

**IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
FOURTEENTH DIVISION**

**DEMOCRATIC PARTY OF ARKANSAS;
CORDELIA SMITH-JOHNSON;
WILLIAM SCOTT PERKINS; JANIE
GINOCCHIO; AND JULIE RHODES**

PETITIONERS

CASE NO.: 60CV-25-12782

**SARAH HUCKABEE SANDERS, in her
official capacity as Governor of
Arkansas; COLE JESTER, in his official
capacity as Secretary of State of
Arkansas.**

RESPONDENTS

MEMORANDUM OPINION AND ORDER

On September 30, 2025, Representative Carlton Wing, the elected member to the Arkansas House of Representatives for House District 70, resigned from office.¹ The Governor of Arkansas then issued a Proclamation dated October 10, 2025, which set a special election for 242 days later on June 9, 2026.² Petitioners Democratic Party of Arkansas, Cordelia Smith-Johnson, William Scott Perkins, Janie Ginocchio, and Julie Rhodes (jointly “Petitioners”) allege that this setting deprives the citizens of House District 70 of representation in the upcoming fiscal session of the General

¹ House District 70 comprises urban areas of North Little Rock (landmarks include Lakewood and McCain Mall) as well as rural areas north of the North Little Rock community, reaching latitudinally north of Maumelle. A map of the district is available at:
https://www2.census.gov/geo/maps/DC2020/SLD_RefMap/SLD2022/lower/st05_ar/SLD22L_05070.pdf (last visited Oct. 30, 2025).

² Pet. at Ex. A.

Assembly, which begins on April 8, 2026. Accordingly, Petitioners seek mandamus relief pursuant to Amendment 80 and Ark. Code Ann. § 16-115-102 to require that the special election to fill the House District 70 vacancy be held “as soon as practicable after the one-hundred-fiftieth day following the occurrence of the vacancy,” and they contend that that statutorily-mandated date is the upcoming statewide preferential primary, non-partisan judicial, and annual school board elections scheduled for March 3, 2026. Ark. Code Ann. § 7-7-105.

A. Background Facts

Following Representative Carlton Wing’s September 30, 2025 resignation, on October 10, 2025, Governor Sanders issued a Proclamation announcing a special election to fill the vacancy.³ The Proclamation stated that it would be “impracticable or unduly burdensome to hold the special primary election and special election within one hundred and fifty (150) days after the occurrence of the vacancy.”⁴ Instead, it established a detailed timeline in which the special *primary* election would be held on Tuesday, March 3, 2026.⁵ The primary runoff election would be held on Tuesday, March 31, 2026.⁶ And the special general election would be held on Tuesday, June 9, 2025, “for the purpose of filling the vacancy in office for State Representative for

³ Ex. A. to the Pet.

⁴ Ex. A. to the Pet.

⁵ *Id.*

⁶ *Id.*

District 70.”⁷ This election, however, would be held after the fiscal session of the Arkansas Legislature, which is due to start on April 8, 2026.

On October 21, 2025, Petitioners filed a Verified Petition for Writ of Mandamus against Governor Sarah Huckabee Sanders and Secretary of State Cole Jester in their official capacities (hereinafter “the State”).⁸ For their claim in the Petition, Petitioners asserted that the State’s Proclamation is erroneous in setting an election in House District 70 for June 9, 2025. Petitioners allege that the State misreads Ark. Code Ann. § 7-7-105, and the result of having the election in June is that “the citizens of Arkansas who reside in House District 70 will have no representation in the General Assembly’s 2026 fiscal session beginning April 8, 2026.”⁹

Pursuant to Ark. Code Ann. § 16-115-107, *et seq.*, on Tuesday, October 28, 2025, the Court held a hearing on the Petition. Approximately forty-three minutes before the hearing, Respondents filed their Motion to Dismiss and a Response in Opposition to Verified Petition for Writ of Mandamus and Brief in Support of Motion to Dismiss.¹⁰ Petitioners appeared by and through their attorneys Jess Askew III and Peyton Watts of Kutak Rock LLP. The Attorney General appeared on behalf of the

⁷ *Id.*

⁸ Official capacity claims against state officials in their official capacities are regarded the same as a claim against the State of Arkansas. *Harris v. Hutchinson*, 2020 Ark. 3, 7, 591 S.W.3d 778, 782.

⁹ Pet. at ¶ 21.

