

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

IN THE MATTER OF THE CONTEST OF)
THE CANDIDACY OF **LARRY EDWARDS**)
FOR THE OFFICE OF DISTRICT) CAUSE NO. 2022-01
ATTORNEY, DISTRICT 15)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL ORDER

The above-styled cause was heard by the Election Board of the State of Oklahoma on Monday, April 25, 2022, meeting pursuant to lawful notice under the Open Meeting Act, 25 O.S. 2021, § 301 *et seq.* All testimony was taken under oath. The hearing was recorded, and a permanent record of such recording will be kept.

The following members of the State Election Board (“Board”) were present: Jerry Buchanan;¹ Dr. Tim Mauldin, Vice Chair; and Heather Cline, Member. Also present were Paul Ziriaux, Secretary; and counsel for the State Election Board, Niki Batt, Deputy Attorney General; and Thomas R. Schneider, Deputy General Counsel to the Attorney General. Also present, but not participating were Tom Montgomery, Chair; and Debi Thompson, Alternate Member.

Petitioner, Matthew Price, appeared for himself. Contestee Larry Edwards appeared in person and with counsel Joe White. Contestee Edwards filed an Answer along with a cashier's or certified check in the amount of \$250.00, as required under 26 O.S. 2021, § 5-129.

The Petition was timely filed and Notice of Hearing issued on Tuesday, April 19, 2022. The Board received proof from the Petitioner that the Muskogee County Sheriff served Contestee within 24 hours of setting the Petition for hearing, as required by 26 O.S. 2021, § 5-124. The Petitioner delivered an executed return of service to the Secretary of the State Election Board on the date of the hearing.

¹ Chairman Tom Montgomery recused in this matter. Alternate Republican Member Jerry Buchanan served in his place.

The Board made the following findings of fact and conclusions of law:

1. Contestee Edwards filed with the State Election Board a Declaration of Candidacy for the Office of District Attorney, District 15, during the 2022 Candidate Filing Period starting April 13, 2022, and ending on April 15, 2022.
2. Petitioner Price filed with the State Election Board a Declaration of Candidacy for the Office of District Attorney, District 15, during the 2022 Candidate Filing Period starting April 13, 2022, and ending on April 15, 2022.
3. The SEB received proof of personal service made on Contestee within twenty-four (24) hours of setting the Petition for hearing, as required by 26 O.S. 2021, §§ 5-124 & 5-125.
4. Under 26 O.S. 2011, § 5-130, “[t]he burden of proof shall be upon the petitioner to sustain the allegations in his petition.” In order to sustain his or her burden of proof, the petitioner must prove the allegations set forth in the Petition by the greater weight of the evidence.
5. Petitioner Price alleges that Contestee Edwards was not a registered voter in District 15 by October 12, 2021.
6. Pursuant to 19 O.S. 2021, § 215.2, a candidate for district attorney must meet the following qualifications:
 - a. Be a resident of the State of Oklahoma for two (2) years;
 - b. Be a registered voter in the district for at least six (6) months immediately preceding filing period;
 - c. Be a resident in the district for at least six (6) months immediately preceding filing period;
 - d. Be a duly licensed attorney for at least five (5) years; and
 - e. Be at least twenty-eight (28) years of age prior to the date of filing for office.
7. Consequently, Contestee Edwards was required to have been a registered voter and resident of District 15 on or before October 12, 2021. Both parties stipulate to October 12, 2021 as the date that is six months immediately preceding April 13, 2022.


8. Pursuant to 26 O.S. 2021, §4-110.1(D), “Registration for candidate filing or party affiliation purposes occurs at the earliest time the completed voter registration application is received at the . . . county election board”
9. Under subsection C of § 4-110.1, “[r]egistration for voting purposes occurs when a completed voter registration application is approved by the county election board secretary for the county of the applicant’s residence and on the date that the information is entered into the voter registration database”
10. Contestee filed his application for voter registration with the Muskogee County Election Board on October 4, 2021—listed as the transaction date. **See Exhibit Nos. 1 & 5.**
11. The Muskogee County Election Board approved Contestee’s Application for Voter Registration on October 14, 2021—listed as the audit date. **See Exhibit Nos. 1 & 5.**
12. Contestee testified that he appeared in person at the Muskogee County Election Board on October 4, 2021, and submitted his voter registration application. **See Testimony of Larry Edwards.**
13. Accordingly, considering all the evidence and testimony presented, the Board finds and concludes that Contestee Edwards was a registered voter of District 15 for purposes of candidate filing on October 4, 2021, pursuant to 26 O.S. 2021, §4-110.1(D). This date precedes the October 12, 2021 deadline and is consistent with the six (6) month registration requirement found in 19 O.S. 2021, § 215.2. Therefore, Petitioner Price’s Petition is **DENIED**, and Contestee Edwards’ name shall remain on the ballot as a candidate for the Office of District Attorney, District 15.
14. Petitioner Price shall bear the costs incurred pursuant to 26 O.S. 2021, § 5-131.

On the 25th day of April 2022, all members of the State Election Board, constituting a quorum,
voted unanimously to **DENY** the petition and **RETAIN** the candidacy of Larry Edwards.

OKLAHOMA STATE ELECTION BOARD

6/22/22

Date


PAUL ZIRIAX, *Secretary*

CERTIFICATE OF MAILING

I hereby certify that on the 22 day of June 2022, the above and foregoing Findings of Fact, Conclusions of Law, and Final Order in the above-captioned matter was mailed to:

Larry Edwards
4501 Denison St.
Muskogee, OK 74401

CONTESTEE

Matthew Price
206 N. David Ln.
Muskogee, OK 74403

PETITIONER



DAVID DUNN

Clerk to the State Election Board