



SERVICE COPY


IN THE 38TH JUDICIAL CIRCUIT COURT, CHRISTIAN COUNTY, MISSOURI

Judge or Division: MARK ESTLE ORR	Case Number: 08CT-CV00841
Plaintiff/Petitioner: JAMES L BOWLES	Plaintiff's/Petitioner's Attorney/Address 202 E ELM STREET, STE D OZARK, MO 65721
Defendant/Respondent: KAY BROWN	Court Address: 110 WEST ELM OZARK, MO 65721
Nature of Suit: CC Other Miscellaneous Actions	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **KAY BROWN**  
Alias:  
100 CHURCH RM 206  
OZARK, MO 65721

**COURT SEAL OF**  
  
**CHRISTIAN COUNTY**

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 4 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

AUGUST 11, 2008 Date  
RICHARD D LAMB by *Jennifer Deyle* Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

- delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.
- leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with \_\_\_\_\_ a person of the Defendant's/Respondent's family over the age of 15 years.
- (for service on a corporation) delivering a copy of the summons and a copy of the petition to \_\_\_\_\_ (name) \_\_\_\_\_ (title).

other \_\_\_\_\_

Served at 100 W. Church St. Rm. #206 (address)  
in Christian (County/City of OZARK), MO, on August 11, 2008 (date) at 10:58 A.M. (time).  
Steve Blunt CCSD Printed Name of Sheriff or Server  
Steve Blunt #156 Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal) Subscribed and sworn to before me on \_\_\_\_\_ (date).

My commission expires: \_\_\_\_\_ Date \_\_\_\_\_ Notary Public \_\_\_\_\_

Sheriff's Fees, if applicable

Summons \$ \_\_\_\_\_  
Non Est \$ \_\_\_\_\_  
Mileage \$ \_\_\_\_\_ (\_\_\_\_ miles @ \$ \_\_\_\_\_ per mile)  
Total \$ \_\_\_\_\_

A copy of the summons and a copy of the petition must be served on each Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

RECEIVED

AUG 11 2008

KAY BROWN  
COUNTY CLERK

IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI

JAMES (JIM) L. BOWLES, )  
Plaintiff, )  
vs. )  
KAY BROWN, (in her capacity )  
as County Clerk and )  
not individually) )  
and )  
TOM HUFF, Contestee, )  
Defendants. )

Case Number: 08CT-CV00841

**PETITION TO CONTEST PRIMARY ELECTION**  
**(SECTION 115.531 et. seq. RSMo).**

COMES NOW Plaintiff and for his Petition states and avers as follows:

1. That Plaintiff is a contestant in the primary election held in Christian County, Missouri on August 5, 2008 for the office of Associate County Commissioner for the Eastern District of Christian County.
2. That Defendant Kay Brown is the County Clerk and the election authority for said primary election pursuant to Section 115.015 RSMo.
3. That Defendant Tom Huff is the purported winner by eleven (11) votes out of approximately 4, 535 votes cast for the office as defined in Section 115.601 RSMo.
4. By virtue of the purported defeat of Plaintiff by Defendant Huff, Plaintiff shall have the right to a recount of all votes cast in the August 5, 2008 election for the office of Eastern Commissioner (Section 115.061 RSMo).

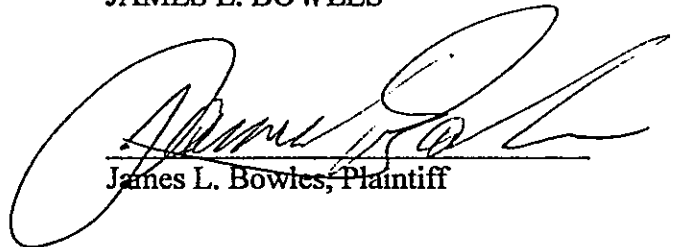
**FILED**  
RICHARD D. LAMB  
AUG 11 2008  
CIRCUIT CLERK  
CHRISTIAN COUNTY, MO

5. Plaintiff requests that the recount of said votes be conducted by hand recount by four (4) duly qualified election judges under the authority of the Circuit Court pursuant to the provisions of Section 115.543 RSMo.

6. Plaintiff further requests that a preliminary hearing be held within five (5) days on the issues presented herein from the date of the filing of this petition in accordance with the provisions of Section 115.531 RSMo.

WHEREFORE, Plaintiff prays the Court to Order a recount by hand of all votes cast in the August 5, 2008 Christian County primary election for Associate Commissioner for the Eastern District, to enter Judgment in accordance with the election recount results and for such other and further relief as the Court shall find is just and appropriate.