¹⁰ Due to the short time of filing prior to the October 28, 2025 hearing, these filings were not file-stamped by the Pulaski County Clerk’s Office until sometime during the hearing.

State through Senior Assistant Attorneys General Ryan Hale, Noah Watson, and Maddy Goolsby.

The State’s principal argument is that the State, acting through the Governor, has complete discretion on how and when to set a special election—whether it is before or after the expiration of 150 days following a legislative vacancy. More specifically, it argues in its Motion to Dismiss and at the October 28, 2025 hearing that the Governor has discretion to decide whether a special election can practicably be held within 150 days of a legislative vacancy, and if not, then the Governor has discretion to decide what the next practicable date is.

B. Applicable Law

This case implicates three areas of law that shape the analysis of the parties’ positions: (1) the writ of mandamus; (2) the special elections statute codified at Ark. Code Ann § 7-7-105; and (3) the laws applicable to absentee balloting.

1. Writ of Mandamus

A writ of mandamus is appropriate when a court grants “the petition of an aggrieved party or the state when the public interest is affected, commanding an executive, judicial, or ministerial officer to perform an act or omit to do an act, the performance or omission of which is enjoined by law.” Ark. Code Ann. § 16-115-101. Circuit courts in Arkansas have the “power to hear and determine petitions for the writ of mandamus” and to issue such writs. Ark. Code Ann. § 16-115-102. Although this statute conferring jurisdiction over mandamus matters to the circuit courts was enacted in 1939, this notion of circuit courts issuing writs of mandamus has a long

and extensive history dating back to the mid-1800s. *See Cummins v. Webb*, 4 Ark. 229 (1842).

A writ of mandamus is appropriate when an official or agency has the clear and definite power or authority to perform an action but does not do so. *Files v. Hill*, 268 Ark. 106, 594 S.W.2d 836 (1980). However, a caveat to this remedy is that it only applies to enforce duties that are “ministerial and not discretionary.” *Scott v. Sullivan*, 2025 Ark. 152, at 6. In other words, writs can be issued when the court determines that the agency or official has no discretion but to perform an action but nevertheless fails to do so. *Boone Cnty. v. Apex of Arkansas, Inc.*, 288 Ark. 152, 154, 702 S.W.2d 795, 796 (1986) (stating that a writ of mandamus is proper when there is “no discretion available to the ordered party to perform the act”).

The Supreme Court of Arkansas has held that mandamus should not be utilized “to control or review matters of discretion.” *Lewis v. Hobbs*, 2014 Ark. 407, at 3, 443 S.W.3d 530, 531 (citation omitted). Such review of discretionary actions could be barred by sovereign immunity pursuant to Ark. Const. Art. V, § 20. *Clowers v. Lassiter*, 363 Ark. 241, 213 S.W.3d 6 (2005). But if the action is not discretionary, “the sovereign-immunity defence does not preclude writs of mandamus.” *Arkansas Dep’t of Fin. & Admin. v. 2600 Holdings, LLC*, 2022 Ark. 140, 5, 646 S.W.3d 99, 102.

The circuit court must hold a hearing on the petition, and the opponent of the petition “shall file an answer before the hearing and show cause why the writ of mandamus . . . should not be granted.” Ark. Code Ann. § 16-115-106; *see also* Ark. R. Civ. P. 78(d). Even in the absence of a timely answer, however, a petitioner carries

the burden of demonstrating that the writ should be issued and the action compelled. *Mobley v. Conway Cnty. Ct.*, 236 Ark. 163, 365 S.W.2d 122 (1963). The petitioner must show that the duty is not discretionary, that he or she has a clear and certain right to the relief sought, and has no other adequate remedy. *Lonoke Cnty. v. City of Lonoke*, 2013 Ark. 465, at 2, 430 S.W.3d 669, 670 (citing *Brown v. Gibson*, 2012 Ark. 285, 423 S.W.3d 34).

