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GERI LYNN SANCHEZ

BY _____ DEPUTY



THIRTEENTH JUDICIAL DISTRICT COURT
COUNTY OF VALENCIA
STATE OF NEW MEXICO

IN THE MATTER OF THE NOMINATING PETITIONS OF TONY SCHAEFER,
CANDIDATE FOR PUBLIC REGULATION COMMISSION (DISTRICT 5)

BRIAN BENOIT, LEE MATTHEWS AND JAMIE P. ESTRADA,
PLAINTIFFS,

v.

D1314 CV 2010-398

TONY SCHAEFER AND MARY E. HERRERA,
SECRETARY OF STATE FOR THE STATE OF
NEW MEXICO,
DEFENDANTS.

FINAL ORDER

THIS MATTER having come on for hearing on April 5, 2010, Plaintiffs being represented by the Barnett Law Firm (Christopher Collins and David A. Garcia), Defendant Mary E. Herrera being represented by the Attorney General of New Mexico (Scott Fuqua, Assistant Attorney General), and Defendant Tony Schaefer being represented himself pro-se.

The Court having heard evidence at the hearing and being otherwise fully advised in the premises,

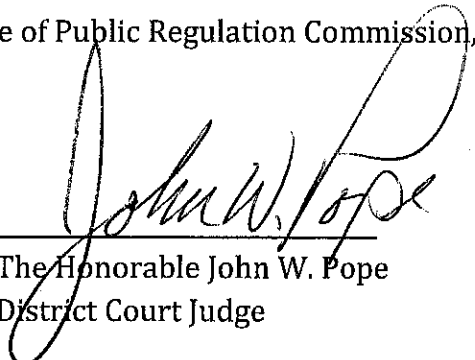
Finds:

1. Defendant Tony Schaefer has submitted Nominating Petitions to the New Mexico Secretary of State in an effort to be placed on the ballot for candidacy for the New Mexico Public Regulation Commission in the next primary election;

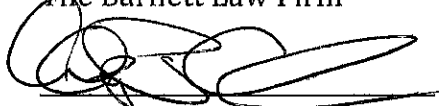
2. ^{At least} ~~At a minimum~~, 84 of the nominating signatures on the Nominating Petitions submitted by Defendant Tony Schaefer are not valid under New Mexico law for the purpose of nomination and should not be counted toward the signatures necessary to be placed on the ballot;
3. The valid nominating signatures submitted by Defendant Tony Schaefer are insufficient in number to entitle Defendant Schaefer to a position on the ballot for the Republican Party Primary Election of 2010;
4. The Court has subject matter and personal jurisdiction in this matter.

IT IS THEREFORE ORDERED:

- A. Defendant Schaefer's Nominating Petitions are declared to contain an insufficient number of signatures for nomination;
- B. Defendant Secretary of State Mary Herrera shall not place Defendant Tony Schaefer on the Republican ballot for the Office of Public Regulation Commission, District 5.


The Honorable John W. Pope
District Court Judge

Submitted by:
The Barnett Law Firm


Christopher Collins
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Albuquerque, NM 87112
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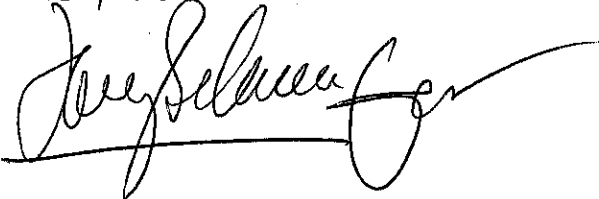
Approved by:
Office of New Mexico Attorney General



Scott Fuqua
Assistant Attorney General
State of New Mexico

Approved by

Tony Schaefer



Tony Schaefer
Defendant