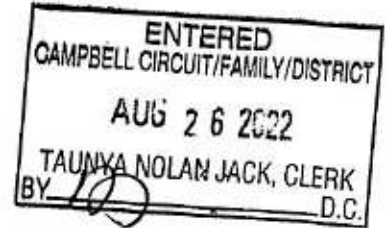


COMMONWEALTH OF KENTUCKY
CAMPBELL CIRCUIT COURT
DIVISION II
CASE NO. 22-CI-0402



JESSICA NEAL

PETITIONER

v.

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

RESPONDENT

ORDER REGARDING CERTIFICATION OF REPORT OF CHAIRMAN

The court received the Report of the Chairman of the recount with attachments. The Circuit Court Clerk shall send by U.S. Mail a copy of the Report with attachments to a) Jessica Neal, Petitioner, b) Jennifer Scutchfield, Counsel for Michael G. Adams, Secretary of State, and c) Taylor A. Brown, Counsel for the State Board of Elections. Their mailing addresses are provided below.

In addition, the Clerk shall send a copy of the Report without attachments to the email addresses of all of the individuals listed below.


SO ORDERED this 26 day of August, 2022.


Daniel J. Zalla, Judge

CLERK'S CERTIFICATION

26 I hereby certify that a true and accurate copy of the foregoing Order was served this day of August, 2022, by regular mail/email, postage prepaid, upon the following:

Taunya Nolan Jack, Circuit Court Clerk

By:  _____ D.C.

Jessica Neal
205 Thornbush Court
Cold Spring, KY 41076
Pro Se Petitioner
Also email to: jessica@nealforky.com

Taylor Austin Brown
General Counsel
State Board of Elections
140 Walnut Street
Lexington, KY 40601
Counsel for Respondent
Also email to: taylora.brown@ky.gov

Stacy Tapke
Kenton County Attorney
Email to: stapke@kentoncoatty.com

Jack L. Porter, Jr.
Chair of Recount
Email to: Porter.law92@gmail.com

Cullen C. Gault
Gault Law Office
P. O. Box 21849
Lexington, KY 40522
Email to: gaultlaw@gx.net
Counsel for Petitioner for Hearing

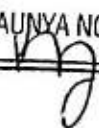
Jennifer Scutchfield
Office of the Secretary of State
700 Capital Avenue, Ste. 152
Frankfort, KY 40601
Counsel for Michael G. Adams
Also email to: jscutchfield@ky.gov

Beth Moore
Bracken County Attorney
Email to: sbmoore@prosecutors.ky.gov

Steven J. Franzen
Campbell County Attorney
Email to: sfranzen@campbellcountyky.org

Stacey Sanning
Pendleton County Attorney
Email to: ssanning@prosecutors.ky.gov

COMMONWEALTH OF KENTUCKY
CAMPBELL CIRCUIT COURT
DIVISION II
CASE NO. 22-CI-0402

ENTERED
CAMPBELL CIRCUIT/FAMILY/DISTRICT
AUG 26 2022
TAUNYA NOLAN JACK, CLERK
BY  D.C.

JESSICA NEAL

PETITIONER

v.

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

RESPONDENT

ORDER

The court has received the Report of the Chairman of the recount. A copy is attached. The court finds that the integrity of the ballots was satisfactorily shown. The results of the recount were: Neal 3787; Frommeyer 4094; Robinson 2730.

In accordance with KRS 120.095, the State Board of Elections shall issue a certificate of nomination to Shelley Funke Frommeyer for the 2022 Kentucky Senate Republican Primary Election, District 24.

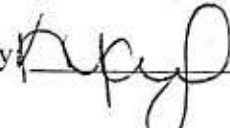
SO ORDERED this 26 day of August, 2022.


Daniel J. Zalla, Judge

CLERK'S CERTIFICATION

26 I hereby certify that a true and accurate copy of the foregoing Order was served this day of August, 2022, by regular mail/email, postage prepaid, upon the following:

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By  D.C.

