

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

*Denied as moot
Susan J. Dlott
5/3/11*

TRACIE HUNTER,	:	Case No. 1:10-cv-820
	:	
Plaintiff,	:	Chief Judge Susan J. Dlott
	:	
vs.	:	
	:	EMERGENCY MOTION TO
HAMILTON COUNTY BOARD OF	:	ENFORCE PRELIMINARY
ELECTIONS, ET AL.	:	INJUNCTION
	:	
Defendants.	:	

Plaintiff Tracie Hunter hereby moves for an order to enforce the Preliminary Injunction issued by this Court on November 22, 2010. Defendant Hamilton County Board of Elections has not yet complied with the Order. Nor will the Board be taking any action in the next several weeks to comply with the Order. Time is of the essence since the Juvenile Court Judge is to take office on January 1, 2011. The Board has squandered the last two and a half weeks. The Board has not agreed to an investigation process and as such has taken no steps to investigate. All evidence indicates the Board will not agree on a process or even begin the investigation before the end of this year. Furthermore, two members of the Board voted to count the 286 ballots that were cast in the right location but in the wrong precinct,¹ however the other two members voted against the motion. Therefore, those 286 ballots have not been counted in direct opposition to the Order. For these reasons, Plaintiff requests that this Court issue an order directing Defendants to comply with its Order, or in the alternative, issue a show

¹ Mr. Burke testified at the TRO hearing November 22, 2010 that the number was between 260 and 280. At the December 3, 2010 Board meeting the Board announced the exact number of provisional ballots cast at the right location, wrong table, is 286. Ex. A p. 12-13.