

1 The United States would also be required to prove, by a preponderance of the evidence,
2 that at least part of the offense occurred in the District of Arizona.

3 **Factual Basis**

4 I acknowledge that an election was held in Montgomery County, Kansas, on November
5 5, 2008, for the purpose of selecting and electing candidates for Federal, State, and local offices.
6 I acknowledge that this election involved candidates for the United States Presidency. I
7 acknowledge that only qualified voters, who were eligible to vote under the laws of the state of
8 Kansas, could cast ballots for candidates at the November 5, 2008, election. I further
9 acknowledge that the votes cast in Montgomery County, Kansas, for the November 5th election,
10 were tabulated and certified by the election officials in Montgomery County, Kansas.

11 On or about October 22, 2008, in the District of Arizona, I voted in the November 5,
12 2008, general election in Montgomery County, Kansas, by mailing an vote-by-mail ballot from
13 Arizona to the election officials in Kansas. I was not eligible to vote in Kansas because I was
14 an Arizona resident that had already voted in the November 5, 2008, election in Arizona. I
15 therefore knowingly and willfully caused election officials in Montgomery County, Kansas, who
16 were acting under color of law, to deprive the qualified voters of Montgomery County, Kansas,
17 of their rights under the Constitution and laws of the United States to have their votes tabulated
18 and counted in that election, free from the dilution of the value and worth of their ballots through
19 the invalid ballot I cast.

20 I understand that I will have to swear under oath to the accuracy of this statement, and
21 if I should be called upon to testify about this matter in the future, any intentional material
22 inconsistencies in my testimony may subject me to additional penalties of perjury or false
23 swearing which may be enforced by the United States under this agreement.

24
25 9/14/09
Date

Karen S. Marshall
KAREN S. MARSHALL
Defendant

DEFENSE ATTORNEY'S APPROVAL

I have discussed this case and the plea agreement with my client, in detail and have advised the defendant of all matters within the scope of Fed. R. Crim. P. 11, the constitutional and other rights of an accused, the factual basis for and the nature of the offense to which the guilty plea will be entered, possible defenses, and the consequences of the guilty plea including the maximum statutory sentence possible. I have further discussed the concept of the advisory sentencing guideline with the defendant. No assurances, promises, or representations have been given to me or to the defendant by the United States or by any of its representatives which are not contained in this written agreement. I concur in the entry of the plea as indicated above and on the terms and conditions set forth in this agreement as in the best interests of my client. I agree to make a bona fide effort to ensure that the guilty plea is entered in accordance with all the requirements of Fed. R. Crim. P. 11.

Date

9/19/09


ALFRED S. DONAU III
Attorney for Defendant

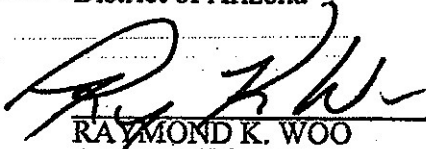
UNITED STATES' APPROVAL

I have reviewed this matter and the plea agreement. I agree on behalf of the United States that the terms and conditions set forth are appropriate and are in the best interests of justice.

JOHN J. TUCHI
United States Attorney
District of Arizona

Date

9/19/09


RAYMOND K. WOO
Assistant U.S. Attorney

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

THE STATE OF KANSAS, Plaintiff

vs.

RAYMOND H KURTZ JR, Defendant
Case No. 2011-CR-000296

FILED
LYON COUNTY
DISTRICT COURT

2011 OCT 18 PM 3 44

CLERK OF THE
DISTRICT COURT

STAY ORDER

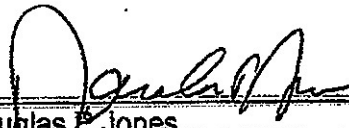
NOW, on this 18th day of October, 2011, the Court

hereby finds that the parties have entered into a Diversion Agreement and that this action should be stayed pursuant to K.S.A. 22-2909.

The Court further finds that the action shall be automatically dismissed with prejudice upon expiration of the Diversion period (eighteen (18) months), as provided in said agreement unless a revocation motion is filed with the Court prior to the end of said Diversion period.

IT IS FURTHER BY THE COURT ORDERED that said Defendant shall be supervised, in accordance with the Diversion Agreement, by the Diversion Coordinator of the Lyon County Attorney's Office or a person designated by the Diversion Coordinator.

