

**IN THE OFFICE OF THE SECRETARY OF STATE
STATE OF GEORGIA**

**BRIAN KEMP, SECRETARY
OF STATE,**)
)
)
PETITIONER,)
)
v.)
)
STEVE REIGHARD,)
)
RESPONDENT.)
_____)

**Docket Number:
OSAH-SECSTATE-CE-1644051-63
HOWELLS**

FINAL DECISION

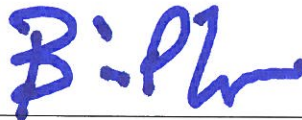
Petitioner Brian Kemp, Secretary of State, filed this candidate challenge pursuant to O.C.G.A. § 21-2-5 contending that Respondent, Steve Reighard, does not meet the qualifications to be a candidate in the May 24, 2016 general primary for Georgia House of Representatives District 167. Specifically, Petitioner contends that Respondent fails to meet the residency requirements set forth in Article III, Section II, Paragraph III(b) of the Georgia Constitution and O.C.G.A. § 28-2-1(b) because Respondent does not reside within House District 167.

An Administrative Law Judge (“ALJ”) of the Office of State Administrative Hearings held an administrative hearing on May 3, 2016. Prior to the hearing, Petitioner filed a Motion for Summary Determination supported by joint stipulations of fact and a certified copy of a map showing House Districts 167 and 179. Respondent stipulated to his address and the authenticity of the map. Respondent failed to make himself available at the May 3, 2016 hearing. Accordingly, the ALJ entered an initial decision in the above-captioned matter on May 3, 2016 and deemed Respondent failed to meet his burden of proof in this matter. Based on the ALJ’s initial decision and maps from the Office of Legislative and Congressional Reapportionment

showing Respondent's residence, as provided in his sworn Declaration of Candidacy and Affidavit, is not in House District 167, the Secretary of State formally adopts the ALJ's initial decision into this Final Decision.

Therefore, IT IS HEREBY DECIDED THAT the Respondent, Steve Reighard, is not qualified to be a candidate for Georgia House of Representatives District 167. Since there is insufficient time to strike Respondent's name or reprint the ballots, a prominent notice shall be placed at each affected polling place advising voters of the disqualification of Respondent and all votes cast for Respondent shall be void and shall not be counted. *See* O.C.G.A. § 21-2-5(c).

SO DECIDED this 4th day of May, 2016.



BRIAN P. KEMP
Secretary of State