

Judge Orders New Election in Contested Kaufman Primary

Unable to determine a true winner, a judge ordered a new election in the Kaufman County Court at Law No. 1 Republican primary race.

By [Erin Anderson](#) | April 13, 2018

A judge has tossed the results of the March Republican primary for Kaufman County Court at Law No. 1 and ordered a new election.

District Judge Marty Lowy ruled Friday that the true outcome of the race between incumbent Judge Dennis Jones and challenger Tracy Gray can't be determined.

Gray [contested the results of the election](#) after a recount showed she lost to Jones by just one vote.

Gray's [lawsuit](#) alleged that multiple mail-in ballots were illegally filled out and submitted by a vote harvester, and that provisional ballots that should have been counted were rejected.

After reviewing the evidence and hearing witness testimony, Lowy agreed.

On Friday morning, the judge opened several previously uncounted provisional ballots; one other was opened in court on Wednesday. All had been rejected by the ballot board because the voters were not registered in Kaufman County.

All but one were marked to indicate that the voters had attempted to register or update their voter registration online via the Texas Department of Public Safety.

Lowy, a Democrat, cited a federal judge's [March 30 ruling](#) that the state's current procedures violate the National Voter Registration Act (also known as "Motor Voter") to justify counting seven of the previously rejected ballots. Five were cast for Gray and two for Jones – leaving Gray with a two-vote margin over Jones.

Combined with Wednesday's [testimony from voters who were illegally assisted with their mail ballots](#), Lowy determined that a new election is required.

Jones' attorney Wade Emmert objected to Lowy's counting of the provisional ballots and may appeal the ruling.

The special primary election is set for Saturday, July 21, and will be open to all eligible voters except those who cast ballots in the March 6 Democratic primary.

Share

[0](#)

[0](#)



[Erin Anderson](#)

Erin Anderson is the Metroplex Bureau Chief for Texas Scorecard, reporting on state and local issues, events, and government actions that impact people in communities throughout the area. A native Texan, Erin grew up in the Houston area and now lives in Collin County.