JAMES L. BOWLES



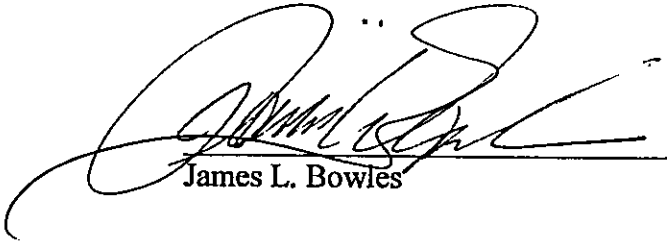
James L. Bowles, Plaintiff

JAMES L. BOWLES, MO Bar #27590  
ATTORNEY AT LAW  
202 East Elm Street, Suite D  
Ozark, Missouri 65721  
Telephone Number: (417)581-1400  
Facsimile Number: (417)581-1744

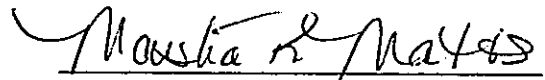
STATE OF MISSOURI     )  
  ) ss:  
COUNTY OF CHRISTIAN )

I, James L. Bowles, being of lawful age and first duly sworn, states and deposes that he is the Plaintiff, that he has read the foregoing instrument and that the facts and

statements contained therein are true and correct to his best knowledge, belief and information.

  
James L. Bowles

SUBSCRIBED and SWORN to before me, a Notary Public, this 11<sup>th</sup> day of August, 2008.

  
Notary Public

My Commission Expires:

2/4/2009



MARSHA R. MATTHEWS  
My Commission Expires  
February 4, 2009  
Christian County  
Commission #05545716

**FILED**  
RICHARD D. LAMB  
AUG 18 2008  
CIRCUIT CLERK  
CHRISTIAN COUNTY, MO

**IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI**

JAMES (JIM) L. BOWLES, )  
                                  ) Plaintiff, )  
                                  ) )  
vs. )  
                                  ) )  
KAY BROWN, (in her capacity )  
                                  ) as County Clerk and )  
                                  ) not individually )  
                                  ) )  
and )  
                                  ) )  
TOM HUFF, Contestee, )  
                                  ) )  
                                  ) Defendants. )

Case Number: 08 CT ~~12666~~ - CV 00841

**ORDER**

Plaintiff having presented his petition to Contest Primary Election, the Court finds that Plaintiff is entitled to a recount by hand count of the votes cast in the August 5, 2008 primary election for Christian County Eastern Commissioner pursuant to the provisions of Section 115.601 RSMo.

THEREFORE, the Court does hereby ORDER as follows:

1. That the Christian County Clerk forthwith recount by hand count all votes cast for Eastern Commissioner in the August 5, 2008 primary election. Said recount is to be done by four (4) duly qualified election judges, two (2) each to be submitted by the Contestant and Contestee.



**IN THE CIRCUIT COURT OF CHRISTIAN COUNTY, MISSOURI**

JAMES (JIM) L. BOWLES, )  
Plaintiff, )  
vs. )  
KAY BROWN, (in her capacity )  
as County Clerk and )  
not individually) )  
and )  
TOM HUFF, Contestee, )  
Defendants. )

Case Number: 08CT-CV00841

**J U D G M E N T**

On August 18, 2008 this Court ordered a recount of the ballots cast in the August 5, 2008 primary election for Eastern Commissioner and appointed Judges to conduct same. The recount was completed and the Court Clerk certified same. The results are as follows:

James (Jim) Bowles	1890 votes
Tom Huff	1901 votes
Tom Crain	746 votes

The Court, being fully advised, does hereby, ORDER, ADJUDGE and DECREE:

1. The results of the August 5, 2008 Republican primary election for Eastern Commissioner of Christian County, Missouri, as counted on that date are found to be inaccurate and are held for naught.

**FILED**  
RICHARD D. LAMB

**AUG 27 2008**

CIRCUIT CLERK  
CHRISTIAN COUNTY, MO

2. The results of the August 19, 2008 recount of same ballots are found to be accurate and correct as certified by the County Clerk and are held to be the results of the election.

3. The accurate and correct vote count is:

James (Jim) Bowles            1890 votes

Tom Huff                            1901 votes

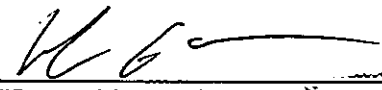
Tom Crain                           746 votes

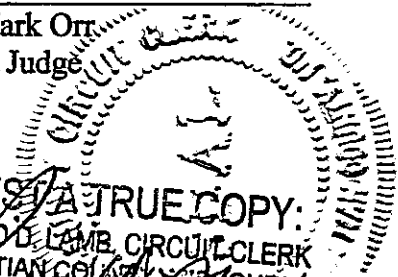
4. Contestee Tom Huff is found and held to be the winner of the August 5, 2008 Republican primary election for Christian County Eastern Commissioner.

5. Costs of this action are taxed to Christian County.

6. A certified copy of this Judgment is to be transmitted to Respondent and to the Secretary of state and they shall correct their records to conform to this Judgment.

Date: 8-27-08

  
Honorable Mark Orr  
Circuit Court Judge

  
ATTEST A TRUE COPY:  
RICHARD L. LAMB, CIRCUIT CLERK  
CHRISTIAN COUNTY, MISSOURI  
BY 