

BEFORE THE CLEVELAND COUNTY ELECTION BOARD

641 E ROBINSON, STE 200

NORMAN, OK

APRIL 27, 2018

In the matter of the ) Cause No. 2018-001  
Petition to Contest the Candidacy )  
of Johnny Frasure for County Assessor , )  
Cleveland County )  
State of Oklahoma )

**FINDINGS AND ORDER**

The above-styled matter was heard by the Cleveland County Election Board of the State of Oklahoma this 27<sup>th</sup> day of April, 2018, meeting pursuant to lawful notice.

Petitioner Douglas Warr was present pro se. Contestee was present but did not post fee required to participate in the hearing. Petitioner called Contestee as a witness in his case in chief.

Petitioner presented evidence of lawful service.

The Board admitted evidence and heard arguments in said cause. After having considered all evidence and testimony offered and admitted, and after having heard and considered arguments of Petitioner, the Board made the following findings:

- (1) That Contestee Johnny Frasure changed his party registration from Republican to Democrat on or about January 5, 2018.
- (2) That Title 26 of the Oklahoma Statutes Section 5-105 states that "To file as a candidate for nomination by a political party to any state or county office, a person must have been a registered voter of that party for the six-month period immediately preceding the first day of the filing period prescribed by law and, under oath, so state."
- (3) That the evidence failed to show that the Contestee's change of party occurred more than 6 months ago and accordingly the Petitioner has met his burden of proof and the Petition shall be sustained and Contestee's candidacy is disallowed.

Done this 27<sup>th</sup> day of April, 2018, upon the unanimous decision of the Cleveland County Election Board of the State of Oklahoma as witnessed by their signatures appearing hereafter.

  
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Lisa Shrieves, Chairman

  
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Hal Spake, Vice Chairman

  
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Bryant Reins, Secretary