IT IS SO ORDERED.

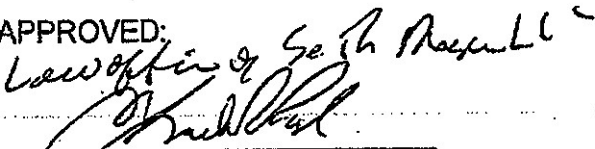

Douglas P. Jones
Judge

SUBMITTED & APPROVED:



Marc Goodman
County Attorney
430 Commercial St
Emporia, KS 66801
Attorney for Plaintiff

APPROVED:


Charles R Rayl LLC of Counsel
Attorney at Law
PO Box 640
Cottonwood Falls, KS 66845
Attorney for Defendant
#8613

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS

THE STATE OF KANSAS, Plaintiff

vs.

RAYMOND H KURTZ JR, Defendant

Case No. 2011-CR-000296

DIVERSION AGREEMENT

FILED
LYON COUNTY
DISTRICT COURT

2011 OCT 18 PM 3 43

CLERK OF THE
DISTRICT COURT

This Diversion Agreement, made and entered into this 18th day of OCTOBER, 2011, by and between RAYMOND H KURTZ JR, hereinafter referred to as Defendant, represented by and through, Charles R Rayl, and the State of Kansas who is represented by the Lyon County Attorney's Office, hereinafter referred to as the State.

The Defendant, RAYMOND H KURTZ JR, is 67 years of age; date of birth is 04/12/1944; address is 210 E First St, Newton, KS 67114; race is White; sex is male.

The Defendant was charged on August 01, 2006, with the offense(s) of: Count 1, Voting without being qualified, a violation of K.S.A. 25.2416, Count 2, Voting without being qualified, a violation of K.S.A. 25.2416, Count 3, Voting without being qualified, a violation of K.S.A. 25.2416, filed in the District Court of Lyon County, Kansas, Case No. 2011-CR-000296, and that this case and charges are in full force and effect.

By initialing the following conditions, the parties hereto stipulate and agree to the following conditions:

Re 1. You knowingly, voluntarily and with ~~without~~ the assistance of counsel waive all rights under the State and Federal constitutions to a speedy arraignment and hearing, speedy trial, trial by jury, and in a felony case, preliminary hearing, speedy trial, and trial by jury.

Re 2. You understand that every accused has the right to a trial, the right to confront and cross-examine witnesses, the right to present evidence and testify on your own behalf and the right to compel the attendance of witnesses through subpoena.

File 3. You understand that the burden at trial would be upon the State to prove you guilty beyond a reasonable doubt and that you would be presumed innocent throughout the trial.

File 4. You understand that the charges pending against you will remain in full force and effect during the period of Diversion and that violation of any term of this agreement will result in resumption of the criminal proceedings.

File 5. You shall not violate any laws of the United States, of any state, or ordinances of any municipality.

File 6. You will be supervised through the Lyon County Attorney's Office Diversion Program, follow all recommendations as requested, and is to report thereto as directed by the Diversion Coordinator.

File 7. You understand that you have a right to have the assistance of an attorney. If you are indigent or poor and unable to employ an attorney, the Court will appoint one for you.

File 8. You shall pay the following court costs to the Clerk of the District Court, upon signing the Diversion Agreement.

Court Costs:	\$160.00
Processing Fee:	\$45.00
Fine:	\$450.00 (Ct 1 - \$150; Ct 2 - \$150; Ct 3 - \$150)

File 9. You shall pay a Diversion Fee in the amount of \$500.00 to the Lyon County Attorney's Office upon signing the Diversion Agreement. pd

File 10. You agree that in the event that this Diversion Agreement is revoked by the Court, you will waive all defenses and you will admit that the contents of any uniform notice to appear, complaint, affidavit if one is filed in support of the complaint or notice to appear, accompanying reports if any, and the results of any blood, breath or urine tests taken, are true and correct and that the trial, or in a felony case, a preliminary hearing and trial shall proceed to the Court upon these stipulated facts.

File 11. You understand that the Diversion Coordinator must be notified of any change in employment or residence address.

File 12. You shall report on a monthly basis using the forms provided. One form shall be delivered by the 15th day of each month during the Diversion.

