

IN THE CIRCUIT COURT OF PULASKI COUNTY, ARKANSAS
SIXTH DIVISION

PULASKI COUNTY ELECTION
COMMISSION, *ET AL*

PLAINTIFFS

v.

Case No. 60CV-14-1019

ARKANSAS STATE BOARD OF
ELECTION COMMISSIONERS

DEFENDANT

and

DOYLE WEBB, ON BEHALF OF
THE REPUBLICAN PARTY OF ARKANSAS

INTERVENOR

SUMMARY JUDGMENT

On the 24th day of April 2014, this matter came on for consideration with the parties having filed cross-motions for summary judgment. Based upon the pleadings, attachments thereto, and the arguments of counsel, the court finds the following:

1. All parties are in agreement that there are no material issues of fact in dispute, and the court agrees with the parties.

2. The plaintiffs' *Motion for Summary Judgment* should be and is hereby granted. The subject *Emergency Rules* are derivative of Act 595 of 2013. Act 595 of 2013 is unconstitutional in that it violates Article 3, Section 1 and Article 3, Section 2 of the Arkansas Constitution. The *Emergency Rules* are also unconstitutional as violative of Article 3, Section 1

and Article 3, Section 2 of the Arkansas Constitution. Accordingly, the *Emergency Rules* are null and void *ab initio*.

3. The defendant's *Motion for Summary Judgment* should be and is hereby denied.

4. The intervenor's *Motion for Summary Judgment* should be and is hereby denied.

5. The court is filing *Findings of Fact and Conclusions of Law* on even date herewith. Such findings and conclusions are incorporated by reference herein.

IT IS SO ORDERED AND ADJUDGED.



TIMOTHY DAVIS FOX
CIRCUIT COURT JUDGE

4/24/14

DATE