Jessica Neal
205 Thornbush Court
Cold Spring, KY 41076
Pro Se Petitioner

Jennifer Scutchfield
Office of the Secretary of State
700 Capital Avenue, Ste. 152
Frankfort, KY 40601

Also email to: jessica@nealforky.com

Taylor Austin Brown
General Counsel
State Board of Elections
140 Walnut Street
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Counsel for Respondent
Also email to: taylora.brown@ky.gov

Stacy Tapke
Kenton County Attorney
Email to: stapke@kentoncoatty.com

Jack L. Porter, Jr.
Chair of Recount
Email to: Porter.law92@gmail.com

Cullen C. Gault
Gault Law Office
P. O. Box 21849
Lexington, KY 40522
Counsel for Petitioner for Hearing

Counsel for Michael G. Adams
Also email to: jscutchfield@ky.gov

Beth Moore
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Steven J. Franzen
Campbell County Attorney
Email to: sfranzen@campbellcountyky.org

Stacey Sanning
Pendleton County Attorney
Email to: ssanning@prosecutors.ky.gov

COMMONWEALTH OF KENTUCKY
CAMPBELL CIRCUIT COURT
DIVISION TWO
CASE NO. 22-CI-0402

COPY

JESSICA NEAL

PETITIONER

-vs-

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

RESPONDENT

REPORT OF THE CHAIRPERSON

By Order entered August 8, 2022 the undersigned was appointed by this Honorable Court to act as Chairperson to "oversee the workings of this recount..." The recount pertained only to the May 17, 2022 primary senate race between republican candidates Jessica Neal, Chris Robinson and Shelley Funke Frommeyer. The recount was ordered to commence on August 10, 2022 at the Campbell County Courthouse.

On August 9, 2022 the voting machines from the involved counties were delivered to the Campbell County Courthouse. (Chain of Custody forms are attached hereto and made a part of this report) Prior to delivery of the machines an ingress and egress log was established to document the presence of all persons in the restricted area. (Those documents are attached hereto and made a part of this report) The unloading and placement of the voting machines into the Courthouse was observed by the Chairperson and Lieutenant Nick Chaplin of the Campbell County Sheriff's Office. The four counties involved, and the number of voting machines from each, are as follows: Campbell County (39 machines), Pendleton County (8 machines), Bracken County (6 machines), Kenton County (8 machines). Chain of custody forms were completed and endorsed documenting the transfer of possession of each of these machines. (Those documents are attached hereto and made a part of this report)

In addition to the voting machines, each of the four involved County Clerks delivered printouts from the voting machines from the May 17, 2022 primary election. They also provided keys to open the secured compartments of the machines where the ballots were located. The

printouts and keys were placed in the Sheriff's Department safe on August 9, 2022 and removed on the morning of August 10, 2022 to begin the recount.

Upon delivery of the 61 voting machines to the Campbell County Courthouse on August 9, 2021 all machines were placed in the vacant rooms in the basement of the Courthouse that are slated to become the law library. This area is well secured with only two entrances. It is monitored by two cameras and the exterior entrance is alarmed. After placement of the machines, the rooms were secured and evidence tape was placed on the interior door leading into the hallway of the Courthouse basement.

On August 9, 2022 tables and chairs were delivered to the Campbell County Courthouse. With assistance from the Campbell County Sheriff's Office and the Pendleton County Clerk's Office the tables and chairs were set up and the room prepared for the recount to commence the next morning.

Upon arrival at the Courthouse on August 10, 2022 at approximately 7:30AM both the Chairperson and Lieutenant Nick Chaplin inspected the evidence tape that had been placed on the entrance the day before and there was no sign of tampering. The other entrance door and windows were also inspected with no signs of tampering being present. In all respects, the rooms and voting machines were in the exact condition and placement as they had been left the day before.

On August 10, 2022, after swearing in of the tabulators, the recount began. The procedure for the recount was that that was established by the Court's Order entered August 5, 2022. When presented to the tabulators the voting machine compartment that contained the paper ballots was locked and contained a plastic tamper seal. The breaking of the seal and opening of all 61 voting machines was observed by the Chairperson and a Sheriff's Deputy. None of the 61 voting machines showed any signs of tampering. Each table was supplied with forms which were used to document the information from each of the 61 voting machines. One form was utilized for each voting machine. The following information was placed on the form: (1) machine serial number, (2) the numbers on the blue, yellow or red plastic tamper seal, (3) the County, (4) polling location, (5) the number of votes for each candidate, democrat votes, under votes or questioned ballots, (6) the number on the yellow plastic tamper seal used to reseal the machine, (7) the names of the counters/tabulators. (The 61 forms are attached hereto and made a part of this report)

After the seal was broken and the machine was unlocked, the paper ballots were removed by the tabulators and were separated and counted. Upon completion of the counting process the tabulators would notify the Chairperson who would then collect the completed form and oversee the paper ballots being placed back into the machine, the machine was then locked and a yellow plastic tamper seal was placed onto the door as well.

