

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MICHAEL GONIDAKIS, et al.,	:	
	:	Case No. 2:22-cv-773
Plaintiffs,	:	
	:	
v.	:	Chief Judge Algenon Marbley
	:	
FRANK LAROSE, in his official capacity,	:	Magistrate Judge Elizabeth Deavers
	:	
Defendant.	:	
	:	Three-Judge Panel Requested

**PLAINTIFFS' MEMORANDUM IN OPPOSITION TO
SYKES AND RUSSO MOTION TO INTERVENE**

Plaintiffs Michael Gonidakis, Mary Parker, Margaret Conditt, Beth Vanderkooi, Linda Smith, Delbert Duduit, Thomas W. Kidd, Jr., and Ducia Hamm (collectively, "Plaintiffs") continue to be deprived of their rights to participate in the political process as deadlines for the Ohio primary election come and go.

The Court should not grant the Motion of State Senator Vernon Sykes and State House of Representatives Minority Leader Allison Russo to intervene in this case in their capacities as members of the Ohio Redistricting Commission because:

1. A single judge lacks authority to grant or deny a motion to intervene before complying with 28 U.S.C. § 2284;
2. The Sykes and Russo Motion to Intervene fails to attach a proper pleading as required by Civil Rule 24.
3. Senator Sykes and Leader Russo's official capacity interests are already adequately represented by existing parties; and
4. Permitting the Sykes and Russo intervention would unnecessarily delay resolution of this time-sensitive case and waste taxpayer money advancing redundant interests.

A. **A single Judge of this Court lacks authority to rule on a motion to intervene before notifying the Chief Judge of the 6th Circuit to appoint a three-judge panel.**

Plaintiffs' Complaint and Amended Complaint challenge the apportionment of the Ohio general assembly, and request the appointment of a three-judge panel pursuant to 28 U.S.C. § 2284.

28 U.S.C. § 2284(b)(1) states that when such an action is filed, the Chief Circuit Judge must be immediately notified:

Upon the filing of a request for three judges, the judge to whom the request is presented shall, unless he determines that three judges are not required, *immediately* notify the chief judge of the circuit, who shall designate two other judges (emphasis added.)

It is Plaintiffs' understanding that, to date, this has not been done.

At the February 25, 2022, status conference, the court expressed the view that it might not need to appoint a three-judge panel if it determines that the case is not ripe for consideration given the state court proceedings. However, the United States Supreme Court has held that unless a claim is "wholly insubstantial and frivolous," that "the failure to state a proper cause of action calls for a judgment on the merits and not for a dismissal for want of jurisdiction." *Shapiro v. McManus* (2015), 577 U.S. 39 at 45. Thus, the United States Supreme Court held that "the District Judge should not have dismissed the claim as constitutionally insubstantial Perhaps petitioners will ultimately fail on the merits of their suit, but [28 U.S.C.] § 2284 entitles them to make their case before a three-judge district court." *Shapiro, supra*, at 46. (quotation marks omitted).

28 U.S.C. § 2284 prohibits a single judge from making certain orders, and provides that "[a]ny action of a single judge may be reviewed by the full court at any time before final judgment." "Any action" includes rulings granting or denying motions to intervene. Thus, 28 U.S.C. § 2284 prohibits this Court from granting or denying motions to intervene without having

notified the Chief Judge of the 6th Circuit to designate two other judges. Otherwise, the right of any party to have that action reviewed by the full three-judge court would be denied.

B. The Sykes and Russo Motion to Intervene fails to attach a proposed pleading, as required by Civil Rule 24.

Senator Sykes and Leader Russo have not yet submitted proposed pleadings as required by Fed. R. Civ. P. 24(c), despite stating that they would do so “shortly” after filing their motion to intervene over a week ago. Thus, Plaintiffs have not yet had the opportunity to consider and formulate a response to any fully developed arguments from Senator Sykes and Leader Russo, despite the time-sensitive nature of this case. While a non-prejudicial failure to comply with Rule 24(c) may provide grounds for leniency, such a prejudicial failure does not. *See Providence Baptist Church v. Hillandale Comm., Ltd.*, 425 F.3d 309, 314-315 (6th Cir. 2005).

