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Barker v. Ivory

Supreme Court of Mississippi - April 2, 2024 - So.3d - 2024 WL 1406576

Objector filed petition for judicial review challenging finding of political party's executive committee that candidate for city alderman was a qualified candidate.

After evidentiary hearing, the Circuit Court entered judgment finding candidate not qualified for failure to satisfy residency requirement. Candidate appealed.

The Supreme Court, en banc, held that evidence was sufficient to support finding that candidate was a resident of city in another state rather than of city in which candidate sought office of alderman, as would preclude candidate from being qualified to be placed on ballot.

Evidence was sufficient to support finding, after evidentiary hearing before bench, that candidate for city alderman was a resident of city in another state rather than of city in which candidate sought office of alderman, as would preclude candidate from being qualified to be placed on ballot; home in which candidate asserted he resided in city in which office was sought was owned by candidate's late aunt's husband rather than by candidate, candidate owned several properties in city in other state, candidate had claimed homestead exemption on one of those properties for previous 11 years, and candidate remained a registered voter in other state.