The recount was completed in one day, August 10, 2022, beginning at approximately 8:00AM and concluding at approximately 5:15PM. All 61 voting machines were secured as they had been the day before. The room was secured and evidence tape was again placed on the door to insure that entry had not been gained.

SPECIFIC CONCERNS ADDRESSED BY THE CHAIRPERSON

Out of the 39 voting machines from Campbell County all had tamper seals on the lower, locked compartment where the ballots were secured. However, only 26 of the voting machines had tamper seals on the locked, top compartment where the scanner is located. This was brought to the Chairperson's attention by Jessica Neal. The Chairperson conferred with Campbell County Clerk Jim Luersen who explained that there is no requirement that a tamper seal be placed on the top compartment. The V-Drive was removed from the scanner on election night and there was no way to tamper with the paper ballots that had already been counted by the scanner and dropped into the secured holding compartment in the bottom of the machine.

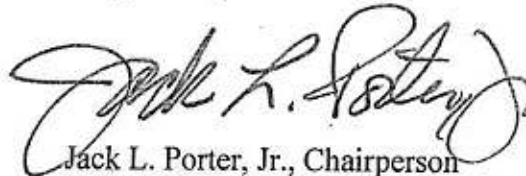
The machines that are utilized in Kenton County are from a different manufacturer than those used in Campbell, Pendleton and Bracken Counties. They are very different in design and appearance. There are three locked compartments on the Kenton County machines as opposed to two locked compartments in the machines used in the other three counties. Because of this, there were tamper seals on the scanner compartment, the ballot holding compartment and the third compartment of all Kenton County machines. Jessica Neal requested that the red seal on the third compartment be removed and permit her to view inside. The Chairperson conferred with Kenton County Clerk Gabriel Summe. Ms. Summe explained that this third compartment would only be used on election days in the event of a power outage in which case the scanner would not be able to scan and count the marked paper ballots. Voters could continue to mark their ballots which would then be placed into this secured compartment until power was restored at which time the

ballots could be removed and run through the scanner. There was no such issue on primary election day May 17, 2022 and thus this compartment was not utilized at all on that date. Nevertheless, Jessica Neal's request was accommodated and the red tamper tags were removed and those compartments opened for Ms. Neal's viewing.

In conclusion, there was nothing to indicate that the voting machines or the ballots had been tampered with in any way. There also was no indication that the voting machines had malfunctioned in any way. The final hand count of the paper ballots was as follows:

Neal 3,787; Frommeyer 4,094; Robinson 2,730.

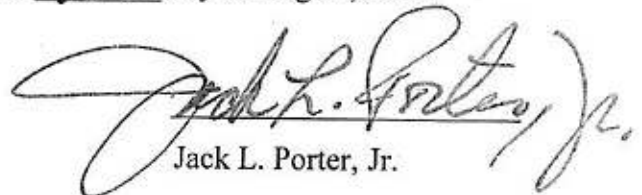
Respectfully submitted,



Jack L. Porter, Jr., Chairperson
Attorney at Law (KBA# 81962)
128 East 2nd Street
Covington, Kentucky 41011
(859) 491-6800


CERTIFICATION

The undersigned hereby certifies that the foregoing Report with attachments has been delivered to Judge Dan Zalla of the Campbell Circuit Court, Div. 2, this 25th day of August, 2022.



Jack L. Porter, Jr.

COMMONWEALTH OF KENTUCKY
CAMPBELL CIRCUIT COURT
DIVISION II
CASE NO. 22-CI-0402

ENTERED
CAMPBELL CIRCUIT/FAMILY/DISTRICT
AUG 26 2022
TAUMYA NOLAN JACK, CLERK
BY  D.C.

