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INDIANA ELECTION COMMISSION

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ORDER

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WHEREAS, a complaint or grievance was filed by Steven W. Ochs with the Election Division of the Office of the Secretary of State of Indiana (the Election Division) pursuant to [IC 3-6-4.5](#) (administrative complaints concerning the uniform and nondiscriminatory election technology and administrative requirements under Title III of the Help America Vote Act of 2002 (HAVA));

WHEREAS, pursuant to [IC 3-6-4.5-13](#), the Co-Directors of the Election Division (the Co-Directors) have determined that: (1) even if the facts set forth in the complaint or grievance are assumed to be true, there is no violation of Title III of HAVA; or (2) the person filing the complaint or grievance did not comply with the requirements of [IC 3-6-4.5-7](#), which require that a complaint must be written, signed, and sworn to before a person authorized to administer an oath; and

WHEREAS, under [IC 3-6-4.5-13](#), the Co-Directors shall dismiss the complaint or grievance upon making either of these determinations and publish an order in the Indiana Register dismissing the matter;

**IT IS THEREFORE ORDERED:**

SECTION 1. That Co-Directors having determined that the complaint or grievance filed by Steven W. Ochs with the Election Division (and designated as 2010-02) does not set forth a violation of Title III of HAVA, even if the facts set forth in the complaint or grievance are assumed to be true, and hereby **DISMISS** the complaint or grievance.

SECTION 2. The Co-Directors note that the complaint or grievance, if true, may involve election fraud or other illegal acts with respect to the election process. The Election Division has documented this complaint or grievance and will, where appropriate, provide assistance or referral to other law enforcement agencies or officials depending upon the specific allegations and the evidence supporting the allegations.

SECTION 3. A copy of this Order shall be provided by certified mail to the person who filed the complaint or grievance; the person alleged to have committed the violation; the members of the Indiana Election Commission; and the Attorney General.

**SO ORDERED THIS 9th DAY OF AUGUST 2010:**

**THE INDIANA ELECTION DIVISION:**

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**J. Bradley King**  
Co-Director, Indiana Election Division

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**Pamela Potesta**  
Co-Director, Indiana Election Division

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