

STATE OF INDIANA  
LAKE COUNTY  
FILED FOR RECORD

Hold  
for  
Shirley  
Fisher

STATE OF INDIANA )  
COUNTY OF LAKE )

9804414 IN THE LAKE SUPERIOR COURT  
CIVIL DIVISION, ROOM THREE  
SITTING AT GARY INDIANA  
RECORDER

BOYCE A. DANIELS;  
Petitioner,

MAY 20 1998

v.  
JULIUS CLAY, et al.  
Respondents.

CAUSE NO.: 45D03-9805-MI-1654

Clerk of Court  
CLERK OF COURT OF LAKE COUNTY  
CIVIL DIVISION COURT ROOM 3

ORDER APPOINTING RECOUNT COMMISSION

Petitioner, BOYCE A. DANIELS, has filed a petition for recount of the vote in the democratic primary election held on May 5, 1998, for the office of School Board for the 5th District of the City of Gary in the precincts designated below in Lake County, Indiana. The Petitioner appears in person and by his attorney, MACARTHUR DRAKE, and Respondent JULIUS CLAY appears in person for hearing on such petition, and Respondent JEFF JORDAN appears pro se.

The Court finds as follows:

1. That the petition was served upon each of the parties.
2. That the petitioner has deposited the sum of Two Hundred Eighty (\$280.00) Dollars with the Clerk of this Court, which deposit is to be used for payment of the requested recount.
3. That the petition for recount should be granted, and the votes recounted in the following precincts: G5-01, G5-02, G5-05, G5-06, G5-07, G5-10, G5-11, G5-12, G5-13, G5-14, G5-15, G5-16, G5-17, G5-18, G5-19, G5-20, G5-21, G5-23.
4. That a Recount Commission of three (3) members should be named in order to make such recount, as follows:



N/C  
CM

STATE OF INDIANA ) IN THE LAKE SUPERIOR COURT  
 ) SS:  
 COUNTY OF LAKE ) SITTING AT GARY INDIANA  
 BOYCE A. DANIELS, )  
 Petitioner, ) MAY 20 1998  
 v. ) CAUSE NO.: 45D03-9805-MI-1654  
 JULIUS CLAY, et al. )  
 Respondant. )  
 CIVIL DIVISION, COURT ROOM 3

The decision of the Court should be summarized as follows in the Chronological Case Summary under this cause number: Comes now Attorney MACARTHUR DRAKE on behalf of Petitioner, BOYCE A. DANIELS, and files his Request to Produce Documents.

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 the Lake County Recorder!

A full text of this decision for the Record of Judgments and Order is attached:

Yes \_\_\_\_\_

No \_\_\_\_\_

Moving Counsel:

Opposing Counsel/Parties

*MacArthur Drake*  
 MACARTHUR DRAKE, Atty. No. 4598-45  
 Attorney at Law  
 504 Broadway, Suite 320  
 Gary, IN 46402  
 (219) 882-6004

JULIUS CLAY  
 2380 Monroe Street  
 Gary, IN 46407  
 Jeff Jordan  
 2616 Jackson Street  
 Gary, IN 46407  
 Lake Co. Combined Election and  
 Board of Registration  
 2293 N. Main Street  
 Crown Point, IN 46307

**CERTIFICATE OF SERVICE**

I certify that on the 18th day of May, 1998, service of a true and complete copy of the above and foregoing pleading or paper was made upon each party or attorney of record herein by depositing the same in the United States Mail in envelopes properly addressed to each of them and with sufficient first class postage affixed.

*MacArthur Drake*

Approved/Date: \_\_\_\_\_

SO ORDERED: \_\_\_\_\_

Judge

DANIEL:10 WPS:

*Note: Documents to be produced by Election Board  
 June 1, 1998 at 11:00 a.m. until complete.*

Dharathula H. Millender, Democrat

Janie Gant, Republican

Charles Gilkey, Mechanic.

