



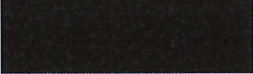
Date: 4/9/24  
Time: 10:00 a.m.

**BEFORE THE STATE ELECTION BOARD OF THE STATE OF OKLAHOMA**

IN THE MATTER OF CONTEST OF THE	)	
	)	
CANDIDACY OF CARTER DAVIS ROGERS	)	
(Name of Contestee)	)	
	)	
State Representative, House District 37	)	
(Title of Office, District Number)	)	Cause No. 2024-01
	)	
FILED BY KEN LUTTRELL	)	
(Name of Petitioner)	)	
	)	
WITH THE STATE ELECTION BOARD ON	)	
April 9, 2024	)	

**NOTICE OF HEARING**

To: CARTER DAVIS ROGERS

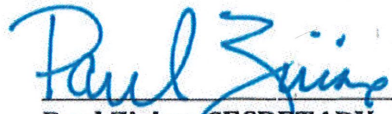


You are hereby notified that a Petition in the above-styled cause has been duly filed with the Oklahoma State Election Board as prescribed by law, and a hearing has been set to be held on:

April 18, 2024, at 9:00 a.m. in Multi-Purpose Suite 100 (Room MP100), State Capitol Building, 2300 N. Lincoln Blvd., Oklahoma City, OK 73105.

Please be advised that in the event there are more contests than can be heard in one day, some hearings may be continued until Friday, April 19, 2024 in the same location beginning at 9:00 a.m.

A copy of the petition is attached.

  
Paul Ziriaux, SECRETARY  
Oklahoma State Election Board

**BEFORE THE STATE ELECTION BOARD OF THE STATE OF OKLAHOMA**

IN THE MATTER OF THE CONTEST OF THE )  
CANDIDACY OF CARTER DAVIS ROGERS )  
FOR THE OFFICE OF OKLAHOMA HOUSE )  
DISTRICT 37. )

Cause No. CC-2024- 01

**PETITION FOR CONTEST OF CANDIDACY**

Ken Luttrell of Ponca City, Oklahoma, candidate for the office of Oklahoma House District 37, having lawfully filed a Declaration of Candidacy during the filing period held on April 3-5, 2024, hereby contests the candidacy of Mr. Carter Davis Rogers (“Rogers”) for the same office, pursuant to 26 O.S. § 5-118, and as the basis for this contest, states and alleges:

1. Mr. Rogers registered to vote in Fairfax, Oklahoma on February 19, 2020 as an unaffiliated voter. Mr. Rogers voted that year in the Presidential Primary on March 3, 2020. He also voted in the June Primary elections on June 30, 2020, and requested an absentee ballot to vote in the 2020 General Election on October 20, 2020. No evidence exists that Mr. Rogers submitted that absentee ballot. Mr. Rogers has not voted in any election in Oklahoma since June of 2020, including the general election of that year. *See Ex. A.*
2. On October 13 of 2020, *before* he applied for an absentee ballot in Oklahoma, Mr. Rogers registered to vote in La Plata County, Colorado at a residence address of 1000 Rim Dr. Bldg. Mears 5112, Durango, CO 81301. The mailing address is 1000 Rim Dr. PO Box 7667, Durango, CO 81301. *See Ex. B.*
3. On August 14, 2021, Mr. Rogers amended his voter registration in La Plata County, Colorado to affiliate with the Republican Party. *See Ex. B.*

**RECEIVED**

**APR 09 2024**

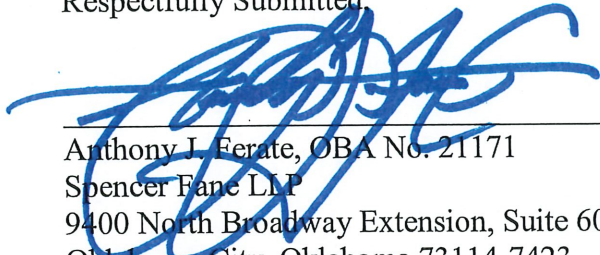
**STATE ELECTION BOARD**

4. On January 13, 2023, Mr. Rogers signed a Candidacy Packet in Durango, Colorado seeking a seat on the Durango City Council, affirming himself to be a “registered elector” in Durango, Colorado. *See*, Ex. B, C.
5. On April 4, 2023, Mr. Rogers did not advance to the Durango general election.
6. On April 5, 2024 — this year — Mr. Rogers filed his candidacy paperwork in House District 37, declaring himself “to be a registered voter in such district and a resident residing within such district for the six-month period immediately preceding the first day of the filing period prescribed by law.” 14 O.S. § 108. *See*, Ex. D.
7. Upon information and belief, the La Plata, Colorado voter registration remains active.
8. Mr. Rogers has not re-registered at any address in Oklahoma since returning to the state.
9. Upon returning to Oklahoma, a voter must re-register to vote here if he or she was registered to vote in another jurisdiction. In the case of Mr. Rogers, he publicly declared himself to be a “registered elector” in Durango, Colorado, negating his Oklahoma registration. Either Mr. Rogers’ registration in Durango is valid, or he made a fraudulent statement in Colorado while intending to retain an Oklahoma registration.
10. Mr. Rogers has failed to re-register as a voter in Oklahoma since his return to the state, and is therefore ineligible for a candidacy until he does so six months before filing.

Petitioner Luttrell respectfully requests that the State Election Board strike the candidacy of Mr. Rogers and order that his name not be placed on the ballot for the reasons set forth above.

Dated this 9<sup>th</sup> day of April, 2024.

Respectfully Submitted,

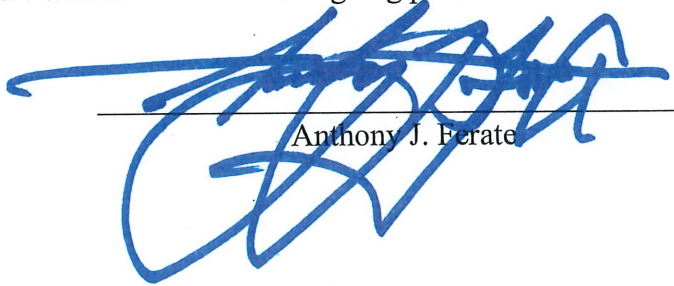


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**CERTIFICATION OF PAYMENT OF FILING FEE**

I hereby certify that I enclosed with a cashier's check or certified check in the amount of \$250.00 dated the 9<sup>th</sup> day of April, 2024 with the above and forgoing petition.



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Anthony J. Ferate