C. Senator Sykes and Leader Russo are not entitled to intervene.

To intervene as a matter of right, a party must claim “an interest relating to the property or transaction that is the subject of the action” and be “so situated that disposing of the action may as a practical matter impair or impede the movant’s ability to protect its interest, *unless existing parties adequately represent that interest.*” Fed. R. Civ. P. 24(a) (emphasis added). When an existing party has the same interests as the party seeking to intervene, it is incumbent upon the proposed intervenor to show that the representation of those interests may be inadequate. *Northeast Ohio Coalition for the Homeless v. Blackwell*, 467 F.3d 999, 1007 (6th Cir. 2006).

Multiple existing parties, including a State official, share Senator Sykes and Leader Russo’s stated interest in this case, and there is no reason to believe that the representation of that interest is or will be inadequate. Senator Sykes and Leader Russo purportedly wish to intervene to ask the Court to stay this case pending the resolution of related proceedings in the Ohio Supreme Court. (ECF No. 6, Motion to Intervene, PAGEID# 396.) Existing parties have already asked the

Court to delay proceedings to give the Ohio Supreme Court an opportunity to rule.

Counsel for Ohio Secretary of State Frank LaRose, the named Defendant, affirmatively asked the Court to set the Local Rule 65.1 conference in this case to a later date than Plaintiffs requested, specifically for the purpose of giving the Ohio Supreme Court more time. To the extent Senator Sykes and Leader Russo contend their interests diverge from Secretary LaRose's because the respective parties staked opposing positions in the Ohio Supreme Court, that divergence is irrelevant here. Whatever their respective positions in the Ohio Supreme Court suit, both want to delay this case pending the resolution of that action. Additionally, Intervenor-Defendants League of Women Voters of Ohio filed a motion to continue the Local Rule 65.1 conference another week to give the Ohio Supreme Court even more time. Counsel for Secretary LaRose did not oppose that motion. Additionally, other parties have already moved this Court to stay this case pending the outcome of the matter in the Ohio Supreme Court. (ECF No. 33, Intervenor-Defendants' Motion for Stay Pending the Outcome of the State Redistricting Process.) Senator Sykes and Leader Russo are not entitled to intervene in this case merely to add another voice to the chorus already seeking delay.

D. Permitting Senator Sykes and Leader Russo to intervene would delay the restoration of Plaintiffs' rights and waste taxpayer funds.

When a party is not entitled to intervene as a matter of right, a court may permit intervention if the party "has a claim or defense that shares with the main action a common question of law or fact." Fed. R. Civ. P. 24(b)(1)(b). Upon a timely motion asserting such a common question, "the district court must then balance undue delay and prejudice to the original parties, if any, and any other relevant factors to determine whether, in the court's discretion, intervention should be allowed." *United States v. Michigan*, 424 F.3d 438, 445 (6th Cir. 2005). Permitting Senator Sykes and Leader Russo to intervene under Fed. R. Civ. P. 24(b) will unduly delay the resolution of this

case and waste taxpayer funds.

Time is of the essence to restore Plaintiffs' political rights. The May 3, 2022, primary is fast approaching, and the deadlines for candidate declarations, challenges to candidate declarations, and the Secretary of State's certification of the official form of ballots have passed while Plaintiffs remain in limbo as to whether they will continue to live in malapportioned legislative districts at that time, or if they will have such districts at all. (Exhibit A, Attached.) Senator Sykes and Leader Russo's intervention would only further delay the resolution of this case and vindication of Plaintiffs' rights by requiring Plaintiffs to "address dueling defendants, purporting to . . . represent the interest of the State, along with their multiple litigation strategies." *N.C. State Conf. of the NAACP v. Berger*, 999 F.3d 915, 921 (4th Cir. 2021) (internal quotations omitted). Additionally, the intervention would waste the money of Ohio taxpayers by adding a second State party with a second group of publicly funded attorneys to advance the same alleged interest: delay.

Finally, to the extent that Senator Sykes and Leader Russo seek to intervene as state governmental officers under Fed. R. Civ. P. 24(b)(2), their arguments are no longer relevant. Senator Sykes and Leader Russo cite their status as members of the Ohio Redistricting Commission, but the Redistricting Commission is no longer a party to this case. Plaintiffs' Amended Complaint challenges the *current* state legislative districts (or lack thereof) in elections administered by Secretary LaRose. In fact, while moving to intervene in this matter based on their status as members of the Ohio Redistricting Commission, Senator Sykes and Leader Russo simultaneously argue that the Commission has sovereign immunity from suit in this Court. (ECF No. 6, Motion to Intervene, PAGEID # 394, 396.) They cannot have it both ways. They are not proper parties to this action, and the Court should deny their intervention motion accordingly.

