(Exhibit 5 marked for identification.)

Q. (BY MR. GARCIA) I show you what's marked Exhibit 5, and I'll just ask you if you've ever seen that.
before.
A. This is Kevin Stout. I have reviewed this registration.
Q. Was that registration received by your office?
A. Yes.
Q. In what -- why did you review that registration?
A. We reviewed that registration on the press -- the media saying that a person of the age of 13 or 15 had registered to vote, and gave us a last name but no first name, no address or anything else.
Q. Does the media -- it was the media that gave you a last name?
A. Yes.
Q. What actions, if any, did your office take with respect to that registration?
A. This registration, in its current form, is valid. Mr. Stout's father called, and had a conversation with one of our staff members, mentioning that he was an APD officer, and that his son was not -- was either 13 or 15, and had registered to vote. However, the original registration shows a birth date that places this applicant at 23 years old.
Kevin's father also mentioned that he, through his own research, being an APD officer, found that the Social Security was a Social Security from a registered
voter from, I believe, Otero County. However, we have
asked the father to remove -- the father, then, must
write a letter to us to remove this person's
registration. On its face, it is valid.
Q. Is there anything in your normal procedures for
processing registrations and incorporating them into the
voter database, or the voter system, excuse me, is there
anything in those systems that would have enabled your
office to determine that this was not a proper
registration?

MR. LANDERS: I'm going to object to the form.
A. And I need to ask you to determine what would
identify this as not proper in our system. I don't
understand that question.
Q. (BY MR. GARCIA) This registration was processed
through your system?
A. Yes.
Q. Did anything go wrong with your system in the
processing of this registration?

MR. VARGAS: Object to the form.
MR. LANDERS: Object to the form.
A. No, sir. The registration was unique within our
county -- or, I'm sorry, not the registration, the
Social Security.
I guess I would add to that, if a registrant
tries -- if somebody tries to register to vote, and the
date of birth is clearly making them 15 years old, or
whatever, we don't -- we can't enter that voter in the
system. We make a process of not doing that.

However, if the voter is 17 years old, and will
be 18 by election day, we do have a method to handle
those areas. I must clarify that if somebody is going
to be 18 November 2nd, and registers January 1st --
November 2nd of 2004, and registered January 1st, 2004,
we are not going to put that person in the system until
all elections between that period have exhausted,
because if -- then it would be incorrect.

Q. (BY MR. GARCIA) Can you tell me, from looking at
this, what precinct this has been assigned to?

A. 461.

Q. If someone showed up at precinct 461 on election
day, and presented themselves as Kevin Stout, would they
be allowed to vote?

MR. VARGAS: Object to the form.

MR. LANDERS: Object to the form. Foundation,
speculation.
Q. Did you ever discuss problems you were having
with ACORN with any representative of ACORN, including
Matt?

MR. LANDERS: Object to the form.

A. Yes.

Q. (BY MR. GARCIA) What problems did you discuss?

A. We were having problems with some of their field
workers, again, by not filling out the form, having
information -- you know, we were getting some Social
Security hits in our system. In other words,
registrants would come in with a Social Security that
belonged to somebody completely different, which caused
us to notify both applicants, to say which is your --
you know, who has the correct social and who's
incorrect, yes.

Q. Any other problems, that you can think of, you
would have discussed?
A. At any time --
Q. Yes.
A. -- while I've been in the Bureau of Elections?
Q. Well, regarding ACORN.
A. We had discussions with them two years ago. We
were receiving registration cards for them -- from them
that identified people who didn't want to be on the
voter system, particularly people who were not
United States citizens. And we did meet with the
attorney -- district attorney at that time, and turned
those over, but the person we met with has now passed
on.

Q. Who was that?
A. I believe Peone?

MR. LANDERS: Joe Peone, yeah.
A. And we had some issues with ACORN.
Q. (BY MR. GARCIA) Have you met with law
enforcement in this election cycle --

MR. LANDERS: Object to the form.