

# Voter Fraud Forces Do-Over of Democrat Primary in Kleberg County

## Judge tosses illegal votes, orders new Democratic primary runoff election for Kleberg County Justice of the Peace Precinct 4.

By [Erin Anderson](#) | June 27, 2018

A judge ordered a do-over of a contested Democratic primary runoff race in South Texas after [invalidating the runoff results due to voter fraud](#). The runoff was decided by six votes.

Ofelia “Ofie” Gutierrez [contested the results of the May 22 Democratic primary runoff](#) for Kleberg County Justice of the Peace Precinct 4 after losing to incumbent Esequiel “Cheque” De La Paz by a vote of 318 to 312.

Gutierrez alleged that more than six illegal votes were counted, cast by people who didn’t reside within Precinct 4 and therefore weren’t eligible to vote in the election.

On Tuesday, visiting Judge Joel Johnson threw out seven of the 16 ballots Gutierrez challenged in court. All seven were cast by voters related in some way to De La Paz.

Johnson invalidated the results of the May runoff, but did not declare Gutierrez the winner as it is impossible to know for which candidate the seven rejected ballots were cast.

“I’m very happy for Ofie and the process,” said Gutierrez’s attorney Frank Alvarez. “When we’ve got people out there who don’t take it seriously, or are cheating to win votes, then it kind of undermines [the process].”

Kleberg County Clerk Stephanie Garza said state law requires the new election to be held by August, but has not yet set a date for the runoff re-do.

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