2. Special Elections

When vacancies arise in the General Assembly, it is the responsibility of the Governor to issue a writ of election. Ark. Const. Art. V, § 6; see *Matthews v. Bailey*, 198 Ark. 830, 131 S.W.2d 425, 431 (Ark. 1939) (holding that the Governor lacked the power to appoint a State Senator under an earlier set of procedures and standards). This power is constrained by the enabling statute codified at Ark. Code Ann. § 7-7-105.¹¹ To carry out these functions, the Governor first must contact the state committees of the respective political parties regarding the vacancy and ask whether the party committees wish to “hold a special primary election or a convention of delegates . . . to choose nominees.” Ark. Code Ann. § 7-7-105(a)(1). If the committees do require a primary election, the Governor must set dates for the primary as well as the runoff. Ark. Code Ann. § 7-7-105(a)(2)(B). The statute provides that the special

¹¹ No argument has been advanced by the parties that the special-elections statute exceeds the mandatory authority provided in Article V, § 6 of the Arkansas Constitution. In *Davis v. Wilson*, 183 Ark. 271, 35 S.W.2d 1020, (1931), the dissenting justice inquired whether the Governor’s power under Article VI, § 23 is a provision that justifies or authorizes the special-elections procedures found in a so-called enabling statute. *Id.* at 1025 (Smith, J., dissenting).

election must be held “on a date *as soon as possible* after the vacancy occurs.” Ark. Code Ann. § 7-7-105(a)(3)(A)(i) (emphasis added). It goes on to state that the special election “shall be held not more than one hundred fifty (150) days after the occurrence of the vacancy.” Ark. Code Ann. § 7-7-105(a)(3)(A)(ii). But if the Governor determines that “it is impracticable or unduly burdensome to hold the special election within one hundred fifty (150) days after the occurrence of the vacancy, the special election shall be held *as soon as practicable* after the one-hundred-fiftieth day following the occurrence of the vacancy.” Ark. Code Ann. § 7-7-105(a)(3)(A)(iii) (emphasis added).

3. Absentee Voting

Under the Uniformed and Overseas Citizens Absentee Voting Act (“UOCAVA”), states have the responsibility of aiding citizens who reside outside of the United States to have access to the election process, including permitting “absent uniformed services voters and overseas voters to use absentee registration procedures and to vote by absentee ballot in . . . elections for Federal office” 52 U.S.C.A. § 20302.¹² UOCAVA applies to elections for federal office.

The equivalent in Arkansas is similar to its federal counterpart and allows for “[a]ny qualified elector of this state . . . who is absent from the place of his or her voting residence . . . [to make] a request for an absentee ballot . . . in any election held in his or her election precinct if he or she is otherwise eligible to vote in that election.” Ark. Code Ann. § 7-5-406(a). For typical absentee voting, the county board of election

¹² For background information on UOCAVA, see Michele Hughes, et al, 10B Fed. Proc., L. Ed. § 28:93 (2025).

commissioners have the duty to “[p]repare official absentee ballots and securely deliver them to the county clerk for mailing to all qualified applicants as soon as practicable but not later than forty-seven (47) days before a preferential primary election, general election, school election, nonpartisan general election, nonpartisan runoff election, or special election.” Ark. Code Ann. § 7-5-407(a)(1)(A). After the county clerk receives the absentee ballots, he or she “shall begin delivering ballots to absentee voters as soon as practicable and, no later than forty-six (46) days before the applicable election, shall deliver ballots to those absentee voters who made timely application.” Ark. Code Ann. § 7-5-407(a)(2). Applications for absentee ballots are valid for one calendar year. Ark. Code Ann. § 7-5-405 (b)(2)(A).

Generally, absentee ballots from people who reside outside the county of voting registration must be received by mail no later than 7:30 P.M. on an election day. Ark. Code Ann. § 7-5-411(a)(1)(A)(i). Electors outside the United States, however, must mail the ballots by the election day and the ballots delivered to the county clerk “no later than 5:00 p.m. ten (10) days after the election.” Ark. Code Ann. § 7-5-411(a)(1)(A)(ii)(a). There is an exception for armed services individuals serving overseas: so long as the ballot is delivered to the clerk by the tenth day, the ballot will be counted, regardless of when the ballot was executed. Ark. Code Ann. § 7-5-411(a)(1)(A)(ii)(b). Absentee runoff election ballots can be received at the same time as the general election but will be counted for its respective election. Ark. Code Ann. § 7-5-416(f). These runoff election ballots may be sent simultaneously “to the voter in addition to the regular absentee ballot.” Ark. Code Ann. § 7-5-406.

C. The October 28, 2025 Evidentiary Hearing

By Notice of Hearing dated October 23, 2025, the Court notified the parties of its intent to hold an evidentiary hearing on October 28, 2025 concerning Petitioner's request for mandamus relief. On that date, the parties presented evidence, testimony, and argument.

