

IN THE SUPREME COURT OF OHIO

STATE OF OHIO ex rel.	:	Case No.: _____
KATRINA D. KEITH	:	
810 Pine Street	:	
Ironton, Ohio 45638	:	
Relator,	:	Expedited Election Matter Under S. Ct. Prac. R. X § 9
v.	:	
LAWRENCE COUNTY BOARD OF ELECTIONS	:	ORIGINAL ACTION IN PROHIBITION
111 S. Fourth Street	:	
Ironton, Ohio 45638	:	
CRAIG A. ALLEN, Chairman	:	
Lawrence County Board of Elections	:	
111 S. Fourth Street	:	
Ironton, Ohio 45638	:	
RANDALL L. LAMBERT, Member	:	
Lawrence County Board of Elections	:	
111 S. Fourth Street	:	
Ironton, Ohio 45638	:	
J.T. HOLT, Member	:	
Lawrence County Board of Elections	:	
111 S. Fourth Street	:	
Ironton, Ohio 45638	:	
CARL E. BOWEN	:	
Lawrence County Board of Elections	:	
111 S. Fourth Street	:	
Ironton, Ohio 45638	:	
Respondents.	:	

**RELATOR KATRINA KEITH'S VERIFIED COMPLAINT FOR WRIT OF
PROHIBITION**

George L. Davis, IV #0083240
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Counsel for Relator, Katrina D. Keith

COMPLAINT FOR WRIT OF PROHIBITION

Now comes Relator, Katrina D. Keith (“Relator”), by and through her undersigned counsel, and for this Complaint for Writ of Prohibition, states as follows:

JURISDICTION

1. This Court has jurisdiction over original actions in prohibition to prevent the unlawful exercise of jurisdiction by Respondents Lawrence County Board of Elections, Craig A. Allen, Randall L. Lambert, J.T. Holt, and Carl E. Bowen, under Section 2(B)(1)(d) of Article IV of the Ohio Constitution.
2. It is less than ninety (90) days before the general elections and this is an expedited election matter pursuant to S. Ct. Prac. R. X § 9.

PARTIES

3. Relator Katrina D. Keith is a resident of, registered voter in, current Mayor of, and 2019 candidate for the office of Mayor of, The City of Ironton in Lawrence County, Ohio.
4. Respondent Lawrence County Board of Elections (“Respondent Board”) is a Board organized and existing under Ohio Revised Code section 3501.06.
5. Respondents Craig A. Allen, Randall L. Lambert, J.T. Holt, and Carl E. Bowen (“Respondent Board Members”) are duly serving members of the Respondent Board and are responsible for the conduct of elections, including the certification of candidates to the ballot in Lawrence County, Ohio.

FACTS

6. Samuel T. Cramblit, II petitioned to be a candidate for Mayor of Ironton, Ohio on or about August 7, 2019.

7. Cramblit seeks to run as a nonpartisan candidate for the office of Mayor of Ironton in Lawrence County, Ohio.

8. The general election will be held November 5, 2019.

9. On or about August 19, 2019, Respondent Lawrence County Board of Elections certified Cramblit as a candidate for the office of Mayor of Ironton.

10. Ironton City Charter Article III provides the minimum qualifications of a person to be eligible to be a candidate for the office of Mayor of Ironton. See attached Exhibit A.

11. Cramblit does not meet the qualifications set forth in § 3.01 of the Ironton City Charter.

12. Cramblit has neither been a resident nor an elector of the City of Ironton, Ohio for at least five years preceding the election.

13. Cramblit only registered to vote in Lawrence County, Ohio as recently as February 16, 2016. See Attached Exhibit B.

14. Cramblit in fact voted in Athens County, Ohio as recently as November 4, 2014. See Attached Exhibit C.

15. For the purposes of this action, the relevant time period under the Ironton City Charter for a five-year period prior to the election would be November 5, 2014 to November 5, 2019.

16. Cramblit has not been a resident and elector of the City of Ironton for five years prior to the 2019 election for the office of Mayor of Ironton.

17. Relator has standing to file the within action. Relator is eligible to vote in the November 5, 2019 election and is a candidate for the office of Mayor of Ironton.

COUNT I

18. Relator restates all facts and allegations in preceding paragraphs as if fully restated herein.

19. In certifying Cramblit's name to the ballot, Respondents are exercising or are about to exercise their judicial or quasi-judicial power.

20. The exercise of Respondents' judicial or quasi-judicial power to certify Cramblit's name to the ballot is unauthorized by law.

