

IN THE SUPREME COURT OF OHIO

06-2065

STATE OF OHIO *ex rel.*  
JENNIFER BRADY,

Appellee/Relator,

v.

J. KENNETH BLACKWELL, *et al.*,

Appellants/Respondents.

: Case No. 06-1979  
:  
: On Direct Appeal from the  
: Cuyahoga County Court of Appeals,  
: ~~Eighth Appellate District~~

FILED  
Court of Appeals Case No.  
88827  
NOV 16 2006  
MARCIA J. MENGEL, CLERK  
SUPREME COURT OF OHIO

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**EMERGENCY MOTION TO EXPEDITE APPEAL**

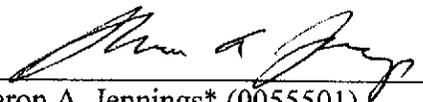
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Appellant/Respondent Secretary of State J. Kenneth Blackwell (the "Secretary") hereby moves this Court to expedite this appeal, which concerns the qualifications of a candidate to appear on the ballot on November 7, 2006. The candidate should not be on the ballot, however, because she has not strictly or substantially complied with the requirements of the statute that details the procedures that apply when a candidate withdraws after the primary and the notification that must be provided to the Board, R.C. 3513.31(D). Nevertheless, the Cuyahoga County Court of Appeals has granted a second writ of prohibition ordering that her name remain on the ballot. Thus, time is of the essence for this Court to decide this appeal as of right in order to finally resolve this question so that the candidates and the voters know whether this candidate will be on the ballot, and the Board of Elections knows whether to seal the results of this election. Accordingly, the Secretary respectfully asks that this case be expedited as quickly as this Court deems possible.

For a more detailed discussion of the merits of this case, please see the Secretary's Emergency Motion for Stay Pending Appeal, which is being filed contemporaneously with this Motion.

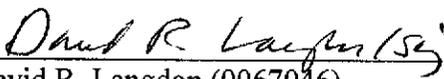
Respectfully submitted,

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**CERTIFICATE OF SERVICE**

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