

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

NORTHEAST OHIO COALITION FOR THE HOMELESS, et al.,	:	
	:	
Plaintiffs,	:	Case No. C2-06-CV-896
	:	
v.	:	JUDGE ALGENON L. MARBLEY
	:	
	:	
J. KENNETH BLACKWELL,	:	
	:	
Defendant.	:	

COURT ORDER TO ALL COUNTY BOARDS OF ELECTIONS

All County Boards of Elections are hereby **ORDERED** that the voter identification law as it applies to absentee ballots has been enjoined by an Order of the United States District Court for the Southern District of Ohio. The following enjoined voter identification laws for absentee ballots shall not be applied to any absentee voter ballots or requests for ballots:

1. Section 3509.03(E)(1), (2) and (3), which provides:
 - (E) One of the following:
 - (1) The elector’s driver’s license number;
 - (2) The last four digits of the elector’s social security number;
 - (3) A copy of the elector’s current and valid photo identification, a copy of a military identification that shows the elector’s name and current address, or a copy of a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections under section 3503.19 of the Revised Code, that shows the name and address of the elector.

2. That portion of Section 3509.04 that provides:

(Voter must provide one of the following:)

My driver's license number is (Driver's license number).

The last four digits of my Social Security Number are . . . (Last four digits of Social Security Number).

. . . . In lieu of providing a driver's license number or the last four digits of my Social Security Number, I am enclosing a copy of one of the following in the return envelope in which this identification envelope will be mailed: a current and valid photo identification, a military identification that shows my name and current address, or a current utility bill, bank statement, government check, paycheck, or other government document, other than a notice of an election mailed by a board of elections under section 3501.19 of the Revised Code or a notice of voter registration mailed by a board of elections, that shows my name and address.

3. That portion of Section 3509.05(A) that provides:

If the elector does not provide the elector's driver's license number or the last four digits of the elector's social security number on the statement of voter on the identification envelope, the elector also shall include in the return envelope with the identification envelope a copy of the elector's current valid photo identification, a copy of a military identification that shows the elector's name and current address, or a copy of a current utility bill, bank statement, government check, paycheck, or other government documents, other than a notice of an election mailed by a board of elections under *section 3501.19 of the Revised Code* or a notice of voter registration mailed by a board of elections under *section 3503.19 of the Revised Code*, that shows the name and address of the elector.

All County Boards of Elections shall preserve all absentee ballots in their present form.

The Boards of Elections shall also include correspondence with application forms for absentee

ballots and with instructions that accompany the absentee ballots reflecting that the voters need not comply with the above-enjoined provisions.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF OHIO

DATED: October 26, 2006