File 13. You understand that the Diversion Agreement will not be extended without the express consent of the State.

14. You are ordered to pay any additional costs or fees that become due and owing during the term of the Diversion. All costs or assessments ordered will be subject to additional collection fee of at least 33% through the Lyon County Collection Office, if not paid as ordered.

15. You shall report all contact with law enforcement regardless of the nature of the contact within 10 days to Jamie Nordmeyer, Diversion Officer. *except Stanley Huntz*
Dep SO Harvey County, Kan, defendant's son.

16. **NOTICE OF REVOCATION OF DIVERSION:** In the event that the County Attorney elects to institute revocation proceedings against you under this agreement, you agree that a notice of those revocation proceedings sent to your last known address via certified mail, shall, upon dispatch by the County Attorney, constitute sufficient notice to you of any revocation proceedings. In the event that you fail to appear pursuant to certified mail notice, the Lyon County Attorney's Office will ask that a bench warrant for your arrest will be issued without further notice.

NOW, THEREFORE, IN CONSIDERATION of the above-stated stipulations, and in consideration of the mutual promises and agreements herein contained, the State further agrees that if the Defendant successfully fulfills the terms of this Diversion Agreement, the criminal charges filed against the Defendant will be dismissed with prejudice.

FURTHER, if the State finds that at the termination date of this Diversion or at any time prior thereto, that the Defendant has failed to fulfill any of the terms of this Diversion Agreement, the matter will be set for hearing to determine if a violation of said agreement has occurred, and if so, the criminal proceedings against the Defendant shall resume.

FURTHER, the Defendant be and hereby is released pending trial or disposition of this matter for a period of eighteen (18) months, conditioned upon the successful completion of this Diversion Agreement.

The below signed parties have read, understand and agree to the terms and conditions of the Diversion Agreement.

APPROVED:

Marc Goodman

DATED: 10/18/11

Marc Goodman
County Attorney
430 Commercial St
Emporia, KS 66801
Attorney for Plaintiff

APPROVED & AGREED:

*Law Office of Beth Meyer LLC
Charles R Rayl LLC of Counsel*

Charles R Rayl

DATED: 6 OCT 2011

Charles R Rayl #6613
Attorney at Law
PO Box 640
Cottonwood Falls, KS 66845
Attorney for Defendant

APPROVED & AGREED:

Raymond H Kurtz Jr

DATED: 10/06/11

Raymond H Kurtz Jr
Defendant

Temporary Case No.: 2011-TC-000322

FILED
LYON COUNTY
DISTRICT COURT

IN THE DISTRICT COURT OF LYON COUNTY, KANSAS 2011 JUL 29 AM 9 54
CRIMINAL DIVISION

THE STATE OF KANSAS, Plaintiff

CLERK OF THE
DISTRICT COURT

v.

Case No. 11CR296

RAYMOND H KURTZ JR, Defendant.

COMPLAINT/INFORMATION

COMES NOW, John Marcus Goodman, County Attorney of Lyon County, Kansas,
and for and on behalf of the State of Kansas, gives the Court to understand and be informed:

Count 1 - Voting without being qualified

That on or about the 1st day of August, 2006, in Lyon County, Kansas, Raymond H Kurtz Jr, then and there being present did unlawfully, knowingly and willingly vote or offer to vote more than once at the same election. contrary to the form of K.S.A. 25-2416, and against the peace and dignity of the State of Kansas. (Class A Non-person Misdemeanor) [25.2416]

Count 2 - Voting without being qualified

That on or about the 7th day of November, 2006, in Lyon County, Kansas, Raymond H Kurtz Jr, then and there being present did unlawfully, knowingly and willingly vote or offer to vote more than once at the same election. contrary to the form of K.S.A. 25-2416, and against the peace and dignity of the State of Kansas. (Class A Non-person Misdemeanor) [25.2416]

Count 3 - Voting without being qualified

That on or about the 4th day of November, 2008, in Lyon County, Kansas, Raymond H Kurtz Jr, then and there being present did unlawfully, knowingly and willingly vote or offer to vote more than once at the same election. contrary to the form of K.S.A. 25-2416, and against the peace and dignity of the State of Kansas. (Class A Non-person Misdemeanor) [25.2416]


John Marcus Goodman
County Attorney

SUBSCRIBED AND SWORN TO before me this 29 day of July, 2011.



