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4:38 pm

Doyle Holmes
P.O. Box 9
Willow, Alaska 99688

October 20, 2015

To: Mat-Su Borough Assembly

Re: Notice Contest of Election MSB Code 25.40.010

Dear Sir or Madam, THE GROUNDS FOR THE CONTEST ARE AS FOLLOWS

I am a candidate in the recent October 6, 2015 election for the office of Borough Assembly in District 7. After the count of questioned, early, and mail-in ballots the apparent result is that I received 33 fewer votes than the putative winner Randall Kowalke.

MSB code 25.40.010 provides that a candidate may contest an election for "malconduct ... of an election official sufficient to change the result of the election." In the October 6, 2015 election the electronic ballot counting machine in Talkeetna reportedly stopped working at 4:30 p.m. The machine rollers would not take further ballots. After the polls closed the ballots were reportedly placed in a sealed ballot container. At the direction of the Borough Clerk the Houston Clerk was dispatched to Talkeetna to retrieve the Talketna ballots and return to Houston where she met with the Borough clerk and deputy clerk. The Talkeetna ballot bag was opened and the ballots were then processed through an electronic counting machine provided by the borough clerk. The ballots where then resealed in the ballot bag which remains in the possession of the clerk. I am informed there has been no further inspection of these ballots.

This process significantly deviated from the process required by MSB 25.30.130 as one person, not two, had the ballots in their possession that night. The reported vote count for Talkeetna was posted approximately 12:30 a.m. October 7, 2015. The general count in other precincts showed Doyle Holmes winning by 54.8% Holmes, Kowalke 45.2%. The Talkeetna ballots were skewed dramatically in Kowalke's favor: Holmes 27%, Kowalke 73%. This deviation from other precincts coupled with the significant deviation in process in the count of the Talkeetna precinct calls the election into question and is the basis for this election contest.

I request that the investigation team not include the Clerk in this election contest because of her participation as material witness. I understand that the blank ballots supplied to the Talkeetna precinct have serial numbers. I request that the ballots be examined to assure that the serial numbers are consistent with the vote count. For instance if the serial numbers were 1 -500 and 200 persons voted, the serial numbers of

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the ballots counted should be 1-200. I request that a through investigation be made of the chain of custody of the ballots and that these ballots be examined by the canvass board. I request that the canvass board recount these ballots and that the canvass board thereafter retain custody of those ballots until this challenge is finally resolved at an administrative or judicial proceeding.

Under MSB 25.40.020 (D) if the investigation discloses any prohibited practices the assembly shall exclude the vote of the precincts where the practices occurred. In this event I would be the apparent winner of the election. I request that the election not be certified until these issues are resolved.

I the undersigned contest the regular election of the Matanuska-Susitna Borough held on the 6th DAY OF OCT 2015.

Very respectfully,

Doyle E Holmes

Doyle Holmes

This is to certify that this 20 day of October, 2015 Doyle Holmes appeared before me and signed this document for the uses and purposes described therein.

OFFICIAL SEAL
Valarie Schachle
Notary Public-State of Alaska
My Comm. Expires: 10/08/2017

Valarie Schachle

Notary Public for State of Alaska

My commission expires:
10/8/2017