5. That such recount should take place on the 3rd day of June, 1998, at 9:00 a.m., at the Lake County Government Complex in Crown Point, Indiana.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. The petition to recount the vote in the election held on May 5, 1998, for the election for the office of School Board for the 5th District of the City of Gary, be and the same is hereby granted, and the votes shall be recounted in the following precincts of such district: G5-01, G5-02, G5-05, G5-06, G5-07, G5-10, G5-11, G5-12, G5-13, G5-14, G5-15, G5-16, G5-17, G5-18, G5-19, G5-20, G5-21, G5-23.

2. A Recount Commission is hereby appointed as follows:

Dolly Milleandar, Democrat

Jamie Gant, Republican

Charles Gilkey, Mechanic.

3. The recount shall be conducted on the 3rd day of June, 1998, at 2:00 a.m., at the Lake County Government Complex in Crown Point, Indiana.

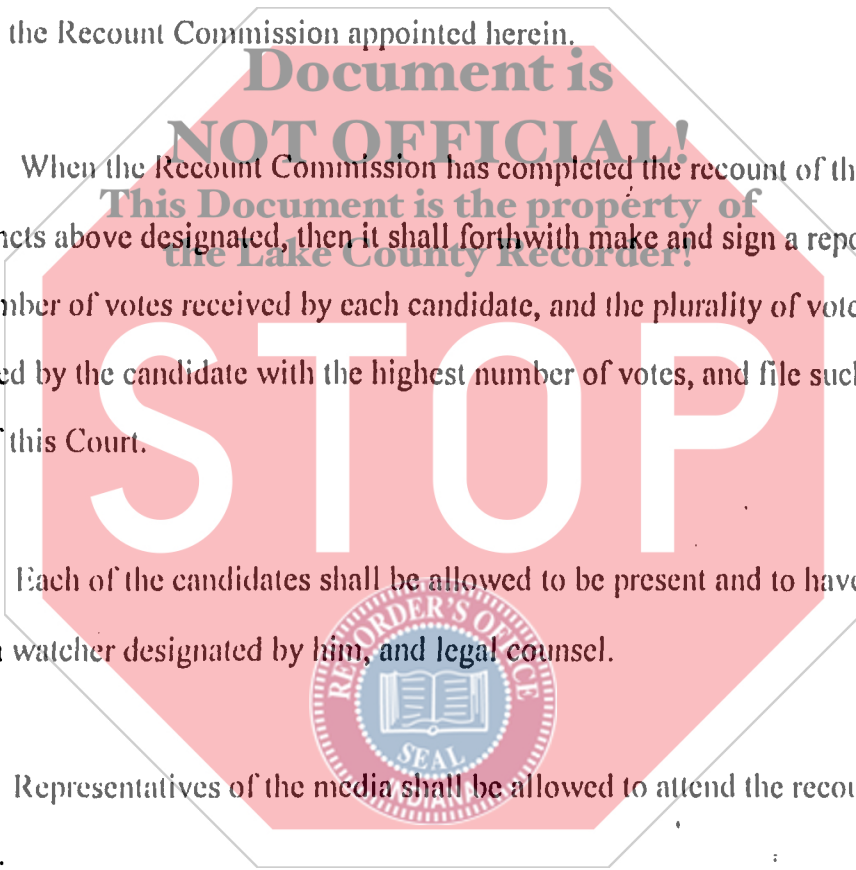
4. The Clerk shall impound and provide for the protection of all ballots and voting machines used in the election held on May 5, 1998, for the office of School Board for the 5th District of the City of Gary the above listed precincts in Lake County, Indiana, together with all tally sheets relating thereto and all lists of the names and addresses of all persons registered by the Clerk as having voted for said office, and shall make the same available to the Recount Commission appointed herein.

5. When the Recount Commission has completed the recount of the votes cast in the precincts above designated, then it shall forthwith make and sign a report showing the total number of votes received by each candidate, and the plurality of votes which were received by the candidate with the highest number of votes, and file such report with the Clerk of this Court.

