Kathy Falls Files Lawsuit !!! Against the Cleveland County Board of Elections Claims New Partisan Election Law for School Board is Unconstitutional Report by and evaluation by Robert A. Williams

Folks, We have obtained an advance text copy of a lawsuit by Kathy Falls against the Cleveland County Board of Elections, their Director and Board alleging the new law passed by the General Assembly in Raleigh is unconstitutional under the Constitution of North Carolina. The lawsuit was prepared by Shelby Attorney Paul Ditz and dated July 17, 2017. The Board of Elections has confirmed that Attorney Ditz has contacted the Board of Elections regarding filing the lawsuit, but the lawsuit has not officially been served on them. That text copy is attached at the end of this article for your convenience. It is hot off the press.

Outside the Courthouse legal arena, Kathy Falls has refused to accept the fact that most of the school districts in North Carolina run partisan elections in even numbered years. Cleveland County just happens to be an exception. Also, it is typical in every year this century and last century too that citizens who are registered as unaffiliated with any political party have to go through a “Petition Process” to be able to run for a partisan elected office. Also any voter, no matter how they are registered are able to run in partisan elections

without going through a party primary election by using the petition process.

Therefore this change in law regarding school board elections affects all 60,000+ registered voters in Cleveland County, not just Kathy Falls. Kathy Falls just happens to be the one whining about it.

Let’s look at the merits of the case:
1. Kathy Falls complaint is with the General Assembly, so why is she filing her complaint in Cleveland County and against the CC Board of Elections. Falls is likely to have her case dismissed in Cleveland County because of that.
2. Kathy Falls has not exhausted all her remedies. Falls has until September 22, 2017 to file her petition and signatures, but has apparently refused any attempt to run her re-election campaign in accordance with laws that have been in effect for the past two centuries.
3. Kathy Falls has falsely maintained in news media accounts that she was unaware of the change in the elections law until the day it passed when I notified her. In fact, the NC Association of School Boards advised all Cleveland County School Board members many months ago that such a change was coming. School Board Member Danny Blanton took advantage of this and other advanced notices way back in late 2016.
4. Kathy Falls falsely maintains in her lawsuit that she has been disqualified from running for office because of the change in election law, when she has been notified by the Board of Elections and me regarding what she has to do to run for this now partisan office-the petition process.

Kathy Falls seems to think the election system in Cleveland County and North Carolina revolves around her and how she wants it done. I suspect Kathy Falls will be disappointed at the end of the day on September 22, 2017 when she finally is disqualified from running for the school board if she maintains her present course of action.

Read the lawsuit and form your own opinion.

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