOYARS
CHRISTIAN COUNTY ATTORNEY**

209 EAST FOURTEENTH STREET
P.O. BOX 24
HOPKINSVILLE, KENTUCKY 42241-0024
TELEPHONE (270) 887-4114
TELECOPIER (270) 886-3910

**CHRISTIAN COUNTY CHILD
SUPPORT DIVISION**

Katherine Foster, Staff Prosecutor
Maureen Leamy, Staff Prosecutor

DOMESTIC VIOLENCE UNIT

Jill Atkins, Prosecutor
Tina Newby, Victim Advocate
Ray Davis, Investigator

**ASSISTANT COUNTY
ATTORNEYS**
Maureen Leamy, Chief Assistant
Lincoln W. Foster
Duncan Cavanah
Katherine Foster
Mark Collins

May 31, 2022
(Via email only to jadams@thomasandarvin.com)

Mr. James G. Adams, III, Esq.
THOMAS, ARVIN & ADAMS, PLLC
P.O. Box 675
1209 South Virginia Street
Hopkinsville, KY 42240

Re: Open Records Request/Christian County Clerk/
Doug Wilcox/Ward 7 Primary

Dear James:

Your Open Records Request to the Christian County Clerk dated May 24, 2022 and received that date has been placed in my hands for a response. You made several requests which are set forth below with separate responses following. You asked for:

1. Copies of all records of every kind and description pertaining to the election results for the Republican Party primary held on May 17, 2022, for Hopkinsville City Council, Ward 7, including the following:
 - a. Records showing the total number of eligible Republican voters who checked in to vote in the Ward 7 race, including without limitation, absentee, early vote, or election day;

Response: The undersigned will refer to this document as the "Voter Check-In Report." It is in "active use" pursuant to KRS 61.878(5) in the civil actions presently pending in Christian Circuit Court concerning this primary, see Nos. 22-CI-00392 and 22-CI-00397, and is also unavailable as it contains the voters' names. Kentucky ballots are secret pursuant to Ky. Const. § 147 and KRS 118.025 and therefore exempt from disclosure under the Open Records Act pursuant to KRS 61.878(1)(a), the personal privacy exemption. and (k), as protected by state law. It is expected that access to this record will be discussed at the Status Conference to be held at 12:00 p.m., June 1, 2022, in Christian

Filed
22-CI-00392
06/01/2022
Paige Parker, Christian Circuit Clerk

06/01/2022

22-CI-00392

Filed

Circuit Court in the above-numbered civil actions.

- b. Records showing the total number of ineligible voters who were provided a ballot for the Ward 7 race, Including without limitation, absentee, early vote, or election day;

Response: See above response.

2. Copies of all records of every kind and description pertaining to the election results for the Republican Party primary held on May 17, 2022, for Hopkinsville City Council, Ward 7, including the following:

- a. Records showing the total number of eligible votes in precinct G101 cast in favor of candidate Doug Wilcox;

Response: See attached Precinct Results Report for precinct G101.

- b. Records showing the total number of ineligible votes in precinct G101 cast in favor of candidate Doug Wilcox, if any;

Response: There is no such record.

- c. Records showing the total number of eligible votes in precinct E104 cast in favor of candidate Doug Wilcox;

Response: See attached Precinct Results Report for precinct E104.

- d. Records showing the total number of ineligible votes in precinct E104 cast in favor of candidate Doug Wilcox, if any;

Response: There is no such record.

- e. Records showing the total number of eligible votes in precinct G104 cast in favor of candidate Doug Wilcox; and

Response: See attached Precinct Results Report for precinct G104. This is the precinct with the ballot issue and eligible votes vs. ineligible votes cannot be differentiated.

- f. Records showing the total number of ineligible votes in precinct G104 cast in favor of candidate Doug Wilcox, if any.

Response: See attached Precinct Results Report for precinct G104. This is the precinct with the ballot issue and eligible votes vs. ineligible votes cannot be differentiated.

3. Copies of all records of every kind and description pertaining to the election results for the Republican Party primary held on May 17, 2022, for Hopkinsville City Council, Ward 7, including the following:

- a. Records showing the total number of eligible votes in precinct G101 cast in favor of candidate Mark Graham;

Response: See attached Precinct Results Report for precinct G101.

