

**IN RE: THE JUNE 1, 2010, REPUBLICAN PRIMARY ELECTION FOR THE
OFFICE OF GOVERNOR OF THE STATE OF ALABAMA**

PETITION REQUESTING A RECOUNT

TO: Beth Chapman, Alabama Secretary of State
Mike Hubbard, Chairman of the Alabama Republican Party
Alfred Booth, Autauga County Chairman of the Alabama Republican Party
John Stetzinger, Baldwin County Chairman of the Alabama Republican Party
Robert Jamison, Bibb County Chairman of the Alabama Republican Party
John George, Blount County Chairman of the Alabama Republican Party
Gene Howard, Calhoun County Chairman of the Alabama Republican Party
Cary Baldwin, Chambers County Chairman of the Alabama Republican Party
Ann Glasscock, Chilton County Chairman of the Alabama Republican Party
Edmon McKinley, Clarke County Chairman of the Alabama Republican Party
Gary Mayfield, Cleburne County Chairman of the Alabama Republican Party
Jason Bruce, Coffee County Chairman of the Alabama Republican Party
Tommy Barnes, Colbert County Chairman of the Alabama Republican Party
William Blocker, Covington County Chairman of the Alabama Republican Party
David Ozment, Cullman County Chairman of the Alabama Republican Party
Margaret Dobbs, Dale County Chairman of the Alabama Republican Party
Royce Lader, DeKalb County Chairman of the Alabama Republican Party
Vicki Bonner-Ward, Elmore County Chairman of the Alabama Republican Party
Jeff Peacock, Escambia County Chairman of the Alabama Republican Party
Will Clay, Etowah County Chairman of the Alabama Republican Party
Riley Seibenhener, Geneva County Chairman of the Alabama Republican Party
Charlene Erbskorn, Houston County Chairman of the Alabama Republican Party
Robert Clemens, Jackson County Chairman of the Alabama Republican Party
Gilbert Douglas, Jefferson County Chairman of the Alabama Republican Party
William Batson, Lauderdale County Chairman of the Alabama Republican Party
Danny Kerby, Lawrence County Chairman of the Alabama Republican Party
Rod Herring, Lee County Chairman of the Alabama Republican Party
James Burden, Limestone County Chairman of the Alabama Republican Party
John Noel, Madison County Chairman of the Alabama Republican Party
Jean Brewer, Marshall County Chairman of the Alabama Republican Party
Kyle Callaghan, Mobile County Chairman of the Alabama Republican Party
Dianne Welch, Monroe County Chairman of the Alabama Republican Party
Patricia Wilson, Montgomery County Chairman of the Alabama Republican Party
G. Clay Marlow, Morgan County Chairman of the Alabama Republican Party
Adam Drinkwater, Pike County Chairman of the Alabama Republican Party
Freddy Ard, Shelby County Chairman of the Alabama Republican Party
Joey Stevens, St. Clair County Chairman of the Alabama Republican Party
Edward Lackey, Talladega County Chairman of the Alabama Republican Party
John Prophitt, Tallapoosa County Chairman of the Alabama Republican Party
John Zeanah, Tuscaloosa County Chairman of the Alabama Republican Party

Linda Ensor, Walker County Chairman of the Alabama Republican Party
Neal Cook, Winston County Chairman of the Alabama Republican Party¹

COMES NOW, Tim James, as a Republican candidate for Governor of the State of Alabama (“Petitioner”), together with his legal counsel Terry L. Butts and Chess M. Bedsole, and hereby petitions for a recount of the results of the June 1, 2010, Republican Primary Election for the Office of Governor of the State of Alabama (“the Primary”).

As grounds for this Petition, Petitioner avers as follows:

1. Pursuant to Alabama Code § 17-16-20, and the provisions of Title 17, including but not limited to § 17-1-1, a mandatory recount of all precincts is required. The reported results of the Primary as of June 8, 2010 were as follows: Bradley Byrne receiving 137,447 votes, Robert Bentley receiving 123,955 votes, Tim James receiving 123,789 votes, Roy Moore receiving 95,161 votes, and others receiving 12,530 votes. The number of votes cast totals 492,882. As such, under these reported results, Petitioner was trailing by not more than one half of one percent of the votes cast, and a mandatory recount is mandated by Alabama law.

2. Alternatively, pursuant to Alabama Code § 17-16-21, Petitioner respectfully petitions for a recount of all precincts located in the counties of the respective Chairpersons of the Republican Party set forth above.

a. Petitioner has standing to contest this election under Alabama Code §17-16-40.

b. The county executive committees of the Alabama Republican Party have produced certificates of result for the Primary.

¹ Petitioner certifies that he is attempting to cause this Petition to be served upon each of the foregoing parties by one or more of the following methods: (a) personal delivery, (b) facsimile, (c) electronic mail, and/or (d) U.S. certified mail, return receipt requested. In the event Petitioner is unsuccessful in regards to all of the foregoing methods of service, Petitioner will attempt to cause each of the foregoing individuals to be contacted by telephone and verbally advised of the contents of this Petition.

c. Petitioner is prepared, if and as required by law, to comply with all statutory provisions as to security for cost upon the canvassing authority setting the amount of the security based upon an estimate of actual cost.

d. Petitioner respectfully requests he and other representatives of opposing interests be given notice of the recount in accordance with Alabama Code § 17-16-21(a).

3. Alternatively, pursuant to Alabama Administrative Code Section 307-X-1-.21, Petitioner respectfully petitions for a recount of all precincts located in the counties of the respective Chairpersons of the Republican Party set forth above.

a. The county executive committees of the Alabama Republican Party have produced certificates of result for the Primary.

b. Petitioner is prepared, if and as required by law, to comply with all administrative code provisions as to security for cost upon the canvassing authority setting the amount of the security based upon an estimate of actual cost.

c. Petitioner respectfully requests he and other representatives of opposing interests be given notice of the recount in accordance with Alabama Administrative Code Section 307-X-1-.21(1).

WHEREFORE, Petitioner respectfully requests a recount of the results of the Primary as required by Alabama law.

Respectfully submitted this 9th day of June, 2010,



Tim James



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