Karla Quay
Karla Quay, Notary Public

STATE OF KANSAS, COUNTY OF LYON, ss:

John Marcus Goodman, for and on behalf of said county, within and for said State, being by me first duly sworn says that he has read the above and foregoing Complaint/Information and knows the contents thereof, and that the same is true in substance and in fact to his best information and belief.

John Marcus Goodman
John Marcus Goodman
County Attorney

SUBSCRIBED AND SWORN TO before me this 29 day of July, 2011.



Karla Quay
Karla Quay, Notary Public

WITNESSES:

Eric Murphy

Tammy Vopat

Jarrod Fell

Date: 11/8/2011

Time: 12:35 PM

Page 1 of 2

Lyon County District Court

ROA Report

User: RUTHW

Case: 2011-CR-000296 Current Judge: Douglas P Jones

Defendant: Kurtz, Raymond H Jr

State of Kansas vs. Raymond H Kurtz Jr

Misdemeanor

Date		Judge
7/29/2011	Affidavit Document ID: 370739	Douglas P Jones
	Complaint/Information Document ID: 370740	Douglas P Jones
	Summons Issued Harvey County Sheriffs Office Kurtz, Raymond H Jr Document ID: 370741	Douglas P Jones
	Hearing Scheduled (First Appearance 09/12/2011 12:45 PM)	Douglas P Jones
8/8/2011	Summons Returned Kurtz, Raymond H Jr - Served Document ID: 372825	Douglas P Jones
8/18/2011	Entry of Appearance - Charles Rayl Document ID: 375964	Douglas P Jones
8/19/2011	Order for Discovery - Charles Rayl Document ID: 375968	Douglas P Jones
	Discovery Letter - Charles Rayl Document ID: 376098	Douglas P Jones
9/9/2011	Hearing Scheduled (Pretrial Conference 10/17/2011 08:30 AM)	Douglas P Jones
9/12/2011	Minutes Entry Hearing type: First Appearance Hearing date: 9/12/2011 Time: 12:45 pm Audio tape number: Ctrm #5	Douglas P Jones
	Hearing result for First Appearance held on 09/12/2011 12:45 PM: First Appearance Held	Douglas P Jones
	Journal Entry of First Appearance Document ID: 381518	Douglas P Jones
10/6/2011	Motion for Continuance Document ID: 388390	Douglas P Jones
	Order of Continuance Document ID: 388391	Douglas P Jones
10/7/2011	Hearing result for Pretrial Conference held on 10/17/2011 08:30 AM: Continued	Douglas P Jones
	Hearing Scheduled (Pretrial Conference 11/21/2011 08:30 AM) cont from 10/17	Douglas P Jones
10/18/2011	Diversionary Agreement & Stay Order Document ID: 391391	Douglas P Jones
10/19/2011	Hearing result for Pretrial Conference held on 11/21/2011 08:30 AM: Diversionary Agreement & Stay Order cont from 10/17	Douglas P Jones
	Deferred Adjudication (Deferred Adjudication 25.2416 Voting without being qualified)	Douglas P Jones
	Case Status Change: Disposed	Douglas P Jones
	Deferred Adjudication (Deferred Adjudication 25.2416 Voting without being qualified)	Douglas P Jones
	Deferred Adjudication (Deferred Adjudication 25.2416 Voting without being qualified)	Douglas P Jones
11/8/2011	Email Sent Date: 11/08/2011 12:33 pm To: eric.rucker@sos.ks.gov File Attached: DIVERSION.pdf Name of Document: Diversion	Douglas P Jones

Date: 11/8/2011

Time: 12:35 PM

Page 2 of 2

Lyon County District Court

ROA Report

User: RUTHW

Case: 2011-CR-000296 Current Judge: Douglas P Jones

Defendant: Kurtz, Raymond H Jr

State of Kansas vs. Raymond H Kurtz Jr

Misdemeanor

Date

Judge

11/8/2011

Email Sent Date: 11/08/2011 12:35 pm To: eric.rucker@sos.ks.gov File
Attached: COMPLAINTINFORMATION.pdf Name of Document: Complaint
Information

Douglas P Jones

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LORRAINE E. GOODRICH,

Defendant.