CONCLUSION

WHEREFORE, for the foregoing reasons, Plaintiffs respectfully request that the Court either deny or not act on Senator Sykes and Leader Russo's motion to intervene.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2022, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/Donald C. Brey

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EXHIBIT

A

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2022 OHIO ELECTIONS CALENDAR

2021		Reference
Dec. 9	Last day for certain local option petitioners to send street listings to Division of Liquor Control (55 days before February 2, 2022 petition filing deadline for May 3, 2022 primary election)	R.C. 4301.33, 4305.14
2022		Reference
Jan. 01	Applications for absentee ballots for all 2022 elections may be accepted (first day of the year)	R.C. 3508.03, 3511.02
Jan. 03	Last day for local option petitioners contesting community facility to send street listings to Division of Liquor Control (30 days before February 2 petition filing deadline for May 3 primary election)	R.C. 4301.334
Jan. 21	Secretary of State and boards of elections must send notice to candidates required to file annual campaign finance reports (10 days before the annual campaign finance report deadline)	R.C. 3517.11
Jan. 23	Boards of elections must prepare and publish notices of the May 3 primary election and provide the notices to federal write-in absentee voters upon request (no later than 100 days before primary election)	R.C. 3511.16
Jan. 31	Annual election campaign finance reports must be filed by certain candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (last business day of January) detailing contributions and expenditures through December 31, 2021 (last day of December)	R.C. 3517.10
Feb. 02	Constitutional amendments proposed by joint resolution of the General Assembly must be filed with Secretary of State (90 days before primary election)	OH Const. XV/SJ
	Declarations of candidacy for partisan candidates must be filed by 4 p.m. (90 days before primary election)	R.C. 3513.05
	Local questions and issues for May 3 primary election, including local option petitions, must be certified to or filed with boards of elections by 4 p.m. (90 days before primary election)	R.C. 3511.28, 3501.02, 4301.33, 331.33, 333.334, 4305.14
Feb. 14	Boards of elections must certify the validity and sufficiency of partisan candidates' petitions (78 days before primary election)	R.C. 3513.05
	Boards of elections must certify the validity and sufficiency of local option petitions (78 days before primary election)	R.C. 4301.33, 331.13, 333.334, 4305.14
Feb. 18	Protests against partisan candidates' petitions must be filed by 4 p.m. (74 days before primary election)	R.C. 3513.05
	Protests against local option petitions must be filed by 4 p.m. (74 days before primary election)	R.C. 4301.33, 331.13, 333.334, 4305.14
Feb. 22	Write-in candidates for May 3 primary election must file declarations of intent by 4 p.m. (72 days before primary election)	R.C. 3513.041
	Secretary of State must certify to boards of elections the form of official ballots for May 3 primary election (70 days before primary election)	R.C. 3513.05
	Board of elections of most populous county in a multi-county subdivision must certify names of all candidates to other boards of elections (70 days before primary election)	R.C. 3513.05
Feb. 25	Protests against write-in candidates must be filed by 4 p.m. (67 days before primary election)	R.C. 3513.041
Mar. 04	Boards of elections must schedule a program for instruction of precinct election officials (within 60 days before primary election)	R.C. 3501.27
Mar. 18	UOCAVA absentee ballots for May 3 primary election must be ready for use (46 days before primary election)	R.C. 3511.04
	Boards of elections must update and publish notices of May 3 primary election and provide the notices to federal write-in absentee voters upon request (no later than 46 days before primary election)	R.C. 3511.04
Mar. 22	Boards of elections must advertise in newspaper(s) the places, dates, times, qualifications, and methods for voter registration (six weeks before primary election)	R.C. 3503.12
Apr. 04	Deadline for voter registration for May 3 primary election (30 days before primary election)	R.C. 3503.19
	Deadline to file corrections and challenges to precinct registration lists (30 days before primary election)	R.C. 3503.12
Apr. 05	Non-UOCAVA absentee ballots for May 3 primary election must be ready for use (first day after close of voter registration)	R.C. 3503.12
Apr. 11	Secretary of State and boards of elections must send notice to candidates required to file pre-primary campaign finance reports (10 days before the pre-primary campaign finance report deadline)	R.C. 3517.11
Apr. 13	Deadline to file corrections and challenges to precinct voter registration lists (20 days before primary election)	R.C. 3503.24
	Committees advocating or opposing issues on May 3 primary election ballot must file by 4 p.m. to be recognized as a committee to appoint observers (20 days before primary election)	R.C. 3505.21
Apr. 19	Boards of elections must prepare precinct voter registration lists (14 days before primary election)	R.C. 3503.23
Apr. 21	Pre-primary election campaign finance reports must be filed by certain candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (12 days before primary election) detailing contributions and expenditures through April 13, 2022 (20 days before primary election)	R.C. 3517.10
Apr. 22	Deadline for political parties, groups of candidates and recognized issue committees to file notice of observer appointments (11 days before primary election)	R.C. 3505.21
Apr. 23	Boards of elections must give public notice of May 3 primary election (10 days before primary election)	R.C. 3501.03