JESSICA NEAL

PETITIONER

v.

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

RESPONDENT

ORDER

The right to vote in a fair election is a cherished civil right. It follows that the integrity of the ballots is the cornerstone of that civil right.

A

Under Kentucky law, a candidate in a state election may file a petition with a circuit court and demand a recount of the ballots. KRS 120.095. Here, Jessica Neal, the Petitioner, filed such a petition for the 2022 Republican Primary Election, State Senate, District 24. After conducting a hearing, this court entered a comprehensive Order for Recount Procedures on August 5, 2022. Under the Order, the County Clerks of Bracken, Pendleton, Campbell, and Kenton Counties¹ were ordered to transfer to the custody of this court the voting machines, voting equipment, ballots, and papers pertaining to the primary election.

On August 9, 2022, the Campbell County Sheriff's Department took custody of the voting machines, ballots, and other election materials from each County Clerk for the primary election. The voting machines and ballots were locked and sealed according to law at the time of the

¹ Bracken County Clerk – Rae Jean Poe
Pendleton County Clerk – Rita Spencer
Campbell County Clerk – Jim Luersen
Kenton County Clerk – Gabrielle Summe

transfer of custody to this circuit court. The voting machines, ballots, and materials were then delivered by the Sheriff's Department to a secure location designated by this court within the Campbell County Courthouse.

B

On August 10, 2022, the ballot counting process commenced under the sworn duty of the ballot tabulators. Jack L. Porter, Jr., Campbell County Commonwealth's Attorney (Ret.), acted as Chairman of the recount procedures. Before the start of the recount, the Chairman found that the voting machines and ballots were properly locked and sealed. KRS 117.275(2). In this case the seals were blue. These blue seals prevent tampering with the machines and ballots, and ensure that the machines and ballots are in the same condition of security as when the blue seals were placed on the voting machines by the poll workers at 6:00 a.m. at the opening of the polls on election day.

During the recount, the blue seal for each machine was cut with a pair of side cutters, the machine then opened with a key, the ballots removed, counted, and then reinserted in the voting machine tray. Each voting machine was then locked. During the entire recount, two deputy sheriffs provided security.

C

At the end of the recount process on August 10, 2022, the Chairman found the recount yielded the following results: Neal 3787 votes; Frommeyer 4094 votes; Robinson 2730 votes.

D

On August 11, 2022, the Petitioner filed her motion with this court seeking findings relating to the integrity of the ballots. The court held a hearing on the motion on August 19, 2022. The Petitioner urges this court to find that certain voting machines were compromised

because of missing yellow seals on the scanners. However, these seals are not integral to the integrity of the voting machines and, in any event, are not required by law. Moreover, the Petitioner also urges the court to find that the Order for Recount Procedures was not enforced uniformly by the Chairman. However, at the hearing the Petitioner admitted that the Chairman conducted the recount fairly.

At the hearing, the Petitioner and the witnesses provided the following illuminating testimony:

Stephen Knipper, Witness for the Petitioner, Cross-Examination by Steve Franzen, Campbell County Attorney

Q: "Do you have any evidence that the original count of the election involving the petitioner is inaccurate?"

A: "What I have, sir, [are] missing yellow seals."

Q: "Is that the extent of the evidence that you believe means the original count was inaccurate?"

...

A: "I do not have evidence."

Hr'g 11:24:44-11:25:32.

Q: "Do you believe that the recount of the petitioner's election was inaccurate?"

A: "No."

Q: "And you have no evidence to bring to this court today that the recount was inaccurate, is that correct?"

A: "I have no evidence, no."

Hr'g 11:26:00-11:26:32.

Q: "You have no evidence that the clerks have committed any type of fraud involving the petitioner's election, is that accurate?"

A: "That's accurate."

Hr'g 11:27:14-11:27:23.

Q: "Is it your understanding that state law requires these yellow seals?"

A: "Yes, I believe that's in the statute."

Q: "You do?"

A: "I believe so, yes."

Q: "What statute do you believe that is in?"

A: "Sir, I can't quote you the law, I don't know."

Hr'g 11:28:52-11:29:03.

