

IN THE SUPREME COURT OF THE STATE OF DELAWARE

SUSSEX COUNTY DEPARTMENT	§	
OF ELECTIONS, KENNETH L.	§	
MCDOWELL, ELAINE MANLOVE,	§	
and DELAWARE DEPARTMENT	§	
OF ELECTIONS,	§	
	§	
Defendants-Below,	§	
Appellants,	§	No. 581, 2012
	§	
and	§	Court Below: Court of Chancery
	§	of the State of Delaware
	§	
THE DEMOCRATIC PARTY OF	§	
THE STATE OF DELAWARE,	§	C.A. No. 7982
Intervenor-Below, Appellant,	§	
	§	
v.	§	
	§	
SUSSEX COUNTY REPUBLICAN	§	
COMMITTEE, THE REPUBLICAN	§	
STATE COMMITTEE OF	§	
DELAWARE and	§	
BRIAN PETTYJOHN,	§	
	§	
Plaintiffs-Below,	§	
Appellee	§	

Submitted: October 29, 2012

Decided: October 30, 2012

Before **STEELE**, Chief Justice, **HOLLAND**, **BERGER**, **JACOBS**, and **RIDGELY**, Justices, constituting the Court *en banc*.

ORDER

On this 30th day of October 2012, having considered the record and the memoranda filed in this appeal on an expedited basis, the Court has concluded that

the judgment of the Court of Chancery should be affirmed. A more formal opinion, fully explaining our views, will issue in due course. The mandate shall issue immediately.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice

IN THE COURT OF CHANCERY OF THE STATE OF DELAWARE

SUSSEX COUNTY REPUBLICAN)	
COMMITTEE, THE REPUBLICAN STATE)	
COMMITTEE OF DELAWARE, and)	C.A. No. 7982-CS
BRIAN PETTYJOHN,)	
)	
Plaintiffs,)	
)	
v.)	
)	
SUSSEX COUNTY DEPARTMENT OF)	
ELECTIONS, KENNETH L. McDOWELL,)	
ELAINE MANLOVE, and DELAWARE)	
DEPARTMENT OF ELECTIONS,)	
)	
Defendants,)	

THE DEMOCRATIC PARTY OF THE
STATE OF DELAWARE,

INTERVENORS.

FINAL ORDER

In accordance with the Court’s oral ruling following argument on October 26, 2012, IT IS
HEREBY ORDERED THAT:

1. Before Election Day, November 6, 2012, the Defendants shall place the name of Brian G. Pettyjohn on the general election ballots on voting machines in the 19th Senatorial District on as the Republican Candidate for State Senate for the 19th State Senate District;
2. The Defendants shall, at their earliest practical opportunity, add Brian G. Pettyjohn to absentee ballots for the 19th Senatorial District and shall mail such revised absentee ballots to all persons previously provided absentee ballots.

This Order is effective *nunc pro tunc*, as of October 26, 2012.

Chancellor