

Bond Case Briefs

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ELECTIONS - GEORGIA

Meade v. Williamson

Supreme Court of Georgia - June 3, 2013 - S.E.2d - 2013 WL 2372260

Challenger filed petition contesting results of primary election for sheriff. The superior court declared election invalid and ordered new election. Incumbent appealed.

The Supreme Court of Georgia held that:

- Challenger had burden of proving that individuals who assisted voters were unqualified to assist voters;
- Absentee ballot was mailed in compliance with statute governing mailing of absentee ballots, even though ballot was mailed to out-of-county address;
- That absentee ballot was mailed to in-county address other than one reflected on voter registration record did not invalidate ballot;
- Statute providing that, with limited exceptions, absentee ballots can not be mailed to an address other than the permanent mailing address reflected on the applicant's voter registration record was directory, not mandatory;
- That absentee ballot envelopes failed to designate disability that would authorize person to assist voter did not invalidate ballots; and
- Insufficient evidence supported trial court's conclusion that irregularities in election process were shown to cast doubt upon results.

In challenger's election contest, evidence was insufficient to support trial court's conclusion that irregularities in election process were shown to cast doubt upon results of primary election for sheriff. Although 14 absentee ballots appeared to have been altered, challenger presented evidence of only one illegally bought vote. The remaining evidence of vote buying by incumbent's supporters was based upon hearsay and gossip, and it was purely speculative that alterations were made by anyone other than voters.