Q: "So the entire basis for your suspicions, if you will, of the recount are these yellow seals, is that accurate?"

A: "I would say that that's probably the most glaring argument, yes."

Hr'g 11:34:27-11:34:44.

Q: "Mr. Knipper, did the paper ballots, did they reflect the same numbers as the scanners?"

A: "I believe the counts were accurate, yes sir."

Hr'g 11:36:53-11:37:05.

Jessica Neal, Petitioner, Cross-Examination by Taylor Brown, Counsel for the State Board of Elections

Q: "So if the Chair wanted to let the clerks move about the room, he was within his right to do that, isn't that true?"

A: "Right. As Mr. Knipper had said and I agree, I didn't necessarily have a problem per se but it was just the lack of cohesive and equal opportunity among the parties."

Q: "Speaking of the Chair, it is also not true that you have known the Chair, Mr. Jack Porter, since you were a child?"

A: "I have known him, yep pretty much my whole life."

Q: "Do you think he treated you unfairly in the recount?"

A: "I didn't ever say that, no."

Q: "Do you think he conducted the recount in an unfair manner?"

A: "I don't think it was unfair how he did it."

Hr'g 12:00:15-12:01:00.

Jessica Neal, Petitioner, Cross-Examination by Steve Franzen, Campbell County Attorney

Q: "Okay so you don't think that Mr. Porter's alleged inconsistencies with enforcing the rules affected the recount at all?"

A: "No."

Q: "You trust Mr. Porter, correct?"

A: "I don't have any reason not to."

Q: "Okay, and you trust that Mr. Porter made certain that the recount was done fairly, correct?"

A: "Yes."

Q: "And you also trust Mr. Luersen, correct?"

A: "I mean I don't really know what this means but yeah I don't have any reason to not trust someone unless they give me reason not to."

Q: "Okay, you don't think Mr. Luersen in any way or any of his staff tampered with the machines in any way or conspired to make you lose your election, do you?"

A: "I'm not saying that."

Q: "I know, I know you're not saying that. But I'm asking, do you think that?"

A: "No I mean I don't have a reason to believe that."

Q: "No, you don't think Mr. Luersen did anything wrong in this election as it pertains to your race, do you?"

A: "I mean, again I don't know how this is my burden to prove. I'm not alleging anything, that's why I didn't file a contest."

Mr. Franzen: "Judge, I would just ask you to ask her to answer the question."

Judge Zalla: "Yes. Ma'am, please answer yes or no, and explain."

A: "Can you repeat the question, please?"

Q: "Do you believe Mr. Luersen did anything wrong as it pertains to your election?"

A: "No."

Q: "Either in the original count or in the recount, Jessica, can you point to anything that would require you to doubt the results of the election?"

A: "No, I don't have any allegation of anything. So I don't have it, I just filed this because I just wanted to have a recount."

Hr'g 12:10:00-12:12:06.

Jessica Neal, Petitioner, Recross-Examination by Taylor Brown, Counsel for the State Board of Elections

Q: "Mr. Franzen's asked you what lingering doubts you have, and I believe the lack of seals is one of the lingering doubts. That's the blue seals and the yellow seals, right? You were there, where were the ballots coming out of the machine?"

A: "They were coming out of the bottom part, which is the actual ballot box."

Q: "Right, and which color seal is that?"

A: "That's the blue one."

Q: "That's the blue one, okay. And I haven't heard anything, we're not alleging that there were missing blue seals?"

A: "I did not see any missing blue seals."

Q: "Okay, so then are you alleging, I heard you say that Clerk Luersen did nothing wrong. Are you alleging that someone else somehow slipped extra ballots into the bottom part of the machine to correctly match the vote totals within one or two at some point?"

A: "I'm not alleging anything, I'm just saying that that needs to be demonstrated by someone, you know, whether that's through the chain of custody reports. I'm just asking questions because there were missing seals on, you know, almost half of the machines."

Q: "But there were no missing seals where the ballots were, correct?"

A: "No but the actual scanner, where the yellow seal is attached, is connected to the ballot box. And there's a slit, that's how your ballot gets down in there."

Hr'g 12:14:58-12:16:35.

Q: "So, to your knowledge, none of [the voting machines] were unlocked?"

