

IN THE CIRCUIT COURT FOR CLARK COUNTY
STATE OF INDIANA

STEVE WEBB,

Petitioner

VS.

CASE NO: 10C01-1511-MI-205

JOSHUA RODRIGUEZ, et al,

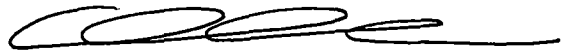
Respondents

CERTIFICATION OF ELECTION RECOUNT BY RECOUNT COMMISSION

Comes now the Court and certifies the following results of the Recount Commission appointed in this matter pursuant to and in accordance with I.C. 3-12-6-22:

1. The Court orders that this Certificate be entered in the order book of the Court;
2. The Court orders that a copy of this Certificate be filed with the County Election Board;
3. The findings of the Recount Commission are attached as Exhibit A.

So Ordered this 28th day of December 2015



Andrew Adams, Judge
Clark Circuit Court No. 1

IN THE CIRCUIT COURT FOR CLARK COUNTY
STATE OF INDIANA

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) SS:

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COUNTY OF CLARK)

STEVE WEBB

Petitioner

FILED

VS.

DEC 23 2015

JOSHUA RODRIQUEZ, et al,

Respondents


CLARK CIRCUIT COURT NO. 1

CERTIFICATION OF ELECTION RECOUNT BY RECOUNT COMMISSION

The Clark County Recount Commission, Nick Mobley, John Perkins, and C.A. Wadsworth, appointed by the Court to manually recount the November 3, 2015 election results for Jeffersonville Indiana City Council At Large, certifies to the Court the following results:

1. The total number of recount votes received by Candidate Steve Webb - 5039; Joshua Rodriquez - 4959; Ron Ellis - 4948.
4966 C.A. - 4955 N.W. C.A. W
2. The first place positions in this election for Republican Candidate Matt Owen and Democratic Candidate Nathan Samuel were not impacted by this recount.
3. The vote breakdown for Candidates Webb, Ellis, and Rodriquez is attached "Exhibit A."

This manual recount examined physical ballots segregated in secured containers on a precinct by precinct basis. A diligent search was made for ballots that may not have been included in the secured containers.

John Perkins
→ No - I will not certify
John Perkins *see attached letter*

Nick Mobley
Nick Mobley

C.A. Wadsworth
C.A. Wadsworth

Exhibit "A"

Jeffersonville City Council At Large Recount Contest 2015 - December 22				
Precincts	Josh Rodriguez	Steve Webb	Ron Ellis	Comments
Jeffersonville 1	85	67	81	
Jeffersonville 2	101	27	109	
Jeffersonville 3	191	64	237	
Jeffersonville 4	157	106	148	
Jeffersonville 5	112	75	114	
Jeffersonville 6	113	92	120	
Jeffersonville 7	270	196	188	
Jeffersonville 8	126	85	125	
Jeffersonville 9	242	123	195	
Jeffersonville 10	161	123	162	
Jeffersonville 11	139	126	161	
Jeffersonville 11A	63	85	71	
Jeffersonville 12	133	141	122	
Jeffersonville 13	131	128	141	
Jeffersonville 14	104	107	147	
Jeffersonville 15	46	26	40	
Jeffersonville 16	365	442	409	
Jeffersonville 17	238	276	264	
Jeffersonville 18	383	430	373	
Jeffersonville 20	204	212	173	
Jeffersonville 21	121	127	124	
Jeffersonville 22	203	210	201	
Jeffersonville 23	189	198	165	
Jeffersonville 24	273	277	305	
Jeffersonville 25	162	276	187	
Charlestown 7	72	159	60	
Utica 2	201	312	192	
Utica 3	239	350	246	
Utica 4	138	194	90	
Jeffersonville 19	4	5	5	
Totals	4966	5039	4955	

December 23, 2015

John Perkins
925 E.7th Street #107
Jeffersonville IN 47130

The Honorable Andrew Adams
Clark County Circuit Court 1
501 E. Court Avenue
Jeffersonville IN 47130

Your Honor:

In the oath administered before you as a Recount Commissioner, I swore, to the best of my ability, to uphold the laws and Constitution of the State of Indiana and the United States. The First Amendment to the U.S. Constitution guarantees freedom of speech. I believe that this freedom is indicated by our right to cast our votes, and for those votes to be counted accurately and honestly.

It was agreed that the Recount Commissioners would have no direct involvement in the count process itself. However, I have reason to believe that at least one (1) recount team did not accurately count nor balance the election returns to determine the total number of votes counted. The reason for this belief is the following:

1. After the first several precincts were counted, it appeared to at least two (2) Recount Commissioners that the machine count closely coincided with the hand count, which leads me to believe that the machine count was accurate. I believe that the hand count was intended to support and verify the machine count.
2. The accuracy of the hand count by one recount teams cannot be certain because recount members changed frequently, and there is no assurance that new members were properly instructed on the criteria for counting. Moreover, the number of votes by the counters did not balance with the total number of ballots cast on the machine. This would seem to indicate an inaccurate hand count. In addition, the notes on some of the tally sheets were unclear as to their meaning, which is another indication of uncertainty/inaccuracy of the hand count.
3. I personally observed, but did not interject, when one counter challenged multiple ballots that should not have been challenged, because they were merely undervotes. This indicated to me that this counter did not truly understand the process and criteria for counting votes.
4. I also observed one of the counters dozing off during the recount.

Therefore, because of possible errors in counting, I cannot certify with certainty that the hand count is accurate because of the aforementioned reasons. I believe that the integrity of the voters' choices must be protected. Because of multiple irregularities in the hand count, I firmly believe that the hand count was severely flawed and should be voided, and the outcomes should be determined by the machine count.

Sincerely,



John Perkins