

COUNCILMAN
MURPHY



March 18, 2013

Ms. Charlotte Mullis – Morgan
Administrator of Elections
Hamilton County Election Commission
700 River Terminal Road
Chattanooga, TN 37406

Via USPS and hand delivery on 3-19-2012

Dear Ms. Mullis – Morgan:

Attached is a copy of the March 13, 2013, Certification of the City of Chattanooga March 5, 2013 Election. This identical certification was also transmitted in accord with the City Charter to the City Finance Officer. It is the official result of the election.

According to the Certification, the District Nine (9) results were certified in the identical manner as results for all other Districts and the Mayor's race. The results show 2061 cards cast, with 1030 cast for Mr. Hakeem (49.98%) 1024 cast for Peter B. Murphy (49.68%) and 7 votes cast as write in votes (.34%). The certification was done correctly under the law and clearly provides that neither candidate received a majority of votes cast in this election. Therefore, pursuant to the City Charter, a runoff election is required to be held in this election on the second Tuesday of April. Chattanooga City Charter, §§ 5.3, 5.10.

The voters of District Nine are relying on the election results, as certified by the Hamilton County Election Commission, in their demand for a runoff election. I am respectfully calling upon you and the Election Commission Staff to do your duty according to the certified official result and hold a runoff election for District Nine.

I request you confirm immediately by 5:00 pm tomorrow, Tuesday, March 19, 2013, that you will hold this election in keeping with your duty under the Charter and law.

If you intend to refuse to hold this election, in violation of your duties pursuant to the certified election result, the City Charter and state law, I request that you immediately inform me of that refusal in order that we can seek judicial enforcement of the rights of voters in District Nine. Your attorney, Mr. Clem has all of my pertinent contact information. I authorize you to transmit any correspondence via email to pmurphy@disabilityfirm.us and by fax to 423-757-7727 in order to avoid any delay by delivery services.

Sincerely,


Peter B. Murphy