6. Each of the candidates shall be allowed to be present and to have present, at his option, a watcher designated by him, and legal counsel.

7. Representatives of the media shall be allowed to attend the recount proceedings.

8. The Clerk shall, by certified United States mail, send a copy of this order to the parties named herein, or to their counsel, and to the members of the Recount Commission.



ALL OF WHICH IS ORDERED, ADJUDGED AND DECREED this 20th day of  
May, 1998.



JAMES DANIKOLAS, JUDGE

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**STOP**



DANIEL.S6.WPS

June 3, 1998

G5-1

DID NOT VOTE IN

03669 (201) SCHOOL BOARD

03671 (201) X

03673 (200) X

03674 (201) X

03675 (201) X

03677 (202) X

X 00799

00800 (201) X

00802 ✓ (202)

00856 ✓ (202\*)

~~00806~~

X 00807

00808 ✓ (202)

00811 ✓ (202\*)

00813 ✓ (202)

00828 ✓ (202)

00831 ✓ (202)

03941 ✓ (202)

✓ These votes were changed  
from June 3, 1998 - on or before  
June 10, 1998

Recorded by Bruce A. Daniels  
at Recount on June 10, 1998



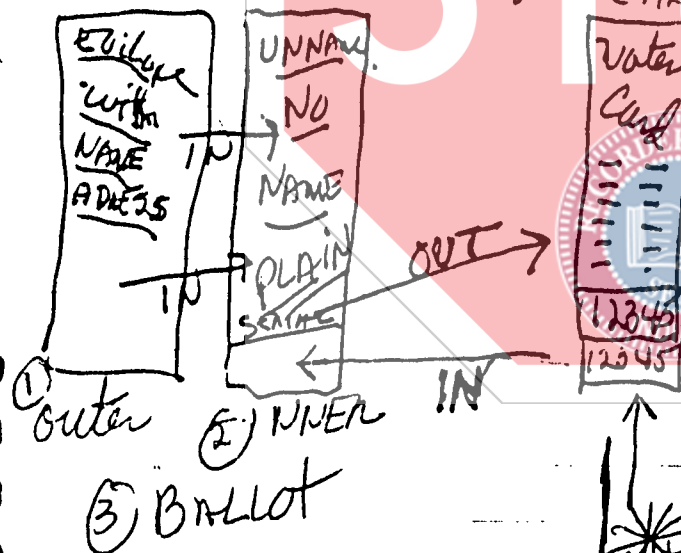
Request and Question For Absentee ONLY  
by MAIL / by TRAVELING BOARD ONLY

**\* U.S. MAIL FRAUD ?**

(1) We want actual names of all persons who were traveling Board clerks and/or office staff personnel who handled or printed the absentee voting cards? in Question / IN THE HOME OR MAIL / OR OFFICE ALL.

(2) We want date and invoice record of what (given numbers were issued.)

(3) Why were the Check and Balance stub or Serial Number / Check and Balance tickets destroyed?? how can you check? why?

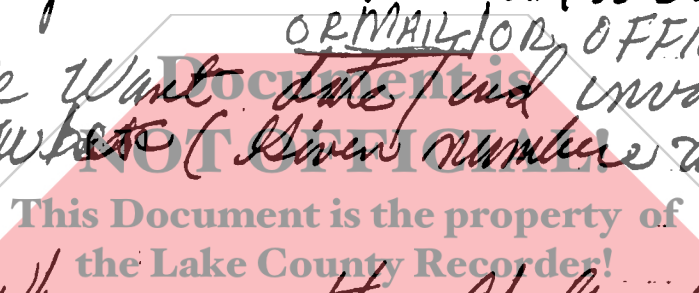


\* NO DATE OR TIME / STAMP ON THE ACTUAL VOTING CARD

\* This stub with Serial # Nos WERE ALL DESTROYED.