21. In certifying the candidacy of Cramblit, Respondents have abused their discretion and acted in clear disregard of the applicable legal provisions.

22. Cramblit's name should not be on the ballot for the general election because Cramblit is not qualified under Ironton City Charter § 3.01 to be a candidate for the office of Mayor of Ironton.

23. Respondents' actions resulted in injury to Relator and others for which there is no plain and adequate remedy in the ordinary course of law.

24. Relator has acted with extreme diligence in bringing this action.

WHEREFORE, Relator respectfully prays for the Court to grant the following:

A. Issue immediately an alternative writ in prohibition staying any action by the Respondents to certify the candidacy of Cramblit, place his name on the ballot, or count any votes for Cramblit as valid for the office of Mayor of Ironton in the 2019 election until final determination of this Court.

B. Issue a Writ of Prohibition directing and restraining the Respondent from certifying the candidacy of Cramblit for the Office of Mayor of Ironton, or counting any votes for Cramblit as valid for the office of Mayor of Ironton in the 2019 election.

Respectfully submitted,

GEORGE L. DAVIS, III CO., L.L.C.

/s/George L. Davis, IV

George L. Davis, IV #0083240

802 Masonic Building

602 Chillicothe Street

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Counsel for Relator, Katrina D. Keith

PROOF OF SERVICE

The undersigned certifies that a true copy of the foregoing was served upon Brigham M. Anderson, Lawrence County Prosecutor and statutory counsel for Respondents, by email at brighamanderson@lawcopros.com and fax at 740-533-4387 this 28th day of October, 2019.

/s/George L. Davis, IV

George L. Davis, IV #0083240

Counsel for Relator, Katrina D. Keith

INSTRUCTIONS FOR SERVICE

Please serve a copy of this Complaint by certified mail to the Respondents as listed in the caption above.

/s/George L. Davis, IV

George L. Davis, IV #0083240

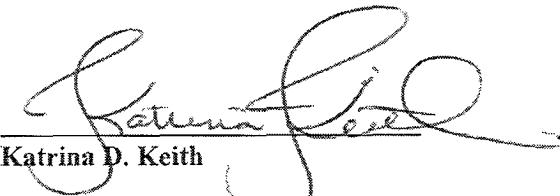
Counsel for Relator, Katrina D. Keith

STATE OF OHIO)
)
COUNTY OF LAWRENCE) SS.

Katrina D. Keith, being duly cautioned and sworn, deposes and states as follows:

1. My name is Katrina D. Keith, and I am of sound mind, over the age of 18, and have personal knowledge of the facts set forth in this Affidavit.
2. I am the Relator in the within action and candidate for the office of Mayor of Ironton, Ohio.
3. I have reviewed the Complaint for Writ of Prohibition and affirm that the facts contained herein are true and accurate based on my personal knowledge.

FURTHER AFFIANT SAYETH NAUGHT.



Katrina D. Keith

Subscribed and sworn to before me, a Notary Public, this 28th day of October, 2019.



Notary Public

ARTICLE III THE MAYOR

3.01 Qualifications.

The Mayor shall be an elector and resident of the City of Ironton, Ohio, for at least five years preceding the election, and remain a resident of the City during his term of office. The Mayor shall hold no other elected office, nor hold any other employment with the City of Ironton. The position of Mayor is to be a full-time position.

(Amended 11-4-1986)

3.02 Nomination.

Any person wishing to run for the office of Mayor shall file a petition signed by not less than 300 nor more than 400 registered voters of the City, to be filed with the Board of Elections in accordance with State law.

3.03 Election.

In order to be elected, a candidate must receive at least forty percent of the total votes cast for Mayor in the election. In the event that no candidate receives at least forty percent of the total votes cast for Mayor, the two candidates receiving the highest number of votes shall participate in a run-off special election to be held two weeks after the date of the regular election.

3.04 Terms of Office.

The Mayor shall take office December 1st following his election and serve a period of four years. No person shall be elected to more than two full terms as Mayor.

(Charter Amendment 96-73, passed by the electorate on 11-5-1996)

3.05 Salary.

The Mayor shall receive as compensation an amount equal to sixty percent of the salary of the Ironton Municipal Judgeship.

(Amended 11-4-1986)

3.06 Veto Power of Mayor.

Every ordinance or resolution passed by Council shall be attested by the Clerk of Council and promptly presented to the Mayor. If the Mayor approves such legislation, he shall sign it within seven days after its passage or adoption by Council; if he does not approve it, he shall veto and return it to the Clerk within said seven-day period together with a written statement of his objections, which objections shall be entered in full by the Clerk in the Journal of the Council. The Mayor may approve or disapprove the whole or any item of an ordinance appropriating money, but otherwise, his approval or disapproval shall be addressed to the entire ordinance or resolution. If the Mayor does not sign or veto an ordinance or resolution within the period above specified, it shall take effect in the same manner as if he had signed it on the last day of said seven-day period.

