

**IN THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO
CIVIL DIVISION**

STATE <i>ex rel.</i> REV. GLENN	:	
SCHWERDTFEGER, as next friend of	:	
RACHEL SCHWERDTFEGER, a minor,	:	
<i>et al.</i> ,	:	
	:	
Plaintiffs/Relators,	:	Case No. 16CV-2346
	:	
v.	:	(Judge Richard A. Frye)
	:	
JON HUSTED, in his official capacity as	:	
the Secretary of State, etc.	:	
	:	
Defendant/Respondent.	:	

JUDGMENT

Pursuant to the court’s Opinion Granting Declaratory Relief and Granting a Writ of Mandamus, the court finds and declares that:

1. As a matter of law, 17-year olds otherwise qualified to vote under R.C. 3503.011 are entitled to have their choices for Presidential convention delegates counted in the March 15, 2016 primary election;
2. The Secretary has a clear legal duty to promptly advise all 88 county Boards of Election to disregard his previous interpretation of § 3503.011, and to permit 17-year olds’ choices for Presidential convention delegates to be counted in the same fashion as voters age 18 and older, despite the current version of the *Ohio Election Official Manual* and any comparable directives he has previously issued;
3. The Secretary has a clear legal duty to promptly advise all 88 county Boards of Election to discontinue giving oral or written instructions to otherwise qualified 17-year old voters that their choice of Presidential convention delegates will not be counted; and
4. The Secretary has a clear legal duty to promptly advise all 88 county Boards of Election that they must make a reasonable effort to attempt to determine and record choices for Presidential convention delegates previously made by 17-year old “early” voters if such ballots remain identifiable and accessible, so

that to the extent reasonably possible their choices are included in final vote totals for the March 15, 2016 primary election.

The court retains jurisdiction to address Plaintiffs/Relators request for attorneys' fees and costs, and any other matters that may be appropriate.

IT IS SO ORDERED.

Franklin County Court of Common Pleas

Date: 03-11-2016
Case Title: RACHEL SCHWERDTFEGER -VS- OHIO STATE SECRETARY
Case Number: 16CV002346
Type: JUDGMENT ENTRY

It Is So Ordered.


Richard A. Frye

/s/ Judge Richard A. Frye