

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CONSTITUTION PARTY OF
MISSOURI, et al.,

Plaintiffs,

v.

ST. LOUIS COUNTY, et al.,

Defendants.

Case No. 4:15-cv-207

CONSENT JUDGMENT

The parties having stipulated and consented to the relief set forth below and the entry of this Consent Judgment,

IT IS HEREBY ORDERED that Defendant St. Louis County Board of Election Commissioners, its officers, employees, or agents, and those acting on its behalf are preliminarily enjoined from enforcing St. Louis County Charter § 2.150, which only permits the Board of Election Commissioners to accept nominees selected by committees of the “the two parties casting the highest vote for governor in the last election” as candidates in a special election to fill a vacancy on the St. Louis County Council.

IT IS FURTHER ORDERED that Defendant St. Louis County Board of Election Commissioners, its officers, employees, or agents, and/or those acting on its behalf shall accept from Plaintiff Cynthia Redburn her Declaration of Candidacy, Missouri Department of Revenue

Form 5120, and her letter indicating the Constitution Party of Missouri's nomination for the Sixth County Council District seat on the St. Louis County Council. Defendant St. Louis County Board of Election Commissioners shall certify Redburn as the Constitution Party's nominee for the April 7, 2015, special election to fill the vacant Sixth County Council District seat on the St. Louis County Council.

IT IS FURTHER ORDERED that this Consent Judgment does not fully resolve the issues in the case, as it leaves open the question of whether St. Louis County Charter § 2.150, on its face, violates the First and Fourteenth Amendments by completely excluding minor parties and independent candidates from future special elections to fill vacancies on the St. Louis County Council. This issue is not moot and is still before the court for resolution because it is capable of repetition while evading review; the case shall proceed accordingly.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Ronnie L. White". The signature is fluid and cursive, with the first name "Ronnie" and last name "White" clearly distinguishable.

RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE

Dated this 11th day of February, 2015.