

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

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AMENDED JUDGMENT WITHOUT OBJECTION

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The parties having stipulated and do not object to the relief set forth below and the entry of this Amended 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. Minor party or independent candidates wishing to run for the vacant Sixth County Council District seat in the April 7, 2015, special election may do so, as long as they comply with the requirements and deadlines established in Missouri statutes governing county-level special elections including, but not limited to, §§ 115.321, 115.325, and 115.329, RSMo.

**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 Amended 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.**

  
RONNIE L. WHITE  
UNITED STATES DISTRICT JUDGE

Dated this 12<sup>th</sup> day of February, 2015.