A: "To my knowledge, no."

Q: "And Mr. Luersen didn't do anything wrong?"

A: "I have never alleged that."

Hr'g 12:22:26-12:22:37.

Jack Porter Jr., Recount Chair, Direct Examination by Taylor Brown, Counsel for the State Board of Elections

Q: "How did you conduct the recount? Would you tell us a little bit about that?"

...

A: "I had told Jessica at the beginning, I've known her forever, and I said 'you don't have to feel uncomfortable with me, you can tell me if there's something you think we're not doing right or if there's something you want, any requests you have, just come and ask me and I'll do everything I can to accommodate and to make this go smoothly.'"

Hr'g 12:37:53-12:38:38.

"Mr. Knipper came to me at one point and said that I was being inconsistent, I guess with allowing other people to walk around. I said, I don't know if anybody ever told him he wasn't allowed, but I told him 'you can walk around, I'm not telling you you can't walk around, the only restriction that we have is we don't want you hanging over the shoulder of anybody that's doing the counting, we didn't want that happening. We didn't want you video-taping people as they're sitting there counting, but other than that you're free to walk around, look at the machines, whatever you want to do.' And as far as I knew, he did that."

Hr'g 12:40:05-12:40:40.

"I mean the clerks were there, really they weren't walking around. I don't agree with that statement. When the clerks were among the counters, it was because I called them over."

Hr'g 12:41:28-12:41:42.

"I tried to accommodate [the Petitioner] as much as possible and really I don't think she asked me to do anything that I wasn't able to do. I can't think of anything."

Hr'g 12:43:00-12:43:11.

Q: "And it was your understanding, from the plain language of the order, that you as Chair had the discretion to make the recount operate as you saw, on the fly, it needed to evolve, is that right?"

A: "... Yeah I felt like I had discretion to make sure everything was running smoothly. And like I said if there was something major, I would have contacted [Judge Zalla]."

Hr'g 12:43:13-12:44:39.

Q: "And as the Chair, do you have any reason to doubt the integrity of the ballots, of this process?"

A: "No I think the way everything, the process that was set up in the order, and I think we followed that process...."

Hr'g 12:45:03-12:45:14.

Lieutenant Nick Chaplin, Campbell County Deputy Sheriff, Cross-Examination by Cullen Gault, Counsel for the Petitioner

Q: "Do the yellow seals or blue seals have serial numbers on them?"

A: "They have numbers on them, yes."

Q: "Okay who recorded that information, as far as what serial number was with what machine?"

A: "Mr. Porter recorded the numbers of the blue seals."

Hr'g 12:58:16-12:58:36.

Q: "So where are those blue and yellow seals now, that you cut off?"

A: "They're laying on the machines...."

Q: "So if we made a request to Judge Zalla to take whatever information you received, to get in and inspect the machines to make sure those seals were the ones, in theory with the chain of custody forms, were the same, it's your testimony they should be the exact same seals."

A: "Those seals were cut off and placed on that machine."

Q: "And those seals are still down there?"

A: "Yes, sir."

Hr'g 12:58:55-12:59:25.

Lieutenant Nick Chaplin, Campbell County Deputy Sheriff, Questioned by Judge Dan Zalla

Q: "Did you get a chain of custody form which is identified on the court's recount order?"

A: "We did."

Q: "And did you have your deputies fill those out at the time of the transfer from the county clerks to your custody?"

A: "The deputies signed them, yes."

Q: "And at that time, were any seals that were blue busted or broken?"

A: "No."

Hr'g 1:00:38-1:01:09.

Jim Luersen, Campbell County Clerk, Direct Examination by Taylor Brown, Counsel for the State Board of Elections

Q: "From the time you were made aware of these proceedings until I guess Lieutenant Chaplin came and got your machines, did anybody alter the machines in any way?"

A: "No, nobody had been in the room [where the voting machines were kept]."

Q: "You were present at the recount-"

A: "I was there for part of it."

Q: "So, were the machines you saw on [the day of the recount], your machines, how you expected them to be?"

A: "Well yeah, I was with, I met the sheriff's office, we unlocked the room, and I was with them when they took the machines. So I knew that those were our machines when they signed the chain of custody form."

