



South Dakota Republican Party
PO Box 1099 Pierre, SD 57501

July 9, 2018

The Honorable Shantel Krebs
South Dakota Secretary of State
500 East Capitol Drive
Pierre, SD 57501

Secretary Krebs,

We have reviewed the purported Certification of Candidates submitted to your office by the South Dakota Democratic Party, which are available online on the Secretary of State's website. There are two separate forms submitted for a certification, one dated June 20, 2018 and received June 22, 2018 and one dated June 21, 2018 and received June 25, 2018.

These documents were not submitted in substantial compliance with SDCL 12-5-22. SDCL 12-5-22 requires that such a certification "shall be certified to the secretary of state by the officers of the convention, within three days of the close of the convention[.]"

Neither of the certifications received by your office are compliant with statute. The State Democratic Convention adjourned on the 16th of June. Under no circumstance would the certifications received on June 22nd or 25th be timely certifications under SDCL 12-5-22. In addition, they are not executed by any person in their capacity as an officer during the South Dakota Democratic Party Convention.

The Secretary of State's office is ministerial. The certification is plainly not in compliance with South Dakota law. This office does not have the discretion to ignore the plain language of statute, specifically mandated timeframes. The South Dakota Republican Party hereby demands that the Secretary of State not recognize the certification submitted by the State Democratic Party, and to not certify the candidacy of any candidate identified in said certifications.

Respectfully,

A handwritten signature in black ink that reads "Dan Lederman". The signature is written in a cursive style with a large, looping initial 'D'.

Dan Lederman
Chairman
South Dakota Republican Party

cc: Deputy Attorney General Ann F. Mines Bailey