No. 04-00402-01-CR-W-SWH

PLEA AGREEMENT

The following agreement has been made between LORRAINE E. GOODRICH, defendant, by and through her undersigned counsel, Ron Hall, and the United States of America, by and through the United States Attorney Todd P. Graves, and the undersigned Assistant United States Attorney. There are no agreements or understandings as to the disposition of this case other than those set forth herein.

1. The defendant agrees to plead guilty to the one count Information charging a violation of Title 18, United States Code, Section 242, that is, a civil rights violation for improperly voting in two states in the same federal election.

The Information setting forth the charge is incorporated by reference. By entering into this Plea Agreement, the defendant admits that she knowingly committed this offense, and is in fact guilty of this offense.

2. The parties agree that the facts constituting the offense to which she is pleading guilty are as follows:

On November 5, 2002, there was an election in Kansas City, Missouri for the purpose of selecting and electing candidates for Federal, State, and local offices. Qualified voters eligible to vote under the laws of the State of Missouri cast ballots for candidates at these elections. In the November 5, 2002 election, there were candidates for the United States Senate and the United States House of Representatives. The votes cast in Kansas City, Missouri were tabulated and certified by the Kansas City Board of Election Commissioners.

On November 5, 2002, Lorraine E. Goodrich was a resident and domiciliary of the State of Kansas. During the same election in which she voted in Kansas City, Missouri, Goodrich voted in Johnson County, Kansas.

Voters in the November 5, 2002 election had a right to have Missouri election officials count their votes and certify elections based on the number of valid ballots that were cast by qualified voters. The effect of Goodrich's improper vote in Missouri was to dilute the votes of qualified voters in the election since Goodrich was not qualified to vote in that election in Missouri.

3. The defendant understands that the maximum sentence which may be imposed under the Information is not more than one year imprisonment, \$100,000 fine, one year of supervised release and a \$25 special assessment. The defendant further understands

that the offense to which she is pleading guilty is a Class A Misdemeanor.

4. The defendant acknowledges that she has discussed the issue of supervised release with her attorney and that she understands the nature and the effects of supervised release. In particular, the defendant understands that a violation of a condition of her supervised release may result in the revocation of supervised release and the imposition of an additional term of imprisonment of not more than one year with respect to the charge in the Information to which she will plead guilty. The defendant further understands that if she violates a condition of supervised release, she could be required to serve all of the term of supervised release imposed by the Court, without credit for time previously served during post-release supervision.

5. The defendant understands that this Plea Agreement binds only the defendant and the United States Attorney for the Western District of Missouri, and that it does not bind any other federal, state, or local prosecution authority.

6. In return for the defendant's plea of guilty to the charge set forth in the Information, the United States Attorney for the Western District of Missouri agrees not to file any additional charges against defendant arising out of the present offenses or investigation in the Western District of Missouri. In the event that the defendant breaches or violates this Plea

Agreement or otherwise fails to adhere to its terms, the United States shall not be bound by this paragraph and may pursue any additional charges arising from the criminal activity under investigation as well as any perjury, false statement, or obstruction of justice charges which may have resulted.

7. The defendant understands that if the Court accepts this Plea Agreement but imposes a sentence which defendant does not like or agree with, she will not be permitted to withdraw her plea of guilty.

8. The defendant understands that a mandatory special assessment of \$25 per count of conviction will be entered against the defendant at the time of sentencing. The defendant agrees to deliver to the Clerk of the Court a check payable to the Clerk in the appropriate amount, and to provide evidence of the payment to counsel for the United States within ten (10) days of the filing of this Plea Agreement with the Court.

9. ~~The defendant agrees not to appeal or otherwise~~
~~challenge the constitutionality or legality of the Sentencing~~
~~Guidelines. The defendant understands and acknowledges that her~~
~~sentence will be determined and imposed pursuant to those~~
~~Sentencing Guidelines. Defendant is aware that a sentence~~
~~imposed under the Sentencing Guidelines does not provide for~~
~~parole. The defendant agrees that this Court has jurisdiction~~
~~and authority to impose any sentence up to the statutory maximum~~

established for the offense and expressly waives the right to appeal her sentence, directly or collaterally, on any ground except for an upward departure by the sentencing judge, a sentence in excess of the statutory maximum, or a sentence in violation of law apart from the Sentencing Guidelines. However, if the United States exercises its right to appeal the sentence imposed as authorized by 18 U.S.C. § 3742(b), the defendant is released from this waiver and may appeal her sentence as authorized by 18 U.S.C. § 3742(a).

