

IN THE SUPERIOR COURT OF LIBERTY COUNTY

STATE OF GEORGIA

WILLIAM BOWMAN,
Plaintiff,

v.

THE LIBERTY COUNTY BOARD
OF ELECTIONS, RICHARD BRAUN,
SAMUEL B. HARRIS, RUSSELL WELLS,
MELINDA W. SCHNEIDER,
STEPHANIE WOODS, STEPHEN
MULLICE, and LINDA W. MARTIN,
all in their official capacity as Members
of the Liberty County Board of Elections,
ELLA GOLDEN, in her official capacity
as Election Supervisor of the Liberty
County Board of Elections, and the
opposing candidates, STEVE SIKES,
RODEY C. BACON, LAMAR COOK,
and ELTON L. DUDLEY,
Defendants.

CIVIL ACTION

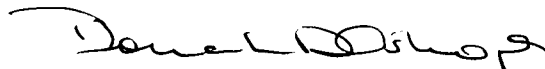
FILE NO.: 16V501GC

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LIBERTY SUPERIOR COURT
JUV. & MAGISTRATE COURT
2016 JUN -2 PM 4:00

TO THE ABOVE NAMED DEFENDANTS

You are hereby summoned and required to file with the Clerk of said Court and serve upon Plaintiff's attorney, Samuel G. Oliver, 200 Walton Street, Post Office Box 495, Darien, GA 31305, an answer to the petition which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

This 2 day of June 2016.



CLERK OF SUPERIOR COURT
LIBERTY COUNTY, GEORGIA

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PETITION TO CONTEST ELECTION

The Contestant files this petition and shows the following:

1. The Contestant is qualified to institute this contest by virtue of the fact that WILLIAM BOWMAN was a candidate for the Democratic candidate for office of Liberty County Sheriff, in the May 24, 2016 Primary Election.

2. The Contestant desires to contest the results of the May 24, 2016 Primary Election, and specifically contest the election of STEVE C. SIKES as the Democratic candidate for Sheriff of Liberty County.

3. The Defendants are the LIBERTY COUNTY BOARD OF ELECTIONS, RICHARD BRAUN, SAMUEL B. HARRIS, RUSSELL WELLS, MELINDA W. SCHNEIDER, STEPHANIE WOODS, STEPHEN MULLICE, LINDA W. MARTIN its individual members themselves, ELLA GOLDEN as Elections Supervisor and the opposing candidates, STEVE C. SIKES, RODEY C. BACON, LAMAR COOK, and ELTON L. DUDLEY.

4. The date of the official declaration of the result in dispute is May 27, 2016. At that time, certified results indicated that Contestant WILLIAM BOWMAN received 1762

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votes (35.82%), STEVE C. SIKES received 2506 votes (50.95%), R.C. BACON received 135 votes (2.74%), L. Cook received 455 (9.25%), and E.L. Dudley received 61 votes (1.24%).

5. Of the total of 4919 votes cast, a run-off election would have been held between STEVE C. SIKES and WILLIAM BOWMAN if STEVE C. SIKES had not exceeded 50% of the vote plus one, which is 2461. Therefore, 46 votes would have placed the election in question.

5. The grounds for this contest are numerous allegations of irregularities by officials in the maintenance of the eligible voter list, the counting of illegal votes, voter intimidation, and other causes sufficient to place in doubt the results of the election, indicated as follows:

a. Contestant will show the Court that 61 voters obtained absentee ballots and returned the voted ballot and subsequently voted in person stating that they didn't wish to vote absentee and requested their already received ballots be cancelled. O.C.G.A. 21-2-388 provides in relevant part that "When an absentee ballot which has been voted shall be returned to and received by the board of registrars, it shall be deemed to have been voted then and there; and no other ballot shall be issued to the same elector."

b. Contestant will show the Court that the 501 absentee ballots cast in this election constitutes 10.18% of total votes, of which about 40 % of them voted only in the Sheriff's race, and were the result of an organized absentee voting program orchestrated by STEVE C. SIKES. Letters were mailed to registered voters enclosing absentee ballot applications with return self address stamped envelopes to STEVE C. SIKES at P.O. Box 1013, Hinesville, GA 31313. The returned absentee applications were opened by Hershey Harriman, the Sheriff's secretary, an employee of Liberty County, in the Liberty County Courthouse which she subsequently carried from the Courthouse to the Board of Elections office in bulk. On some occasions the application were delivered by a Deputy Sheriff in the employ of Liberty County. Many ballots were sent to P.O. Boxes rather than physical addresses.

c. Contestant will show the Court that Elector Nathaniel Gosseck was sent two absentee ballots and both are shown on the official report of the election as having been returned and voted.

