

BULLETIN
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Judge Denies Discovery, Rejects Case of 120,000 Lost Votes

MARIETTA, GA – Whatever happened to the 120,000 [lost votes](#) in the 2018 Lieutenant Governor race between Geoff Duncan and Sarah Riggs Amico? Georgians will never know. On Friday, Cobb Co. Judge Adele Grubbs dismissed the [complaint](#) after denying plaintiffs efforts to begin forensic discovery. Thus, plaintiffs were forced to prove the voting system counted inaccurately without access to it.

The race [historically](#) has less than a 1% blank “undervote” rate but in 2018 it experienced **undervotes over 4% even though all down ballot races averaged just over 1%**. The inexplicable **quadruple** percentage point jump in electronic undervotes translates to 120,000 lost electronic votes of nearly 4 million total votes cast. That roughly matches Duncan’s victory margin of 123,000 votes. **Amico was disproportionately impacted** by the lost votes with results showing a 5% dropoff rate from the Governor’s race compared to Duncan’s 1.37%. **Undervotes for verifiable mail-in votes were normal.**

It is not the first time Judge Grubbs has run afoul of election transparency advocates. In the 2013, *Opitz v. Eveler* [complaint](#) she [ruled](#) that a candidate had no compelling reason to view absentee ballots in his race even under custody and control of a county elections director. In 2006, **Grubbs was sued** by Andy and Taffy Rice for several acts of [biased and prejudiced judicial misconduct](#) in one of the most remarkable Sui Juris cases ever presented to the Georgia Supreme Court.

It was the second consecutive controversial victory for Geoff Duncan. In the primary he edged out former Senate Majority leader David Shafer by 1,597 votes or a .28% percent total margin. Duncan eked out that victory after an Ohio based group called Hometown Freedom Action Network appeared to dump roughly \$1,000,000 of **“dark money”** into attack ads against Shafer. The group was funded to the tune of \$3,000,000 in just over a year by another group, Citizens for a Working America from Alexandria, Virginia according to [records](#) from the Center for Responsive Politics. It is unclear **why** either “conservative” group might want to spend huge sums of money for a **smear campaign** against Shafer who has consistently possessed relatively strong conservative credentials.

Ironically, Secretary of State Cathy Cox claimed during another lawsuit that she implemented the current voting system in 2002 to help solve a 90,000 undervote problem in the 2000 Presidential race. Now 16 years later, Georgia inexplicably experienced about **30,000 more lost votes** in a single race with the current unverifiable voting system.