1. The Petitioners' Case

In support of its Petition for mandamus relief, Petitioners provided testimony from several witnesses. First was Colonel Marcus Jones, Ret., who is the Chair of the Democratic Party of Arkansas. Colonel Jones testified that this issue is not about partisan politics, but about the 30,000 taxpayers in District 70 whom he avers deserve representation in the April 2025 fiscal session on how their tax dollars are going to be used. Colonel Jones was involved in selecting Petitioners' proposed primary and general election dates, as stated in the Petition, and believes those dates to be achievable. However, he conceded that he did not know the exact cost of holding these elections nor the poll-worker training that is required.

Petitioners Cordelia Smith-Johnson, Scott Perkins, Janie Ginocchio and Julie Rhodes all testified at the hearing on the importance of having representation at the fiscal session. Mr. Perkins and Ms. Rhodes highlighted issues that they, along with their community, are concerned about that will be addressed in the upcoming fiscal session. Ms. Ginocchio shared her belief that District 70 has a constitutional right to representation and that having a vacant seat would result in taxation without representation—the protest of which she believed is a core founding principle of the

United States. Ms. Rhodes expressed that District 70's voice is no less valid than the other 99 House districts in the state.

Terri Hollingsworth, as Circuit and County Clerk of Pulaski County, Arkansas, testified that holding the general election on Petitioners' proposed date—March 3, 2026—would be feasible and that her office would be capable of conducting the election within this short timeframe. Clerk Hollingsworth also stated that her office had done so in 2020 with the vacancy in District 34 due to the death of Representative John Walker. For the 2020 vacancy, the Governor's Proclamation set the special partisan primary for January 14, 2020, the runoff on February 11, 2020, and the special general election on March 3, 2020. These 2019-2020 special-election dates applicable to House District 34, she said, are a near match to the dates and spans of time proposed by Petitioners in the current matter.¹³ Clerk Hollingsworth stated that

¹³ See the below table detailing the dates that occurred in the 2020 special election for District 34 to the proposed dates for the special election for District 70. The information contained in this table was also offered at the hearing for demonstrative purposes and in a substantially similar format.

<u>2019-2020</u>	<u>2025-2026</u>
October 28, 2019 – Rep. John Walker dies	October 28, 2025 – hearing
January 14, 2020 – special primary election	January 13, 2026 – proposed special primary election
February 11, 2020 – run-off	February 10, 2026 – run-off
March 3, 2020 – special general election	March 3, 2026 – proposed special general election

her office, in cooperation with the Pulaski County Election Commission, was able to comply with state law regarding overseas ballots during the 2020 special election, and she testified that her office could do so again. Importantly, Clerk Hollingsworth explained that for overseas ballots, which require special absentee ballots for runoffs, such runoff ballots can be included with the regular absentee ballots, thus consolidating lead time. When pressed on cost, Clerk Hollingsworth explained that holding the special election for House District 70 on March 3, 2026 instead of June 9, 2026 would not impose added cost. This, she said, is because the ballots haven't yet been printed. Clerk Hollingsworth further explained that she was never contacted by the State to give her office's explanation that the special election was capable of being conducted on March 3, 2026.

Amanda Dickens, the Director of Elections and Election Coordinator for the Pulaski County Election Commission, stated that she also participated in ensuring an effective special election in 2020. Ms. Dickens's office is tasked with producing the ballots, training poll workers, delivering voting equipment, as well as preparing the result announcement for election night. She stated that although it was very difficult in 2020 for House District 34's special election, the Pulaski County Election Commission accomplished the task. According to Ms. Dickens, the proposed dates from Petitioners are no more difficult, and thus no less achievable, than they were in 2020. However, Ms. Dickens mentioned that the timeline for sending overseas ballots for military personnel, as provided by UOCAVA, and the Arkansas equivalent, Ark. Code Ann. § 7-5-406, was shortened and "not met." Dickens concurred with Clerk

Hollingsworth's testimony that overseas runoff ballots may be included with the regular absentee ballots, thus consolidating lead time. Dickens explained that, in order to accomplish the special election at the same time as the March 3, 2026 preferential primary, nonpartisan judicial, and school election, it would require a separate voting machine, scanner, and poll books for those voters at the applicable precincts in House District 70. Regarding costs, Dickens testified that the 2020 House District 34 special election cost roughly \$8,000, and she believed that the 2026 House District 70 special election would cost the same.

