

**IN THE BOARD OF CANVASS OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY**

IN RE:)
RECOUNT PURSUANT TO) Civil Action No. N22M-11-057
15 *Del. C.* § 5702(e))

ORDER

WHEREAS, this Court convened on November 10, 2022, to sit as a board of canvass for the general election held on November 8, 2022;

WHEREAS, 15 *Del. C.* § 5702(e), requires the Board of Canvass to perform a hand count of ballots when the vote differential is the lesser of 1,000 votes or ½ of 1% of all votes cast for the 2 candidates;¹

WHEREAS, on November 10, 2022, the Board of Canvass publicly ascertained the state of the election for the office of State Representative in Representative District 21 and determined that the vote differential is 35;²

WHEREAS, on November 10, 2022, the Board of Canvass ordered that a hand recount of all votes cast for the office of State Representative in Representative District 21, ballots to be counted included the machine ballots, the early voting ballots, and the absentee ballots;³

¹ See also *Gunn v. McKenna*, 116 A.3d 419, 421, fn.7 (Del. 2015).


² The total votes cast for the two candidates for office of State Representative in Representative District 21 was 8,727, votes cast for Michael Ramone 4,381 and votes cast for Frank Burns 4,346.

³ N22M-11-051.


WHEREAS, on November 11, 2022, the Board of Canvass concluded its recount for the office of State Representative for Representative District 21, which resulted in 4,363 votes for Michael Ramone and 4,322 votes for Frank Burns;

NOW, THEREFORE, it is hereby ordered that the Board of Canvass issue its certificate of results for the office of State Representative for Representative District 21 to Michael Ramone.

Dated: November 14, 2022



President Judge Jan R. Jurden



Resident Judge Charles E. Butler

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Filed NCC Prothonotary