

Bond Case Briefs

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ELECTIONS - OHIO

State ex rel. Morris v. Stark Cty. Bd. of Elections

Supreme Court of Ohio - September 9, 2015 - N.E.3d - 2015 WL 5255463 - 2015 -Ohio-3659

Challengers filed writ of prohibition to prevent Secretary of State and county board of elections from placing mayoral candidate on ballot as an independent candidate.

The Supreme Court of Ohio held that:

- Secretary acted within his discretion in determining that candidate had established a conforming residence within city, and
- Evidence supported finding that candidate had disaffiliated from political party.

Secretary of State acted within his discretion in concluding that mayoral candidate established a conforming residence within city, even though candidate ultimately spent only four consecutive nights at that residence before moving to another residence within city. Candidate moved into first residence without knowing when second residence would become available, and candidate had intended to reside at first residence indefinitely.

Evidence supported finding that mayoral candidate who wished to run as an independent candidate had disaffiliated from political party of which he had been a member, even though candidate did not resign his seat on county board of commissioners. Seats on county board were not assigned by political affiliation, and candidate took affirmative steps to resign from political party.