

STATE OF SOUTH DAKOTA)

IN CIRCUIT COURT

COUNTY OF HUGHES)

)SS

SIXTH JUDICIAL CIRCUIT

DAN LEDERMAN, individually)
and in his capacity as Chairman of)
the of the SOUTH DAKOTA)
REPUBLICAN PARTY,)

32CIV18-000147

Petitioner,)

ALTERNATIVE WRIT
OF PROHIBITION

vs.)

HONORABLE SHANTEL)
KREBS, in her official)
capacity as SECRETARY OF)
STATE, and the CONSTITUTION)
PARTY OF SOUTH DAKOTA,)

Respondents.

TO THE ABOVE-NAMED RESPONDENTS:

The Petitioner, having filed an Application for a Writ of Prohibition seeking to prohibit the Secretary of State from certifying for the General Election ballot any candidates nominated by the Constitution Party of South Dakota at any Convention noticed for August 14, 2018; and upon review of the Application, it appears that Petitioner is beneficially interested; has no other plain, speedy, and adequate remedy available in the ordinary course of law; and is entitled to the issuance of an Alternative Writ of Prohibition pursuant to SDCL 21-29-3 and 21-29-5.


NOW, THEREFORE,

IT IS ORDERED AND COMMANDED that the Secretary of State shall be restrained from placing any candidates nominated by the Constitution Party of South Dakota on the 2018 general election ballot until further Order of the Court; and

IT IS FURTHER ORDERED that the Respondent shall appear before this Court in the Courtroom of Hughes County Courthouse in Pierre, South Dakota, on the 16th day of August, 2018, beginning at 1:00 pm, to show cause why the Secretary of State should not be absolutely restrained from performing the acts addressed by these writs and why a peremptory writ of mandamus and/or writ of prohibition should not issue.

Done by the Court this 3rd day of August, 2018.

BY THE COURT

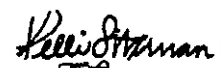


Hon. Patricia J. DeVaney
Circuit Court Judge

Attest:
Deuter-Cross, Tarajo
Clerk/Deputy



STATE OF SOUTH DAKOTA
CIRCUIT COURT, HUGHES CO
FILED

AUG 03 2018

 Clerk
By  Deputy