d. Contestant will show the Court that Elector Alan Chalbeck has lived in New Hampshire for more than a year and was allowed to vote in this election. He should be removed from the list of electors due to non-residency.

e. Contestant will show the Court that Elector Bonnie Chalbeck has lived in New Hampshire for more than a year and was allowed to vote in the election. She should be removed from the list of electors due to non-residency.

f. Contestant will show the Court that Elector Daniel Wedincamp has lived in West Palm Beach, Florida for more than a year and was allowed to vote in the election. He should be removed from the list of electors due to non-residency.

g. Contestant will show the Court that Elector Wanda Wedincamp has lived in West Palm Beach, Florida for more than a year and was allowed to vote in the election. She should be removed from the list of electors due to non-residency.

h. Contestant will show the Court that Elector Donnell Woods, Jr. has an alleged Liberty County address of 829 Bacon Road, Hinesville, Georgia, but he received an absentee ballot at 6014 Fairing Drop, Lithonia, Georgia, which has been his actual residence, for more than a year and was allowed to vote in the election. He should be removed from the list of electors due to non-residency.

i. Contestant will show the Court that Elector Rashod Fraser has lived in Atlanta, Georgia for more than five years and was allowed to vote in the election. He should be removed from the list of electors due to non-residency.

j. Contestant will show the Court that Elector Tiffani Stovall gave an address of Houston, Georgia and was allowed to vote in person in the election. She should be removed from the list of electors due to non-residency.

k. Contestant will show the Court that on May 20, 2016, STEVE C. SIKES entered the polls for the purpose of intimidation and had an altercation with DONALD SPENCER, a poll worker which was subject of a report to the Secretary of State Elections Division. This was after he had voted on a previous date and was not for the purposes authorized by statute to keep order or public safety.

l. Contestant will show the Court that on May 23, 2016, poll workers were allowed to transport voting machines and poll documents in private cars to an unsecure location overnight for use in the election on May 24, 2016 creating doubt as to the security of the voting equipment.

m. Contestant will show additional persons who voted who should not have voted and other irregularities and improprieties after the Court permits access to the records of the Board of Elections and further discovery is conducted.

6. The above-referenced misconduct, fraud, and irregularities within the election process and illegal votes have been received, in addition to other grounds, are sufficient to change or place in doubt the result as it pertains to the office of Sheriff of Liberty County.

WHEREFORE, Contest prays that:

1. The court issue summons, orders and service of process sufficient to comply with the terms of O.C.G.A Sections 21-2-520, et seq., so as to allow a lawful thorough contest of the election in question;

2. The court issue an order granting the Contestant access to all signature cards on file and absentee applications at the Liberty County Registrar's Office;

3. The court issue an order granting the Contestant access to all absentee ballots envelopes sufficient to compare the signature on file to the signature on the ballot and absentee application;

4. The court hold a hearing on the matter at the earliest time to determine the validity of the contest;

5. The court invalidate the results of the May 24, 2016 Liberty County Sheriff Election and grant a new election for the office of Liberty County Sheriff.

6. The court grant any and all other relief deemed appropriate.

This 2nd day of June, 2016.



SAMUEL G. OLIVER

Attorney for Plaintiff

Georgia Bar No.: 552590

200 Walton Street
Post Office Box 495
Darien, GA 31305
(912) 437-4000

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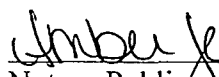
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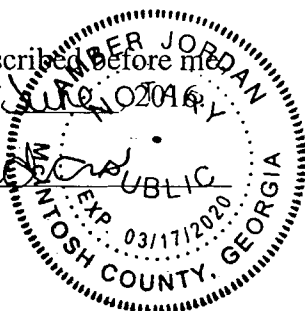
VERIFICATION

Personally appeared before the undersigned attesting officer, WILLIAM BOWMAN, who after being duly sworn, deposes and says on oath that the contestant believes the facts alleged therein are true, that according to the best of his knowledge and belief the contested result of the primary is illegal and the return thereof incorrect, and that the petition to contest the same is made in good faith.


WILLIAM BOWMAN

Sworn to and subscribed before me
this 2nd day of June, 2016.


Notary Public



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CERTIFICATE OF SERVICE

This is to certify that I have served the foregoing pleading upon the Chairperson for the State of Elections Board by sending a copy by certified Mail to:

Secretary of State Brian Kemp, Chairperson
214 State Capital
Atlanta, GA 30334

This 2nd day of June, 2016.



SAMUEL G. OLIVER
Attorney for Defendant
Georgia Bar No. 552590

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Darien, GA 31305
(912) 437-4000
(912) 437-2171 Fax