

STATE OF MINNESOTA

IN SUPREME COURT

C9-02-1351

Russ Lundquist,

Petitioner,

vs.

Carol Leonard, as County Auditor  
of Dakota County, Minnesota,

Respondent,

Mary Kiffmeyer, Minnesota  
Secretary of State,

Respondent,

Margaret J. Tilley,

Intervenor.

ORDER

PER CURIAM

This Minn. Stat. § 204B.44 (2000) petition was referred to a referee to take and receive evidence and make findings of fact relative to petitioner’s claim that candidate Margaret Tilley’s name should not appear on the primary or general election ballots for District 38A. Petitioner alleged that the candidate will not have resided in District 38A for six months immediately preceding the general election as required by Minn. Const. art. IV, § 6. *See also* Minn. Stat. § 204B.06, subd. 4(f) (2000). On August 21, 2002, the referee reported his finding that candidate Tilley established residency in District 38A.

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED that the petition is denied. So as not to impair the orderly election process, this order is issued with an opinion to follow.

Dated: August 28, 2002