MARCKED BACK CARDS (votes) were altered OR REMOVED / DESTROYED

42 U.S.C 1974  
42 U.S.C 1973



June 3, 1998

G5-1

DID NOT VOTE IN

00730  
00750

- 03669 ? SCHOOL BOARD
- 03671
- 03673
- 03674
- 03675
- 03677
- 00799
- 00800
- 00802
- 00806
- ~~00806~~
- 00807
- 00808
- 00811
- 00813
- 00828
- 00831
- 03941



There were  
 many School Board members  
 present by Patti J. Namata  
 and myself present - Witnessed  
 by two (2) office staff personnel  
 at Waters School Board on  
 June 3, 1998, June 3, 1998  
 from 11:30 am to 1:30 pm on June 3/98

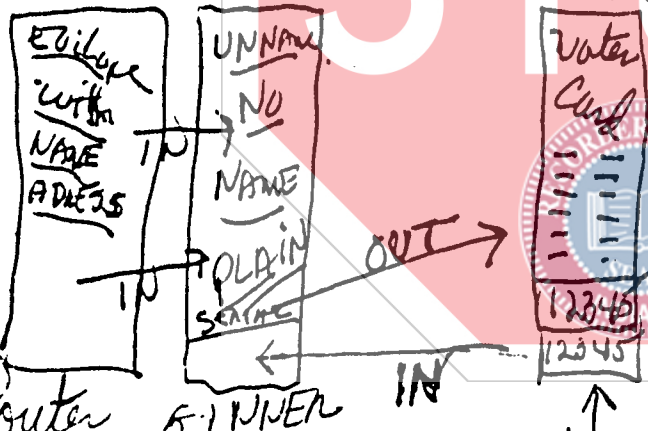


Request and  
Questions

For Absentee ONLY  
by MAIL / by TRAVELING  
BOARD ONLY

\* U.S. MAIL FRAUD ?

- (1) We want actual names of all persons who were traveling Board clerks and/or office staff personnel who handled or printed the absentee voting cards? ? in Question / IN THE HOME OR MAIL OR OFFICE? ALL.
- (2) We want date and invoice record of what (given numbers were issued.)
- (3) Why were the Check and Balance stub or Serial number / Check and Balance tickets destroyed? ? how can you check? why?



\* NO DATE OR TIME / STAMP ON THE ACTUAL VOTING CARD

Why?

\* This stub with Serial # NOs WERE ALL DESTROYED.