- b. Records showing the total number of ineligible votes in precinct G101 cast in favor of candidate Mark Graham, if any;

Response: There is no such record.

- c. Records showing the total number of eligible votes in precinct E104 cast in favor of candidate Mark Graham;

Response: See attached Precinct Results Report for precinct E104.

- d. Records showing the total number of ineligible votes in precinct E104 cast in favor of candidate Mark Graham, if any;

Response: There is no such record.

- e. Records showing the total number of eligible votes in precinct G104 cast in favor of candidate Mark Graham; and

Response: See attached Precinct Results Report for precinct G104. This is the precinct with the ballot issue and eligible votes vs. ineligible votes cannot be differentiated.

- f. Records showing the total number of ineligible votes in precinct G104 cast in favor of candidate Mark Graham, if any.

Response: See attached Precinct Results Report for precinct G104. This is the precinct with the ballot issue and eligible votes vs. ineligible votes cannot be differentiated.

4. Copies of all records of every kind and description that supports your conclusion that 109 persons were incorrectly issued ballots for Hopkinsville City Council/ Ward 7 race, as more specifically asserted In paragraph 4 of the "Petition pursuant to KRS 120.017" filed on May 23,2022, Christian Circuit Court, Case No. 22-CI-00397.

Response: This document is the "Voter Check-In Report." It is in "active use" pursuant to KRS 61.878(5) in the civil actions presently pending in Christian Circuit Court concerning this primary, see Nos. 22-CI-00392 and 22-CI-00397, and is also unavailable as it contains the voters' names. Kentucky ballots are secret pursuant to Ky. Const. § 147 and KRS 118.025 and therefore exempt from disclosure under the Open Records Act pursuant to KRS 61.878(1)(a), the personal privacy exemption. and (k), as protected by state law. It is expected that access to this record will be discussed at the Status Conference to be held at 12:00 p.m., June 1, 2022, in Christian Circuit Court in the above-numbered civil actions.

5. Copies of all records of every kind and description that may identify those precinct G104 voters eligible to vote in the Ward 7 race (i.e. those residents of Givens Addition and South Fork Place subdivisions) versus the remaining ineligible precinct G104 voters who purportedly were furnished ballots to vote in the Ward 7 race (i.e. those remaining residences of G104 assigned to Hopkinsville City Council/Ward8).

Response: Again, this is the "Voter Check-In Report." It is in "active use" pursuant to KRS 61.878(5) in the civil actions presently pending in Christian Circuit Court concerning this primary, see Nos. 22-CI-00392 and 22-CI-00397, and is also unavailable as it contains the voters' names. Kentucky ballots are secret pursuant to Ky. Const. § 147 and KRS 118.025 and therefore exempt from disclosure under the Open Records Act pursuant to KRS 61.878(1)(a), the personal privacy exemption. and (k), as protected by state law. It is expected that access to this record will be discussed at the Status Conference to be held at 12:00 p.m., June 1, 2022, in Christian Circuit Court in the above-numbered civil actions.

6. Any and all internal and external correspondence (including emails or text messages) sent or received by you, or any employee of the Christian Count Clerk's Office, pertaining to any administrative errors that occurred in the Republican Party primary held on May 17, 2022, for Hopkinsville City Council, Ward 7, including without limitation, emails or other communications sent with representatives of Tenex.

Response: There are emails with Tenex presently in custody of Christian Circuit Court pursuant to court order in Civil Action No. 22-CI-00397.

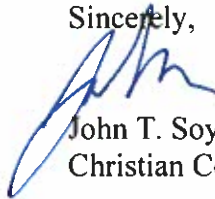
7. Any and all internal and external correspondence (including emails or text messages) sent or received by you, or any employee of the Christian Count Clerk's Office, pertaining to any investigation concerning the election results for the Republican Party primary held on May 17, 2022, for Hopkinsville City Council, Ward 7, including without limitation, emails or other communications sent with representatives of Tenex.

Response: Please see attached an email dated May 31, 2022 from a detective with the Kentucky Attorney General's Office.

You may request that the Kentucky Attorney General review this matter pursuant to KRS 61.880 or you may request relief in Christian Circuit Court pursuant to KRS 61.882.

Thank you for your attention to the foregoing.

