

To the Attention of Linda H. Lamone

I AM RESENDING THIS AND DO NOT ACCEPT YOUR RESPONSE REJECTING THE ORIGINAL REQUEST. YOU PROVIDED NO CITING TO BASE YOUR REJECTION UPON AND SINCE YOU HAVE FAILED TO UPHOLD THE INTEGRITY OF THE PRIMARY ELECTION, YOU HAVE NO BASIS TO DENY MY REQUEST FOR A RECOUNT IN AS MUCH AS YOU CANNOT GIVE A FULL OR ACCURATE ACCOUNTING OF THE VOTE COUNT.

William T. Newton (May 31, 2016) @ 3:54PM



May 8, 2016

Ms. Katie Brown, Director
Baltimore County Board of Elections
11112 Gilroy Road, Suite 104
Hunt Valley, MD 21031

Dear Ms. Brown:

In lieu of a formal petition form to be made available by your department, this letter is to serve as my request for a manual recount of all ballots (early voting, election day, absentee and provisional) for the 2016 Presidential Republican primary election for the office of Representative for the House in Congress for the 7th District for the reasons set forth in this letter, but not limited to the following concerns:

As provided by the Maryland State Board of Elections and by law the "2016 Presidential Election Calendar" was produced and provided to the citizens of the state as the authoritative timeline and (we) believe the Board has not complied with certain legal requirements of that calendar.

-Early voting for Presidential Primary Election: Thursday, April 14 to -Thursday,

April 21, 7:00 a.m.-8:00 p.m.

-Presidential Primary: April 26, 7:00 a.m.-8:00 p.m.

-Absentee Ballot Canvass: Thursday, April 28, at 10 a.m.

-Provisional Ballot Canvass: Wednesday, May 4, at 10 a.m.

-Absentee Ballot Canvass 2: Friday, May 6, at 10 a.m.

It is noted that Early voting for the Primary Election officially began on Thursday April 14, 2016 and ended Thursday April 21, 2016 at 8 pm (see EL 10-301.1). Followed 5 days later by the actual Primary Election day on Tuesday April, 26, 2016 beginning at 7 am and ending at 8 pm on the same day.

There are a number of deadline requirements associated with the vote counts in each canvass which are supported by legal authority and reporting requirements.

One of the problems with the vote count arises after the results were posted for April 26 and noting that after ALL precincts were reported. The election calendar set the deadline requirement for April 26 at 8:00 p.m. to verify and audit randomly selected precincts. (COMAR 33.08.05.03-Revised)

Then on May 6, 2016 (10 days later) between 4:45 p.m. and 6:00 p.m. those results mysteriously changed showing 85 additional votes in the total votes shared by the three candidates.

Another irregularity arose on Wednesday May 4, 2016 as Provisional Ballot count began at 10 a.m. (as required by Comar 33.16.05.02). That count was NOT completed on May 4 which caused me to exchange a number of electronic communications with an election official. In my inquiry it was discovered that the "count" of the provisional votes stopped but continued/completed two days later on May 6 after the absentee vote count.

It appears that failure to follow the election calendar and legal requirements have caused a domino effect by the failed compliance by the Board. It has been announce via the media that 8 or 9 precincts in Baltimore City had problems with lost and recovered votes. The media has also reported the results of the 2016 Presidential Primary results would be "certified" on Monday May 9 extending yet even more time to the timeline. Per Maryland Election Law May

6, 2016 deadlines for ALL vote to be received, counted, verifications, audits, certifications had to be completed. (see COMAR 33.11.03.08B(2), 33.11.04.03A(2), 33.08.05.02A, 33.08.05.02A, EL 11-308(a) & (b) and those results transmitted to the Governor/SBE/and appropriate Clerk of the Circuit Court –EL 11-401(c).

Additionally for the record, I must state Monday May 9 is also the Deadline to petition for ‘recount’. Until election results have met the legal requirement of certification and in as much as the Board has not met the requirements established by the Legislature moving forward becomes a matter of law.

With regard to matters of law, automatic recount by the Board is required where the difference between the outcome is .1% (point one percent) in any race. According to those “unofficial” results posted on the Maryland State Election web page inaccurately shows a difference of .2% between myself William T. Newton and Corrogan R. Vaughn, favoring Vaughn.

That % has been ‘rounded up’ rather than indicating an actual difference between candidates which is .0017 and NOT .2%!

The law requires the % or margin of victory to exceed the threshold of $1/10^{\text{th}}$ or greater to prevent an automatic recount. The % of total votes cast for ALL three candidates for the 7th Congressional District with our focus on the two top candidates correctly attributes the % as follows:

- Corrogan R. Vaughn- 0.4158396499179495
- William T. Newton- 0.4141204969914824

The margin of victory is as stated above 0.0017191529264671 or .00171 or $17/1000$ and NOT $2/10^{\text{th}}$ % as shown by the Board; or even by the $1/10^{\text{th}}$ threshold in difference required.

Therefore, I respectfully request (and reserve my right to) an automatic recount including the review of any and all absentee and provisional ballots which were rejected.....This request also includes your immediate response to this letter in writing because of the nature of this request being the possibility of disenfranchisement of the citizens of Maryland and the 7th Congressional District, along with the Board providing my campaign with a copy of a formal

petition application for recount in a legally binding timely fashion which complies with the “officially” produced election calendar.

I thank you in advance for your attention and response

With my best wishes,

William T. Newton, Republican Candidate
7th Congressional District
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cc (4): attached

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