The parties expressly waive the right to appeal or collaterally attack by post-conviction motion any sentencing issue, including the applicability of certain U.S. Sentencing Guidelines provisions, which have been addressed and agreed upon in this Plea Agreement, and which are set forth in paragraph 11. Each party retains the right to appeal only sentencing issues which have not been agreed-upon or which have not been specifically addressed in the Plea Agreement. The defendant expressly waives the right to appeal or collaterally attack by post-conviction motion all other issues.

10. The defendant understands the United States will provide to the Court and the United States Probation Office a government version of the offense conduct. This may include information concerning the background, character, and conduct of the defendant including the entirety of the defendant's criminal

activities. The defendant understands these disclosures are not limited to the count to which the defendant has pled guilty. The United States may respond to comments made or positions taken by the defendant or defendant's counsel and to correct any misstatements or inaccuracies. The United States further reserves its right to make any recommendations it deems appropriate regarding the disposition of this case, subject only to any limitations set forth in this Plea Agreement.

11. With respect to the application of the sentencing guidelines to this case, the parties agree as follows:

a. The applicable guideline section for the offense of conviction is 2H2.1(a)(3)(C).

b. The base offense level is 6.

c. There are no enhancements of this base offense level.

d. The defendant has admitted her guilt and accepted responsibility for her actions, and she has done so in a timely fashion, allowing the United States to avoid the time and expense of preparing for trial. Consequently, she is entitled to a 2 level reduction pursuant to Section 3E1.1 of the Sentencing Guidelines.

e. The defendant's criminal history is category I. The parties agree that the Court and the United States Probation Office must determine her applicable Criminal History Category.

f. The defendant understands the estimate of the parties with respect to the guidelines computation set forth in the subsections of this paragraph does not bind the Court or the United States Probation Office with respect to the appropriate guideline levels. If the estimate is correct, however, the sentencing range is 0-6 months in Zone A of the guidelines.

g. The United States agrees not to seek an upward departure from the Guidelines and defendant agrees to not seek a downward departure from the Guidelines. The agreement by the parties to not seek a departure from the Guidelines is not binding upon the Court or the United States Probation Office and the Court may impose any sentence authorized by law.

12. There are no agreements between the parties with respect to any sentencing guideline issues other than those specifically listed in paragraph 11, and its subsections. As to any other issues which may be found to exist, the parties are free to advocate their respective positions at the sentencing hearing.

13. The defendant waives all rights, whether asserted directly or by a representative, to request or receive from any department or agency of the United States any records pertaining to the investigation or prosecution of this case, including without limitation, any records that may be sought under the Freedom of Information Act, 5 U.S.C. § 552, or the Privacy Act of 1974, 5 U.S.C. § 552a.

14. The defendant understands that the United States reserves the right in this case to:

~~a. oppose or take issue with any position advanced by defendant at the sentencing hearing which may be inconsistent with the provisions of this Plea Agreement;~~

b. comment on the evidence supporting the charge in the Information;

c. oppose any arguments and requests for relief the defendant may advance on an appeal from the sentences imposed;

d. oppose any post-conviction motions for reduction of sentence, or other relief.

15. The defendant has read the Plea Agreement, understands it, and by her signature, states that it is true and accurate and not the result of any threats or coercion. Both parties agree that no promises or agreements have been made other than those set forth in the Plea Agreement, nor has the United States promised the defendant any additional consideration to induce her to sign this Plea Agreement. The defendant acknowledges that she is entering into this Plea Agreement and is pleading guilty freely and voluntarily. The defendant further acknowledges her understanding of the nature of the offense or offenses to which she is pleading guilty and the elements of the offense or offenses, including the penalties provided by law, and her complete satisfaction with the representation and advice received from her undersigned counsel. The defendant also understands that she has the right to plead not guilty or to persist in that plea if it has already been made, the right to be tried by a jury with the assistance of counsel, the right to confront and cross-examine the witnesses against her, the right against compulsory self-incrimination, and the right to compulsory process for the attendance of witnesses to testify in defendant's defense. Defendant understands that by pleading guilty, she waives or

gives up those rights and there will be no trial. The defendant further understands that if she pleads guilty, the Court may ask her questions about the offense or offenses to which she pled guilty, and if the defendant answers those questions under oath and in the presence of counsel, her answers may later be used against her in a prosecution for perjury or false statement.

