

## Pro Se Effort to Enjoin a Mayoral Election

### *Brown v. Glynn County Board of Elections and Voter Registration (Anthony A. Alaimo, S.D. Ga. 2:05-cv-218)*

Late on the Friday afternoon before the 2005 general election, a would-be candidate for mayor filed a pro se complaint in federal court seeking to reschedule a mayoral election so that she could be included on the ballot; she had been disqualified for not being a resident long enough. The district judge had already left for the weekend, but he heard the case on Monday afternoon. He denied the plaintiff a new election but ordered the county to preserve and tally all write-in ballots. The plaintiff did not prevail in the election.

*Subject:* Getting on the ballot. *Topics:* Getting on the ballot; enjoining elections; pro se party; write-in candidate.

At approximately 5:00 p.m. on Friday, November 4, 2005, a would-be candidate for mayor of Brunswick filed a pro se federal complaint in the Southern District of Georgia seeking a rescheduled mayoral election with herself on the ballot.<sup>1</sup> She also styled her complaint as a motion for a temporary restraining order and a notice of removal of a state-court case in which the court had ruled against her.<sup>2</sup> The state court had affirmed a ruling by the county's board of elections that she had not been a resident of Brunswick for long enough to be mayor.<sup>3</sup>

Judge Anthony A. Alaimo had already left for the weekend when the complaint arrived.<sup>4</sup> On Monday afternoon, he heard the case and denied the plaintiff a new election.<sup>5</sup> He granted her an order requiring the county to preserve and tally all write-in ballots.<sup>6</sup>

The plaintiff did not prevail in the election.<sup>7</sup> Judge Alaimo approved a voluntary dismissal of the case on April 18, 2006.<sup>8</sup>

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1. Complaint, *Brown v. Glynn Cty. Bd. of Elections & Voter Registration*, No. 2:05-cv-218 (S.D. Ga. Nov. 4, 2005), D.E. 1; Injunction Order at 1, *id.* (Nov. 8, 2005), D.E. 7.

2. Complaint, *supra* note 1.

3. Complaint Attachments, *Brown*, No. 2:05-cv-218 (S.D. Ga. Nov. 4, 2005), D.E. 1.

4. Injunction Order, *supra* note 1, at 1; Transcript at 2, *Brown*, No. 2:05-cv-218 (S.D. Ga. Nov. 7, 2005, filed Nov. 17, 2005), D.E. 8.

Judge Alaimo died on December 30, 2009. Federal Judicial Center Biographical Directory of Article III Federal Judges, [www.fjc.gov/history/judges](http://www.fjc.gov/history/judges).

5. Injunction Order, *supra* note 1, at 2; Transcript, *supra* note 4; Minutes, *Brown*, No. 2:05-cv-218 (S.D. Ga. Nov. 7, 2005), D.E. 6.

6. Injunction Order, *supra* note 1, at 2–3; Transcript, *supra* note 4, at 3–4; *see* Saeed Ahmed, *Ex-Black Panther Wins Ruling on Write-In Votes*, Atlanta J.-Const., Nov. 8, 2005, at B5.

7. *See Across Georgia*, Augusta Chron., Nov. 20, 2005, at B3.

8. Dismissal, *Brown*, No. 2:05-cv-218 (S.D. Ga. Apr. 18, 2006), D.E. 17.