

# In the Supreme Court of the State of Alaska

**State of Alaska, Office of Lieutenant Governor, Division of Elections, and Director Gail Fenumiai, in an official capacity,**  
Petitioners/Cross-Respondents,

v.

**Alyse S. Galvin,**  
Respondent/Cross-Petitioner.

Trial Court Case No. **3AN-20-07991CI**

Supreme Court No. **S-17887**

**Order**  
Petition for Review

Date of Order: **10/7/2020**

Before: Bolger, Chief Justice, Winfree, Maassen, and Carney, Justices, and Eastaugh, Senior Justice.\* [Borghesan, Justice, not participating.]

Alyse Galvin filed an emergency petition for review from the superior court's order denying a preliminary injunction, and we held oral argument on an expedited basis. Based on the record and written and oral arguments, we conclude that the usual policy requiring appeals to be taken only from final judgments is outweighed by the substantial public interest in immediate review. But we are not convinced that Galvin has shown that the superior court erred when it denied the preliminary injunction.

The parties before us very tersely mentioned possible remedies other than reprinting all the ballots, but the superior court order does not consider any remedy short of reprinting all the ballots, and Galvin has not argued to us that it was error not to consider some remedy other than reprinting the ballots. We consequently have not, in

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\* Sitting by assignment made under article IV, section 11 of the Alaska Constitution and Alaska Administrative Rule 23(a).

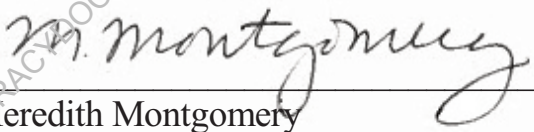
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deciding whether it was error to deny a preliminary injunction, considered any possibility that a remedy other than reprinting the ballot might have justified entry of a preliminary injunction.

**IT IS THEREFORE ORDERED** that Galvin's Petition for Review is **GRANTED** and the superior court's order is **AFFIRMED**. A full opinion will follow.

Entered by direction of the court.

Clerk of the Appellate Courts

  
Meredith Montgomery

Justice Maassen and Justice Carney dissent from this order. They would reverse the superior court's order denying a preliminary injunction.

cc: Judge Henderson  
Trial Court Appeals Clerk  
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