Sincerely,



John T. Soyars
Christian County Attorney

Filed
22-CI-00392
06/01/2022
Paige Parker, Christian Circuit Clerk

Precinct Results Report
 Election Night Reporting
 Run Time 8:54 AM
 Run Date 05/25/2022

PRIMARY ELECTION HELD ON
OFFICIAL BALLOT FOR CHRISTIAN COUNTY
 5/17/2022
 Page 51

Unofficial Results
 Ballots Cast 6175
 Polling Places Reporting
 10 of 10 = 100.00%

E104 159 ballots cast

UNITED STATES SENATOR - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Arnold BLANKENSHIP		0 0.00%	2 10.00%	4 6.25%	6 7.06%
Valerie "Dr Val" FREDRICK		0 0.00%	0 0.00%	4 6.25%	4 4.71%
Paul V. HAMILTON		0 0.00%	2 10.00%	1 1.56%	3 3.53%
Rand PAUL		1 100.00%	15 75.00%	53 82.81%	69 81.16%
John SCHIESS		0 0.00%	0 0.00%	1 1.56%	1 1.19%
Tami L. STAINFIELD		0 0.00%	1 5.00%	1 1.56%	2 2.35%
Cast Votes:		1 100.00%	20 100.00%	64 100.00%	85 100.00%

COUNTY JUDGE/EXECUTIVE - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Jerry W. GILLIAM		1 100.00%	5 25.00%	15 24.59%	21 25.61%
Tommy McGRAW		0 0.00%	5 25.00%	12 19.67%	17 20.77%
Dan MASON		0 0.00%	6 30.00%	24 39.34%	30 36.59%
Katie MOYER		0 0.00%	4 20.00%	10 16.39%	14 17.07%
Cast Votes:		1 100.00%	20 100.00%	61 100.00%	82 100.00%

COUNTY CLERK - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Melinda A. HUMPHRIES		1 100.00%	13 76.47%	34 55.74%	48 60.76%
Erica NEWBY		0 0.00%	4 23.53%	27 44.26%	31 39.24%
Cast Votes:		1 100.00%	17 100.00%	61 100.00%	79 100.00%

SHERIFF - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Tyler DeARMOND		1 100.00%	20 95.24%	57 90.48%	78 91.76%
Adam VANDERKOLK		0 0.00%	1 4.76%	6 9.52%	7 8.24%
Cast Votes:		1 100.00%	21 100.00%	63 100.00%	83 100.00%

Paige Parker, Christian Circuit Clerk

06/01/2022

22-CI-00392

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3D250438-4C00-46F3-A57D-7F3081D18C09 : 000024 of 000029

EXH : 000007 of 000012

Precinct Results Report

Election Night Reporting

Run Time 8:54 AM
Run Date 05/25/2022

PRIMARY ELECTION HELD ON

OFFICIAL BALLOT FOR CHRISTIAN COUNTY

5/17/2022

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Unofficial Results

Ballots Cast 6178
Polling Places Reporting 10 of 10 = 100.00%

E104 159 ballots cast

UNITED STATES SENATOR - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Joshua Wesley BLANTON SR.		0 0.00%	0 0.00%	5 8.62%	5 7.56%
Charles BOOKER		0 0.00%	5 71.43%	40 68.97%	45 68.18%
Ruth GAO		1 100.00%	1 14.29%	4 6.90%	6 9.09%
John MERRILL		0 0.00%	1 14.29%	9 15.52%	10 15.15%
Cast Votes:		1 100.00%	7 100.00%	58 100.00%	66 100.00%

MAYOR City of Hopkinsville - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
James R. KNIGHT JR.		0 0.00%	15 78.95%	46 71.88%	61 72.62%
Vince FARRELL		1 100.00%	4 21.05%	18 28.13%	23 27.38%
Cast Votes:		1 100.00%	19 100.00%	64 100.00%	84 100.00%

CITY COUNCIL City of Hopkinsville Ward 7 - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Mark A. GRAHAM		1 100.00%	6 30.00%	46 71.88%	53 62.33%
Doug WILCOX		0 0.00%	14 70.00%	18 28.13%	32 37.67%
Cast Votes:		1 100.00%	20 100.00%	64 100.00%	85 100.00%

MAYOR City of Hopkinsville - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Alethea M. WEST		0 0.00%	5 71.43%	31 49.21%	36 50.79%
Michael PENDLETON		1 100.00%	2 28.57%	32 50.79%	35 49.30%
Cast Votes:		1 100.00%	7 100.00%	63 100.00%	71 100.00%

