

DIRECTIVE 2008-118 Issued Pursuant to Court Order

December 5, 2008

To: Franklin County Board of Elections

Re: Directive Issued Pursuant to Court Order

On December 5, 2008, the Supreme Court of Ohio decided Case No. 2008-2206, *State ex rel. Skaggs v. Brunner*, and granted a writ of mandamus. Pursuant to the court's order, the Franklin County Board of Elections is directed as follows in connection with the processing and counting of provisional ballots cast in the November 4, 2008 general election:

1. In order for a provisional ballot to be eligible to be counted it must contain both the voter's name and signature in a manner prescribed by R.C. 3505.182 and, if it does not, it is not eligible to be counted.
2. The board of elections shall reject any provisional ballots as not eligible to be counted if they do not include the name and signature of the voter on the affirmation required by R.C. 3505.183(B)(1)(a).

If you have any questions about this directive or its implementation please contact the elections attorney in this office assigned to assist your county board of elections.

Sincerely,

Jennifer Brunner