Todd P. Graves
United States Attorney

Dated: 01/07/05

By /s/ J. Daniel Stewart

J. Daniel Stewart
Assistant United States Attorney

Dated: 01/07/05

/s/ Lorraine E. Goodrich

Lorraine E. Goodrich
Defendant

Dated: 01/07/05

/s/ Ron Hall

Ron Hall
Attorney for Defendant Goodrich

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LORRAINE E. GOODRICH,

Defendant.

)
)
)
) Crim. No. 04-00402-01-CR-W-SWH
) Complaint No. 04-00184SWH-01
)
)
)

MOTION TO DISMISS CRIMINAL COMPLAINT

Since an Information was filed on December 13, 2004, in this case, the United States requests that the Court dismiss the criminal Complaint filed on October 21, 2004, charging the defendant with election fraud, in violation of 42 U.S.C. § 1973.

/s/ Linda Parker Marshall
for J. Daniel Stewart
Assistant United States Attorney

ldv

ORDER

IT IS HEREBY ORDERED that the Motion to Dismiss Criminal Complaint, as shown above, is granted.

/s/ SARAH W. HAYS
HONORABLE SARAH W. HAYS
United States Magistrate Judge
Western District of Missouri

Dated: February 27, 2007
Kansas City, Missouri

DISTRICT COURT OF NEMAHA COUNTY, KANSAS

607 Nemaha, Seneca, KS 66538

Address and Location of Court

THE STATE OF KANSAS

vs.

HOWARD FRANKLIN DUNCAN

Defendant

address

DL

d/o/b

Race/Sex

Height

Weight

Eye Color

Hair Color

COMPLAINT

For Court use only

FILED
NEMAHA COUNTY, KANSAS
DISTRICT COURT

2009 JUL 17 AM 11:43

PATRICIA HEIDEMAN
CLERK OF DISTRICT COURTNo. 2009CR93

NEMAHA

County of Alleged Offense in Kansas

Brad M. Lippert, Nemaha County Attorney,

of lawful age, being first duly sworn on oath, for complaint against the above named defendant alleges and states:

Count 1

That on or about November 2, 2004, the above named defendant, within the above named County in the State of Kansas, then and there being, did then and there contrary to the statutes of the State of Kansas unlawfully knowingly and willfully vote more than once at the same election, to wit: November 2, 2004 General Election.

Witnesses: Steve Linden, DeAnn Koch, Elizabeth Ensley

Voting Without Being Qualified

Contrary to K.S.A. §25-2416(b)

Class A misdemeanor

Counts _____ through _____ attached

Penalties: K.S.A. §§21-4503 & 21-4502

Summons issued for the defendant's appearance on

Aug 7, 2009 at 10:00 A.M.

OR Warrant issued — appearance bond

requirement is \$ _____

Subscribed and sworn to before me on July 15, 2009

Complainant

Com. Exp. 2-8-12

Denise M. Cox
Judge — Notary Public
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. _____

IN THE DISTRICT COURT OF NEMAHA COUNTY, KANSAS
STATE OF KANSAS,
Plaintiff,

vs.

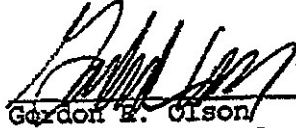
Case No. 09 CR 93

HOWARD F. DUNCAN,
Defendant.

PLEA OF NO CONTEST

COMES NOW Gordon R. Olson, Attorney for defendant, and on behalf of defendant hereby pleads no contest in the above captioned case.

Dated: October 15, 2009.


Gordon R. Olson #07392
Attorney for Defendant
324 Main Street
P.O. Box 163
Sabetha, KS 66534-0163
(785) 284-3426

APPROVED: 
HOWARD F. DUNCAN, Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this October 19, 2009 I faxed a copy of the above PLEA OF NO CONTEST to:

Judge Angela R. Hecke, Fax 785-562-2458

Patricia Heideman, Clerk of the District Court, Fax 785-336-6450

Brad M. Lippert, Nemaha County Attorney, fax 785-284-3528