Paige Parker, Christian Circuit Clerk

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Unofficial Results

Ballots Cast 6175

Polling Places Reporting 10 of 10 = 100.00%

G101 228 ballots cast

UNITED STATES SENATOR - (Vote for One)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Arnold BLANKENSHIP		0	0.00%	0	0.00%	4	3.74%	4	2.96%
Valerie "Dr Val" FREDRICK		0	0.00%	0	0.00%	6	5.61%	6	4.44%
Paul V. HAMILTON		0	0.00%	1	4.17%	0	0.00%	1	0.74%
Rand PAUL		4	100.00%	20	83.33%	94	87.85%	118	87.11%
John SCHIESS		0	0.00%	1	4.17%	1	0.93%	2	1.48%
Tami L. STAINFIELD		0	0.00%	2	8.33%	2	1.87%	4	2.96%
Cast Votes:		4	100.00%	24	100.00%	107	100.00%	135	100.00%

COUNTY JUDGE/EXECUTIVE - (Vote for One)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jerry W. GILLIAM		2	50.00%	11	47.83%	58	52.73%	71	51.83%
Tommy McGRAW		0	0.00%	1	4.35%	23	20.91%	24	17.52%
Dan MASON		2	50.00%	10	43.48%	24	21.82%	36	26.28%
Katie MOYER		0	0.00%	1	4.35%	5	4.55%	6	4.36%
Cast Votes:		4	100.00%	23	100.00%	110	100.00%	137	100.00%

COUNTY CLERK - (Vote for One)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Melinda A. HUMPHRIES		3	75.00%	17	73.91%	60	56.07%	80	59.70%
Erica NEWBY		1	25.00%	6	26.09%	47	43.93%	54	40.30%
Cast Votes:		4	100.00%	23	100.00%	107	100.00%	134	100.00%

SHERIFF - (Vote for One)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Tyler DeARMOND		4	100.00%	24	100.00%	108	95.58%	136	96.43%
Adam VANDERKOLK		0	0.00%	0	0.00%	5	4.42%	5	3.55%
Cast Votes:		4	100.00%	24	100.00%	113	100.00%	141	100.00%

MAGISTRATE 7th Magisterial District - (Vote for One)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Michael WALKER		1	33.33%	4	18.18%	23	20.91%	28	20.74%
Russ GUFFEY		2	66.67%	18	81.82%	87	79.09%	107	79.26%
Cast Votes:		3	100.00%	22	100.00%	110	100.00%	135	100.00%

Paige Parker, Christian Circuit Clerk

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Unofficial Results

Ballots Cast 6175

Polling Places Reporting 10 of 10 = 100.00%

G101 228 ballots cast

UNITED STATES SENATOR - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Joshua Wesley BLANTON SR.		0 0.00%	2 13.33%	9 15.00%	11 14.29%
Charles BOOKER		2 100.00%	10 66.67%	38 63.33%	50 64.94%
Ruth GAO		0 0.00%	1 6.67%	4 6.67%	5 6.49%
John MERRILL		0 0.00%	2 13.33%	9 15.00%	11 14.29%
Cast Votes:		2 100.00%	15 100.00%	60 100.00%	77 100.00%

MAYOR City of Hopkinsville - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
James R. KNIGHT JR.		3 75.00%	11 47.83%	71 66.36%	85 63.43%
Vince FARRELL		1 25.00%	12 52.17%	36 33.64%	49 36.57%
Cast Votes:		4 100.00%	23 100.00%	107 100.00%	134 100.00%

CITY COUNCIL City of Hopkinsville Ward 7 - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Mark A. GRAHAM		1 25.00%	1 4.17%	31 27.93%	33 23.74%
Doug WILCOX		3 75.00%	23 95.83%	80 72.07%	106 76.26%
Cast Votes:		4 100.00%	24 100.00%	111 100.00%	139 100.00%

MAYOR City of Hopkinsville - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Alethea M. WEST		0 0.00%	2 12.50%	23 34.33%	25 29.07%
Michael PENDLETON		3 100.00%	14 87.50%	44 65.67%	61 70.93%
Cast Votes:		3 100.00%	16 100.00%	67 100.00%	86 100.00%