Q: "Okay, well what I want to ask you here, we've only heard that it's Campbell County machines that have the yellow seal on the handle. Tell me about the yellow seal on the handle."

A: "Well, we've never done that before, we're not required to. And in fact, even in the poll worker training manual where we show them, you know, what to seal, what to put on, that's provided by the state and provided by the manufacturer, there's no mention of sealing [the scanner]"

Hr'g 1:19:13-1:20:28.

Q: "Do you know of any other clerks that put the yellow seals on the handles?"

A: "I asked multiple clerks and I think I was the only one in the state, that I'm aware of, that did that."

Hr'g 1:21:45-1:21:56.

Q: "Do you have any reason whatsoever to doubt the integrity of the Campbell County election equipment from this primary?"

A: "No, I mean the blue seals have been on since 6 a.m. on election day. The numbers would all match. And while I was not surprised, I was happy that the numbers showed that every machine, not just our county but the other three counties, acted perfectly."

Hr'g 1:22:05-1:22:33.

E

Based upon the motion, the hearing, and the entire record of this case, the court finds that while the Petitioner has offered some conjecture about ballot security, she has not offered even the slightest amount of relevant evidence concerning such ballot security, ballot tampering, ballot handling re negligence/fraud, compromise of the chain of custody of the voting machines and ballots, voting tapes, or flawed recount procedures.

The court further finds the County Clerks fulfilled their statutory duties of protecting and securing the ballots, voting machines, and papers relating to the election according to law in an exemplary way. The cherished civil right of a fair election has been maintained in this primary election. The cornerstone of ballot integrity has not been compromised or eroded, but was

properly laid and remained secure throughout the primary election, including during the ballot recount. Accordingly, the Petitioner's motion is dismissed.

SO ORDERED this 26 day of August, 2022.


Daniel J. Zalla, Judge

CLERK'S CERTIFICATION

26 I hereby certify that a true and accurate copy of the foregoing Order was served this day of August, 2022, by regular mail/email, postage prepaid, upon the following:

Taunya Nolan Jack, Circuit Court Clerk

By:  D.C.

Jessica Neal
205 Thornbush Court
Cold Spring, KY 41076
Pro Se Petitioner
Also email to: jessica@nealforky.com

Taylor Austin Brown
General Counsel
State Board of Elections
140 Walnut Street
Lexington, KY 40601
Counsel for Respondent
Also email to: taylor.a.brown@ky.gov

Stacy Tapke
Kenton County Attorney
Email to: stapke@kentoncoatty.com

Jack L. Porter, Jr.
Chair of Recount
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P. O. Box 21849
Lexington, KY 40522
Counsel for Petitioner for Hearing

Jennifer Scutchfield
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Frankfort, KY 40601
Counsel for Michael G. Adams
Also email to: jscutchfield@ky.gov

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Campbell County Attorney
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Stacey Sanning
Pendleton County Attorney
Email to: ssanning@prosecutors.ky.gov

COMMONWEALTH OF KENTUCKY
CAMPBELL CIRCUIT COURT
DIVISION II
CASE NO. 22-CI-0402

ENTERED
CAMPBELL CIRCUIT/FAMILY/DISTRICT
AUG 26 2022
TANYA NOLAN JACK, CLERK
BY TD D.C.

JESSICA NEAL

PETITIONER

v.

COMMONWEALTH OF KENTUCKY
STATE BOARD OF ELECTIONS

RESPONDENT

ORDER

In accordance with Paragraph 7 of the Order for Recount Procedures, and the recount being concluded, Lt. Nick Chaplin of the Campbell County Sheriff's Office shall arrange with the respective County Clerks in this case for the secure return of their voting machines, ballots, keys, and other materials. The chain of custody State Board of Elections Form SBE 75 04/2022 shall be utilized. Such completed forms shall be filed with the Circuit Court Clerk.

SO ORDERED this 26 day of August, 2022.

DJZ
Daniel J. Zaffa, Judge

CLERK'S CERTIFICATION

26 I hereby certify that a true and accurate copy of the foregoing Order was served this day of August, 2022, by regular mail/email, postage prepaid, upon the following:

Taunya Nolan Jack, Circuit Court Clerk

By: mgay D.C.

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