MARLED BACK CARDS (votes) were altered OR REMOVED / DESTROYED

42 U.S.C 1974  
42 U.S.C 1973

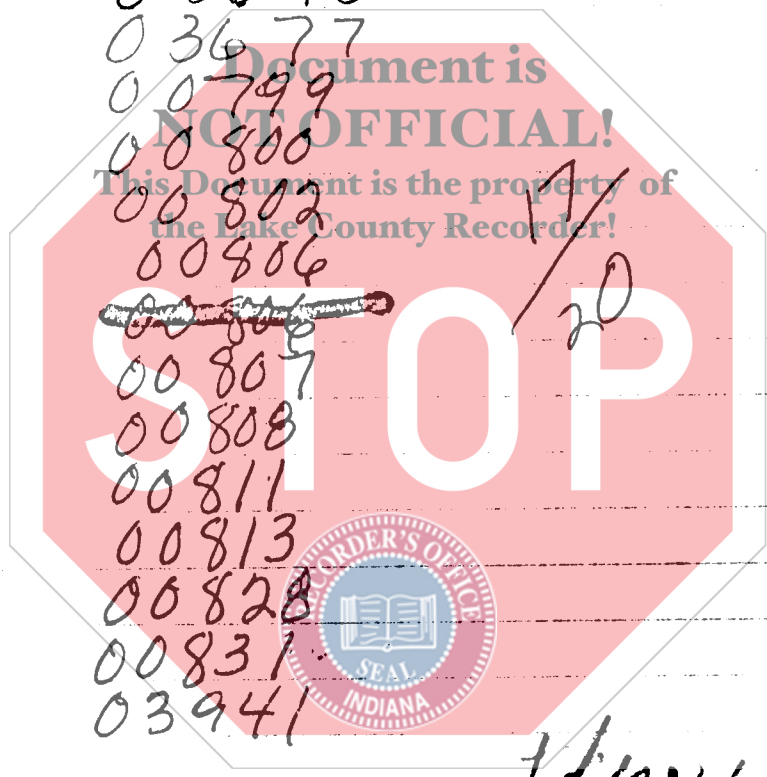
June 3, 1998

G5-1

DID NOT VOTE IN

? 00730  
00750

- 03669 ? SCHOOL BOARD
- 03671
- 03673
- 03674
- 03675
- 03677
- 00799
- 00800
- 00802
- 00806
- ~~00806~~
- 00807
- 00808
- 00811
- 00813
- 00828
- 00831
- 03941



There are  
 many School Board as  
 recorded by Bruce J. Hancock  
 and many records - Withheld  
 by school office staff personal  
 signatures - Based on  
 June 3, 1998 June 3, 1998  
 Ham 11:30 1 pm on June 3, 1998

June 3, 1998

65-7

DID NOT VOTE IN  
SCHOOL BOARD

??

1 one Vote for  
202 #2125  
206

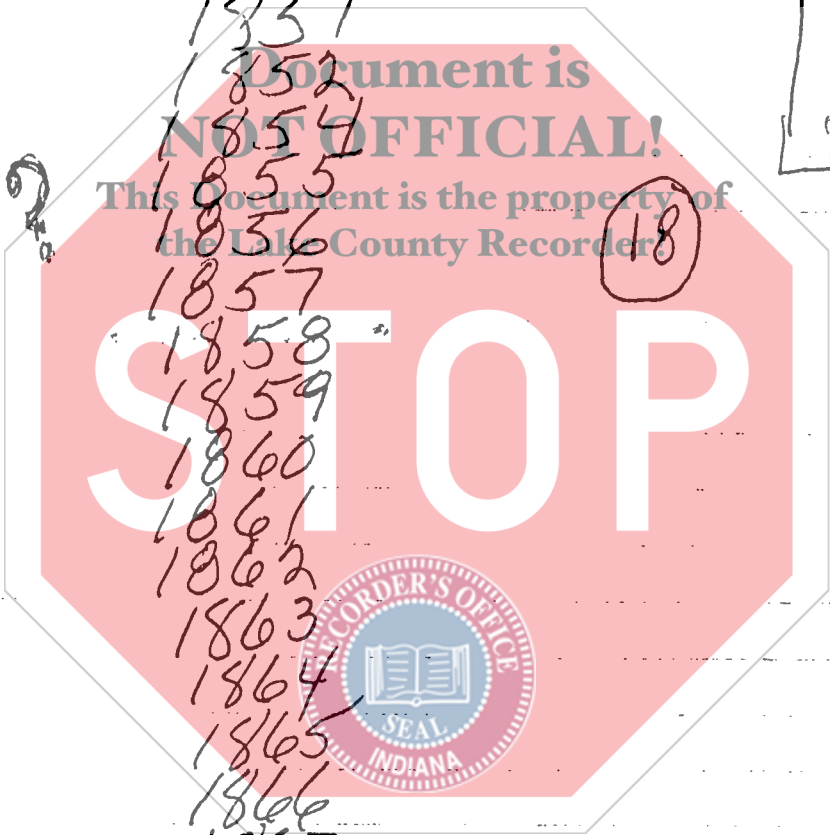
201-  
#2858  
#03616  
MB RD  
?

12974 P.  
JRM skc  
pm

202  
#61812  
1 one Vote

- 1851
- 1852
- 1854
- 1855
- 1856
- 1857
- 1858
- 1859
- 1860
- 1861
- 1862
- 1863
- 1864
- 1865
- 1866
- 1867
- 1868
- 1869

(18)



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