Paige Parker, Christian Circuit Clerk

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Unofficial Results

Ballots Cast: 6175
Polling Places Reporting: 10 of 10 = 100.00%

G104

338 ballots cast

UNITED STATES SENATOR - (Vote for One)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Arnold BLANKENSHIP		0	0.00%	0	0.00%	5	3.40%	5	2.50%
Valerie "Dr Val" FREDRICK		0	0.00%	3	7.50%	4	2.72%	7	3.61%
Paul V. HAMILTON		0	0.00%	1	2.50%	3	2.04%	4	2.06%
Rand PAUL		7	100.00%	36	90.00%	130	88.44%	173	89.18%
John SCHIESS		0	0.00%	0	0.00%	1	0.68%	1	0.52%
Tami L. STAINFIELD		0	0.00%	0	0.00%	4	2.72%	4	2.06%
Cast Votes:		7	100.00%	40	100.00%	147	100.00%	194	100.00%

COUNTY JUDGE/EXECUTIVE - (Vote for One)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Jerry W. GILLIAM		3	42.86%	20	51.28%	70	48.61%	93	48.55%
Tommy McGRAW		0	0.00%	8	20.51%	23	15.97%	31	16.32%
Dan MASON		2	28.57%	9	23.08%	36	25.00%	47	24.74%
Katie MOYER		2	28.57%	2	5.13%	15	10.42%	19	10.00%
Cast Votes:		7	100.00%	39	100.00%	144	100.00%	190	100.00%

COUNTY CLERK - (Vote for One)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Melinda A. HUMPHRIES		6	85.71%	25	65.79%	70	50.72%	101	55.19%
Erica NEWBY		1	14.29%	13	34.21%	68	49.28%	82	44.81%
Cast Votes:		7	100.00%	38	100.00%	138	100.00%	183	100.00%

SHERIFF - (Vote for One)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Tyler DeARMOND		4	57.14%	37	92.50%	128	88.89%	169	88.89%
Adam VANDERKOLK		3	42.86%	3	7.50%	16	11.11%	22	11.52%
Cast Votes:		7	100.00%	40	100.00%	144	100.00%	191	100.00%

MAGISTRATE 7th Magisterial District - (Vote for One)

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Michael WALKER		2	28.57%	12	34.29%	56	40.58%	70	38.89%
Russ GUFFEY		5	71.43%	23	65.71%	82	59.42%	110	61.11%
Cast Votes:		7	100.00%	35	100.00%	138	100.00%	180	100.00%

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Unofficial Results

Ballots Cast 6175
Polling Places Reporting 10 of 10 = 100.00%

G104 338 ballots cast

UNITED STATES SENATOR - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Joshua Wesley BLANTON SR.		0 0.00%	5 20.00%	18 17.82%	23 17.97%
Charles BOOKER		2 100.00%	13 52.00%	66 65.35%	81 63.28%
Ruth GAO		0 0.00%	2 8.00%	6 5.94%	8 6.25%
John MERRILL		0 0.00%	5 20.00%	11 10.89%	16 12.50%
Cast Votes:		2 100.00%	25 100.00%	101 100.00%	128 100.00%

MAYOR City of Hopkinsville - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
James R. KNIGHT JR.		3 42.86%	17 44.74%	84 58.74%	104 55.32%
Vince FARRELL		4 57.14%	21 55.26%	59 41.26%	84 44.68%
Cast Votes:		7 100.00%	38 100.00%	143 100.00%	188 100.00%

CITY COUNCIL City of Hopkinsville Ward 7 - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Mark A. GRAHAM		2 66.67%	27 69.23%	69 66.99%	98 67.59%
Doug WILCOX		1 33.33%	12 30.77%	34 33.01%	47 32.41%
Cast Votes:		3 100.00%	39 100.00%	103 100.00%	145 100.00%

MAYOR City of Hopkinsville - (Vote for One)

Choice	Party	Absentee Voting	Early Voting	Election Day Voting	Total
Alethea M. WEST		2 100.00%	7 26.92%	58 53.70%	67 49.26%
Michael PENDLETON		0 0.00%	19 73.08%	50 46.30%	69 50.74%
Cast Votes:		2 100.00%	26 100.00%	108 100.00%	136 100.00%

Paige Parker, Christian Circuit Clerk

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