Michael White also testified. Mr. White is a member of the three-person Pulaski County Election Commission. Mr. White stated that although deadlines would be missed, it is practicable to hold the special election on March 3, 2026 as suggested by Petitioners. White observed that this was important so that the voters of House District 70 have representation in the upcoming fiscal session of the General Assembly.

2. The State's Case

In support of its opposition to Petitioners, Respondents offered testimony from Laura Wiles and Chris Madison. Laura Wiles, an election coordinator with the Arkansas Secretary of State, stated that March 3, 2026 is not a practicable alternative special election date to the Proclamation's June 9, 2026 date because of the need to distribute any overseas ballots. Because Ms. Wiles had never coordinated a special election for a House vacancy, nor any election in Pulaski County, she explained that she was testifying only to a hypothetical and not to the specific dates

and restrictions relative to the facts of this case. Ms. Wiles stated that she did not know how many overseas ballots were requested from District 70, if there were any at all.

Chris Madison, the Director of the State Board of Election Commissioners, explained in his testimony that although there is a specific statute governing special elections, officials must also follow the standard state and federal election laws.

D. Discussion

When interpreting a statute, the role of the court is to construe the statute in such a way “that no word is left void, superfluous or insignificant, and [to] give meaning and effect to every word in the statute.” *Great Lakes Chem. Corp. v. Bruner*, 368 Ark. 74, 82, 243 S.W.3d 285, 291 (2006) (citations omitted). One must construe the statute “just as it reads, giving the words their ordinary and usually accepted meaning in common language.” *Harris v. Crawford Cnty. Bd. of Election Commissioners*, 2022 Ark. 160, 3–4, 651 S.W.3d 703, 706.

Here, the enabling statutory provision for Article V, § 6 of the Arkansas Constitution, which requires that a “special election . . . be held on a date as soon as possible after the vacancy occurs,” reflects a mandatory duty. Ark. Code Ann. § 7-7-105(a)(3)(A)(i). But the next two provisions include a discretionary and a non-discretionary element. While the Governor *shall* set the special election within 150 days of the vacancy, he or she *may* do so at any time within the 150 days. Ark. Code Ann. § 7-7-105(a)(3)(A)(ii). Even though the duty to set the special election is mandatory, this provision provides the Governor discretion to set it at any time

within the 150-day time frame following the vacancy. The statutory text further grants discretion to determine whether it is “impracticable or unduly burdensome” to hold the election within the 150-day time frame. Ark. Code Ann. § 7-7-105(a)(3)(A)(iii). But this is where the discretionary provisions cease, and a non-discretionary provision is inserted. This non-discretionary provision requires that if the Governor determines that holding the special election within 150 days of the vacancy is “impracticable or unduly burdensome,” then the special election *shall* be held “as soon as practicable” after the 150th day following the vacancy. Ark. Code Ann. § 7-7-105(a)(3)(A)(iii).

An opponent of the above interpretations might say that there are two discretionary elements here: one in which the Governor decides whether the special election *can* be held within 150 days of vacancy without undue burden or impracticability, and a second where the Governor gets to determine what the next practicable date is for the special election. After all, for purposes of following Ark. Code Ann. § 7-7-105(a)(3)(A)(iii), *someone* has to decide what date after the 150-day vacancy period is “as soon as practicable” thereafter. *Id.* The State suggests that the Governor possesses that power in its office, but if that were true, then it would render the statutory scheme meaningless. In other words, if the Governor has complete discretion over when to hold a special election—whether before or after the 150-day mark—then there would be no reason to have a 150-day limitation at all. Such an interpretation is impermissible. *Shipley, Inc. v. Long*, 359 Ark. 208, 218, 195 S.W.3d 911, 917 (2004) (provisions rendered meaningless and those yielding absurd results

are contrary to legislative intent). Surely, throughout the legislative history of the 150-day limitation, which began with Act 1480 of 2009 and most recently modified by Act 210 of 2014, the General Assembly intended for the 150-day limitation to mean something. Here, its application is intended to make the Governor's determination beyond 150 days non-discretionary. And given that circumstance, it leaves the setting of a special election to the considered ability of the locality conducting the special election to prove that it can well and capably accomplish the election.