Apr. 24	Boards of elections must prepare and publish notices of the August 2 special election and provide the notices to federal write-in absentee voters upon request (no later than 100 days before special election)	R.C. 3511.13
Apr. 25	Certificate to fill vacancy on ballot caused by death of candidate whose name is on May 3 primary election ballot in more than one county must be filed by 4 p.m. (10 days before primary election)	R.C. 3513.30
Apr. 28	Certificate to fill vacancy on ballot caused by death of candidate whose name is on May 3 primary ballot in only one county must be filed by 4 p.m. (five days before primary election)	R.C. 3513.30
Apr. 30	Applications for absentee ballots to be mailed for May 3 primary election must be received by boards of elections by noon (three days before primary election)	R.C. 3509.03, 3511.02
May 02	Nominating petitions of independent candidates for offices for which a primary election may be held must be filed by 4 p.m. (one day before primary election)	R.C. 3513.257
	Amendments to observer appointments must be filed by 4 p.m. (day before primary election)	R.C. 3505.21
	Boards of elections must submit verification forms of handicapped accessible parking and handicapped accessible polling locations to the Secretary of State's Office (no later than the day before the primary election)	R.C. 3501.29
May 03	Primary Election Day. Polls open from 6:30 a.m. to 7:30 p.m.	R.C. 3501.01, 32
	If voter, or voter's minor child is hospitalized because of accident or medical emergency, voter may apply for an absentee ballot until 3 p.m.	R.C. 3509.08
	Boards of elections must receive absentee ballots, returned in person or via a method other than U.S. Mail, by the close of polls	R.C. 3505.05, 3511.11
May 04	Local questions and issues for the August 2 special election must be certified or filed with the boards of elections by 4 p.m. (90 days before the special election)	R.C. 3501.01, 02
May 13	Absentee ballots returned by U.S. Mail must be postmarked no later than May 2 and received by boards of elections by this date to be counted (10 days after primary election)	R.C. 3505.05, 3511.11
	UOCAVA absentee ballots must be received by boards of elections by this date to be counted (10 days after primary election)	R.C. 3511.11
May 14	Boards of elections may begin official canvass of May 3 primary election ballots (11 days after primary election)	R.C. 3513.22
May 18	Boards of elections must begin official canvass of May 3 primary election ballots no later than this date (15 days after primary election)	R.C. 3513.22
May 24	Boards of elections must complete official canvass of May 3 primary election ballots no later than this date (21 days after primary election)	R.C. 3513.22
May 31	Secretary of State and boards of elections must send notice to candidates required to file post-primary campaign finance reports (10 days before the post-primary campaign finance report deadline)	R.C. 3517.11
Jun. 03	Boards of elections must schedule a program for instruction of precinct election officials (within 60 days before special election)	R.C. 3501.27
Jun. 10	Post-primary election campaign finance reports must be filed by candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (38 days after primary election) detailing contributions and expenditures through June 3, 2022 (seven days before the report is filed)	R.C. 3517.10
Jun. 15	Boards of elections of most populous county of a district located in more than one county must transmit petitions of independent candidates to other boards of elections	R.C. 3513.262
Jun. 16	Last day for local option petitioners to send street listing to Division of Liquor Control (55 days before August 10 deadline for filing petitions for November 8 general election)	R.C. 4301.33, 4305.14
Jun. 17	UOCAVA absentee ballots for August 2 special election must be ready for use (46 days before special election)	R.C. 3511.04
	Boards of elections must update and publish notices of August 2 special election and provide the notices to federal write-in absentee voters upon request (no later than 46 days before special election)	R.C. 3511.16
Jun. 21	Boards of elections must advertise in newspaper(s) the places, dates, times, qualifications, and methods for voter registration (six weeks before special election)	R.C. 3503.12
Jul. 05	Deadline for voter registration for August 2 special election (30 days before special election)	R.C. 3503.19
	Last day for local opinion petitioners seeking to sell at a community facility to send street listing to Division of Liquor Control (30 days before August 2, 2022 deadline to file petitions for November 8, 2022 general election)	R.C. 4301.334
	Deadline to file corrections and challenges to precinct voter registration lists (30 days before special election)	R.C. 3503.24
Jul. 06	Non-UOCAVA absentee ballots for August 2 special election must be ready for use (first day after close of voter registration)	R.C. 3509.01
	Constitutional amendments or statutes proposed by initiative petitions to be submitted directly to the voters must be filed with Secretary of State (125 days before general election)	OH Const. H, §§1a-1b
Jul. 13	Committees advocating or opposing issues on August 2 special election ballot must file by 4 p.m. to be recognized as a committee to appoint observers (20 days before special election)	R.C. 3505.21
Jul. 15	Boards of elections must certify independent candidate petitions by this date	R.C. 3513.262
Jul. 19	Boards of elections must prepare precinct voter registration lists for special election (14 days before special election)	R.C. 3503.23
	Secretary of State and boards of elections must send notice to candidates required to file semiannual campaign finance reports (10 days before the semiannual campaign finance report deadline)	R.C. 3517.11