Following the veto by the Mayor of an ordinance or resolution, or item thereof as herein provided, the Council may, but not later than its next regular meeting, reconsider the legislation vetoed by the Mayor, and if such legislation shall then be approved by the affirmative vote of two-thirds of the members of Council, it shall become effective notwithstanding the veto of the Mayor.

3.07 Executive Powers of the Mayor.

The Mayor shall be the chief executive officer of the City. He shall supervise the administration of the City's affairs and shall exercise control of all departments. He shall see that the laws and ordinances are enforced in the City and shall be the chief conservator of the peace therein. He, with the assistance of the Finance Director, shall be responsible for the preparation and submission of the annual estimate of receipts and expenditures, and of appropriation measures, and shall at all times keep the Council fully advised as to the financial condition and needs of the City.

Subject to other provisions of this Charter, the Mayor shall have the power to appoint, promote, transfer, reduce or remove any officer or employee of the City except those required by this Charter to be elected or those appointed solely by Council.

The Mayor shall execute all contracts, conveyances, evidences of indebtedness and all other instruments to which the City is a party.

The Mayor shall be recognized as the official and ceremonial head of the City government by the Governor for military purposes, and by the courts for the purpose of serving civil processes.

3.08 Vice Mayor.

The member of Council receiving the highest number of votes in the general election shall become Vice Mayor and Chairman of Council, and as such shall preside over Council meetings for the two-year period commencing two years after his term of office as Councilman is scheduled to begin. In the event that the Council member receiving the highest number of votes as set forth has not continued to be a qualified member of Council until his term of Vice Mayor begins, or in the event that he should be unqualified or unable to hold the office of Vice Mayor, the position of Vice Mayor shall be filled by order of succession based on the qualifications set forth above. In the event that there are no Councilmen who qualify under this position for Vice Mayor, the position shall be filled by the remaining Councilman who received the highest number of votes at the most recent election.

During any period when the Vice Mayor shall be absent or inaccessible or unable for any reason to perform his duties, that position shall be filled by order of succession as set forth above.

During any period when the Mayor shall be absent or inaccessible or unable for any reason to perform his duties, the Vice Mayor shall be the Acting Mayor and shall also continue as Councilman with all the powers and duties of a Councilman. In case the office of Mayor shall become vacant, the Vice Mayor shall thereupon become Mayor and his office as Councilman shall become vacant, and he shall serve as Mayor for the unexpired term or until the next regular Municipal election when a Mayor shall be elected and take office, whichever comes first.

B

**Certificate of Registration
LAWRENCE COUNTY BOE**

COUNTY ID #: 105741

NAME: SAMUEL T CRAMBLIT, II
RESIDENCE: 213 MEANS ST
CITY: IRONTON OH 45638

BIRTHDATE: 07/05/91

PARTY: D - DEM
REG. DATE: 02/16/16

STATUS: A - ACTIVE VOTER
ACTIVITY: 02/16/16

PRECINCT: 0650/1 IRONTON 1F

VOTING HISTORY:

Vtd Election Type	Vtd Election Type	Vtd Election Type
x 11/06/18 G	x 11/08/16 G	d 03/15/16 P

Sam Cramblit

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND ACCURATE COPY OF RECORDS
ON FILE WITH THE BOARD OF ELECTIONS.

J. Hobson
CLERK

10/11/19
DATE

C

**Certificate of Registration
ATHENS COUNTY OHIO**

COUNTY ID #: 123581

NAME: SAMUEL T CRAMBLIT, II
RESIDENCE: 15 S SHAFER ST APT 1605
CITY: ATHENS OH 45701

BIRTHDATE: 07/05/91

★

REG. DATE: 10/01/12

STATUS: ^ - MERGED VOTER
ACTIVITY: 10/06/14

PRECINCT: 0001/1 ATHENS 1-1

VOTING HISTORY:

Vtd Election Type
x 11/04/14 G

Vtd Election Type
x 11/06/12 G

Vtd Election Type

Sam Cramblit

THIS IS TO CERTIFY THAT THE ABOVE IS A TRUE AND ACCURATE COPY OF RECORDS
ON FILE WITH THE BOARD OF ELECTIONS.

CLERK

Olga Thomas

DATE

10/01/19