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**JUDGE ORDERS LIBERTARIAN CANDIDATE’S NAME TO BE PLACED ON GENERAL ELECTION BALLOT**

August 17, 2020 (ALBUQUERQUE, N.M.) – District Court Judge James O. Browning today ordered Secretary of State Maggie Toulouse Oliver to place the name of Stephen Curtis on the General Election ballot. Curtis is running for Position 2, Court of Appeals. Judge Browning found that Curtis “surpassed the threshold of 230 votes for a write-in candidate to qualify for the 2020 General Election ballot....”

The status of Curtis’ campaign had been up in the air, due to the underreporting of votes for him by the county clerks of Bernalillo, Dona Ana and Sandoval counties. Curtis, together with the Libertarian Party of New Mexico, subsequently sued Oliver for ignoring their requests to convene the Canvassing Board to account for all of Curtis’ votes.

Within hours of Judge Browning granting a temporary restraining order against Oliver on August 14, 2020, and directing her to convene the Canvassing Board, the county clerks of the three counties produced images of the ballots cast in the primary election, which revealed that Curtis had secured more than enough votes to qualify for the general election. Most dramatically, Curtis’ vote count in Bernalillo County increased from 38 to 183.

“I believe the initial underreporting of votes was unintentional and accidental,” said Chris Luchini, chair of the Libertarian Party of New Mexico, “but once the error was pointed out to

the Secretary of State, she should have immediately convened the Canvassing Board. Instead, she chose to engage in political gamesmanship.”

Judge Browning’s order also directed Oliver to pay the plaintiffs’ attorneys’ fees.

“Not only did Maggie Toulouse Oliver try to use the power of her office to keep a qualified candidate off the ballot, but she also wasted taxpayer dollars in defending a needless lawsuit,” Luchini said.

Curtis, a longtime Albuquerque attorney, has been active with the Libertarian Party since 1980. In that year, he ran as the party’s Congressional candidate, and he served as the party chair from 1980-82. He lives in Los Ranchos.

The LPNM is fielding [25 candidates](#) for state and federal office this election cycle. Five Libertarians [currently hold office](#) in New Mexico.

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**Additional Resources:**

For the Media: <https://lpnm.us/for-the-media/>