Applying these legal concepts to the present matter, it is noted that the vacancy in House District 70 occurred on September 30, 2025, thus making February 27, 2025 the 150th day. The Governor has made the determination that having an election to fill the vacant seat in District 70 prior to February 27, 2025 would be impracticable or unduly burdensome.¹⁴ Within the context of mandamus relief, the Court will not and cannot disturb a Governor's decision that embodies complete discretion. To do so would be to undermine the discretionary and decisional power granted to the Governor by the Arkansas Constitution.

But mandamus relief is available in situations where a state actor's role is non-discretionary. And the non-discretionary element of the special-election-enabling law provides that any special election that cannot be set within 150 days of the vacancy due to undue burden or impracticability must be set as soon as practicable thereafter. Ark. Code Ann. § 7-7-105(a)(3)(A)(iii). Accordingly, the question to answer here is:

¹⁴ Ex. A to Petition.

when would be the soonest practicable date to hold the election after the 150th day of the vacancy? Petitioners bear the burden of proving that a date earlier than one that Governor Sanders has set exists and would be practicable. If Petitioner demonstrates these elements, then mandamus will lie. The Court proceeds to determine whether such proof was made by Petitioners.

The October 10, 2025 Proclamation sets the special election well outside the 150 days required by Ark. Code Ann. § 7-7-105(a)(3)(A)(ii). The Proclamation observes that it is “impracticable or unduly burdensome” to hold the House District 70 special election within 150 days.

In view of the non-discretionary elements of the special-election-enabling statute, Petitioners must only meet their burden of proving that an earlier date than June 9, 2026 would be a practicable date for the special election. Petitioners have offered evidence from multiple experienced election officials who have all stated: (1) that they have successfully accomplished a special election on the nearly-identical timeline in 2020; (2) that although it would undoubtedly, be difficult and stressful, the timeline provided by Petitioners is practicable; and (3) even though overseas ballots must be mailed at least 45 days in advance of the primary and the general election, any runoff ballots may be sent at the same time as the regular absentee ballots and thus consolidate timeframes for purposes of overseas balloting requirements. Hypothetically, for example, if the county clerk were to deliver ballots

by November 27, 2025,¹⁵ that would be forty-seven (47) days before the January 13, 2026 proposed primary, seventy-five (75) days before the proposed run-off, and ninety-six (96) days before the March 3, 2025 proposed special election.¹⁶ Therefore, in due consideration of the testimony from both sides of this case, absentee ballots for House District 70 *can* be distributed within Petitioners’ proposed timeframe—even assuming that any absentee ballots are requested at all.

Regardless of any hypothetical or theoretical analyses that the Court and the parties engage in, the impact that the current June 9, 2026 election will have on Petitioners is real, actual, and definite. The Court is not convinced by the State’s argument that allowing the maximum amount of time under UOCAVA—a statute guiding federal elections—brings about June 9, 2026 as the earliest practicable date for the involved county officials to conduct a special election. Importantly, the statutory text provides that the question does not turn on the *most* practicable date, but the *soonest* practicable date. Here, while June 9, 2026 may be practicable, it is not the soonest practicable date. Petitioners have met their burden of showing that the duty to set the election on the earliest practicable date is not discretionary, that they have a clear and certain right to have the election on the proposed date, and that

¹⁵ The Court acknowledges that this hypothetical day is Thanksgiving which is a federal, state, and county holiday. Realistically, no government office will be open on this day. However, this date is useful to the Court to analyze what is a practicable date.

¹⁶ Pulaski County and Circuit Clerk Hollingsworth testified that delivery can also be accomplished via electronic mail.

no other remedy exists. *Lonoke Cnty. v. City of Lonoke*, 2013 Ark. 465, 2, 430 S.W.3d 669, 670 (citing *Brown v. Gibson*, 2012 Ark. 285, 423 S.W.3d 34).

E. Conclusion

Therefore, in compliance with the statutes governing special elections, the Court finds that the writ should be issued, and the relief sought within the Petition is GRANTED. The dates contained in the Proclamation must be revised to reflect that the special election for House District 70 shall be held on March 3, 2026 as it is the soonest practicable date on which the special election might be held.

IT IS SO ORDERED this 31st day of October, 2025.



SHAWN J. JOHNSON
CIRCUIT JUDGE