

IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

IN RE: THE PRIMARY ELECTION)
CONDUCTED IN THE STATE OF)
ILLINOIS, COUNTY OF MADISON,)
ON MARCH 17, 2026.)
LINDA ANDREAS, COUNTY)
CLERK AND CHIEF ELECTION)
AUTHORITY, Petitioner.)

26-MR- 2026MR000068

**PETITION FOR COURT ORDER ALLOWING THE COUNTY CLERK TO UNSEAL
AND ACCESS BALLOT BOXES IN EIGHT PRECINCTS
IN ORDER TO RETABLULATE BALLOTS CAST IN SAID PRECINCTS**

COMES NOW LINDA ANDREAS, County Clerk and chief election authority for Madison County, Illinois, Madison County, Illinois, and moves this Court pursuant to 10 ILCS 5/24B-15, for an Order authorizing the Petitioner to unseal and access the ballot boxes from the Primary Election conducted on March 17, 2026, from eight precincts as specified herein, in order to re-tabulate such by hand. In support thereof Petitioner states as follows:

1. That in accordance with Illinois law, a primary election was conducted on March 17, 2026, in the State of Illinois; that said election was administered by Petitioner within Madison County in accordance with her statutory duties; and that such unofficial results have not yet been proclaimed.

2. That voters voted upon two referenda pertaining to (1) Long Lake Fire Protection District Fire Protection tax rate increase to 0.40% (hereinafter "Question 1"), and (2) Long Lake Fire Protection District establishment of ambulance service tax at rate of 0.40% (hereinafter, "Question 2"), in the following eight precincts: Collinsville 10, Nameoki 1, Nameoki 3, Nameoki 4, Nameoki 5, Nameoki 6, Nameoki 7, and Nameoki 8 (hereinafter, "Eight Precincts").

3. That the Madison County Clerk utilizes optical scan voting equipment approved by the Illinois State Board of Elections, as authorized by Article 24B of the Election Code.

4. That the unofficial results of Question 1 were 383 “YES” votes (inclusive of election day voting, early voting, and vote-by-mail ballots counted as of March 17, 2026) and 2 “NO” votes (inclusive of election day voting, early voting, and vote-by-mail ballots counted as of March 17, 2026), and the unofficial results of Question 2 were 327 “YES” votes (inclusive of election day voting, early voting, and vote-by-mail ballots counted as of March 17, 2026) and 0 “NO” votes (inclusive of election day voting, early voting, and vote-by-mail ballots counted as of March 17, 2026).

5. Although not all voters in the precincts live within the Long Lake Fire Protection District and would have the questions presented to them on their ballot, the total ballots cast (inclusive of election day voting, early voting, and vote-by-mail ballots counted as of March 17, 2026), in each precinct were as follows:

<u>Precinct</u>	<u>Republican</u>	<u>Democrat</u>	<u>Non-Partisan</u>
Collinsville 10	104	140	2
Nameoki 1	92	67	1
Nameoki 3	94	56	0
Nameoki 4	21	15	0
Nameoki 5	57	39	0
Nameoki 6	86	60	1
Nameoki 7	88	72	0
Nameoki 8	<u>63</u>	<u>56</u>	<u>2</u>
TOTAL	605	505	6

6. That the probability of zero ‘NO’ votes in eight precincts out of no more than 1,116 total ballots cast on election day is highly unlikely, and, further, it has been represented to the County Clerk’s Office that at least three voters voted ‘NO’ in at least one of the eight precincts on election day. The election judges at the above-referenced precincts did not identify the irregularity on review of the tabulator tape when closing the polls, and they are not obligated by law to do so.

7. That on receipt of those representations, the County Clerk’s Office undertook to research those representations, and the County Clerk’s Office reasonably concluded that those individual voters did not vote on provisional ballots.

8. That the County Clerk’s Office reasonably determined that the ‘YES/NO’ vote recognition programmed within the tabulator software suffered a clerical format irregularity causing the votes cast on those questions to not be properly recognized by the software.

9. Because the discrepancy shows the counting equipment did not recognize voters’ demonstrated or apparent intent, and since the voters’ intent is evident from the marking on the paper ballot (assuming such a marking was made), the voters’ intent should be honored, and such intent, under the circumstances, is best determined by a hand count. *See generally Pullen v. Mulligan*, 138 Ill.2d 21 (1990).

10. That it is necessary to recount the ballots as described hereinabove by hand to ascertain the correct vote count for Question 1 and Question 2.

11. That 10 ILCS 5/24B-15 provides in pertinent part:

“[T]he election authority shall check the totals shown by the precinct return and, if there is an obvious discrepancy regarding the total number of votes cast in any precinct, shall have the ballots for that precinct retabulated to correct the return. The procedures for retabulation shall apply prior to and after the proclamation is completed; however, after the proclamation of results, the *election authority must obtain a court order to unseal voted ballots* except for election contests and discovery recounts[.]” [Emphasis added.]

12. Although the results of the March 17, 2026, primary election remain unofficial and have not been certified, Petitioner appears before this Court seeking a court order authorizing the unsealing of the voted ballots and hand recount of the ballots in order to ascertain whether the reported vote totals are correct, and, further, to allow the hand count of subsequently received vote-by-mail ballots.

WHEREFORE, Petitioner moves this Court enter an Order (1) authorizing her to unseal the voted ballots including early voting and vote-by-mail ballots from the March 17, 2026, Primary Election in the specified precincts in order to retabulate the results for Question 1 and Question 2, in the following precincts: Collinsville 10, Nameoki 1, Nameoki 3, Nameoki 4, Nameoki 5, Nameoki 6, Nameoki 7, and Nameoki 8, (2) authorizing a hand count of the votes on Questions 1 and 2 on all ballots under the circumstances, (3) allow the Petitioner to certify the results of the hand count as the official results, in her discretion, and (4) for such other and further relief as this Court deems necessary, just, and proper.


LINDA ANDREAS
COUNTY CLERK
MADISON COUNTY, ILLINOIS