

STATE OF MINNESOTA
COUNTY OF HOUSTON

DISTRICT COURT
THIRD JUDICIAL DISTRICT
CASE TYPE: OTHER CIVIL

Court File No. 28-CV-24-485

County of Houston, State of Minnesota,

vs.

Houston County Soil & Water

**ORDER GRANTING PETITION TO
CORRECT BALLOT PRINTING
ERROR – 2024 GENERAL ELECTION**

The above-entitled matter came on before the Court in the Courthouse in Caledonia, Minnesota, in-chambers, wherein Petitioner the County of Houston requested an order affirming the method of correcting a printing error effecting the 2024 General Election ballot.

The Court, being fully advised in the premises, makes the following Order:

IT IS HEREBY ORDERED

1. Houston County is authorized to reprint and distribute new 2024 General Election ballots that correctly show the uncontested candidates and a write-in option for Soil and Water Conservation Districts #3, #4 and #5 on all absentee and mail ballots issued from this date forward and for all polling place ballots to be used on Election Day.
2. Houston County is authorized and required to contact all voters who received but have not yet returned an absentee or mail ballot and provide them a corrected ballot along with a letter informing the voters (1) of the error that occurred on their ballot; (2) that pursuant to an order of the Houston County District Court, they are receiving a corrected ballot; (3) that county records indicate that no ballot has yet been returned by the voter; (4) that if the voter has not yet mailed or returned their ballot, they should discard the original ballot and vote the replacement ballot for all offices using the enclosed envelope; and (5) how to contact the county if the voter has questions or wants additional information.
3. Houston County is authorized and required to contact voters who have already returned an incorrect ballot, with a letter informing the voter: (1) of the ballot error; (2) that the letter is sent as required by order of the Houston County District Court; (3) that county records indicate that the incorrect ballot sent by the county has been returned by the voter; (4) that the voter has the option of calling the county at a specified telephone number to declare the original ballot spoiled and receive a corrected replacement ballot; and (5), if the voter chooses not to spoil their ballot, all voters' selections for each office will copied onto a corrected replacement ballot, except that the no vote will be copied for Soil and Water Conservation Districts #3, #4 and/or #5 if those offices

were omitted from the original ballot. Voters must exercise their option to spoil their ballot on or before October 17, 2024.

4. If such a voter chooses to spoil their ballot, then the voter will be issued a replacement ballot that includes the correct office and candidate information for the Soil and Water Conservation District contests, as well as all other offices on the ballot. The original ballot will be treated as a spoiled ballot and not be counted. The voter will then be able to re-vote all of the offices on the ballot with the replacement ballot. The replacement ballot will be counted in the ordinary course of business.
5. If a voter who already submitted their ballot chooses not to spoil their ballot, then Houston County shall duplicate the originally cast ballot onto a replacement ballot and the replacement ballot will be counted. In such a circumstance all of the voter's original votes will be counted. Any omitted contests for Soil and Water Conservation District will be left blank.

BY THE COURT:

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District Court Judge