*Note: In some instances, the statutory deadline falls on a day when the offices of the Secretary of State and boards of elections are closed. In those instances, the deadlines are extended, pursuant to R.C. 1.14, to the next succeeding day when the appropriate office is open for regular business hours. The preceding dates reflect the extended deadline.

*UOCAVA is an acronym for Uniformed & Overseas Citizens Absentee Voting Act to refer to those voters who are uniformed and/or overseas. *Non-UOCAVA refers to voters who are not uniformed or overseas voters.

2022 OHIO ELECTIONS CALENDAR

2022		Reference
Jul 22	Deadline for political parties, groups of candidates and issue committees to file notice of observer appointments (11 days before special election)	R.C. 3505.21
Jul 23	Boards of elections must give public notice of August 2 special election (10 days before special election)	R.C. 3501.03
Jul 29	Semiannual election campaign finance reports must be filed by certain candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (last business day of July) detailing contributions and expenditures through June 30, 2022 (last day of June)	R.C. 3517.10
Jul 30	Applications for absentee ballots to be mailed for August 2 special election must be received by noon (3 days before special election)	R.C. 3508.03, 08, 3511.02
Jul 31	Boards of elections must prepare and publish notices of November 8 general election and provide the notices to federal writer-in absentee voters upon request (no later than 100 days before the general election)	R.C. 351.116
Aug. 01*	Protests against independent candidates nominated by petition must be filed by 4 p.m.	R.C. 3513.262
	Amendments to observer appointments must be filed by 4 p.m. (day before special election)	R.C. 3505.21
	Boards of elections must submit verification forms of handicapped accessible parking and handicapped accessible polling locations to the Secretary of State's Office (no later than the day before the special election)	&CJ50129
Aug. 02	Special Election may be held. Polls open from 6:30 a.m. to 7:30 p.m.	R.C. 3501.01, 32
	If voter, or voter's minor child is hospitalized because of accident or medical emergency, voter may apply for an absentee ballot until 3 p.m.	R.C. 3509.08
	Boards of elections must receive absentee ballots, returned in person or via a method other than U.S. Mail, by the close of polls	R.C. 3509.05, 3511.11
Aug. 10	Constitutional amendments proposed by joint resolution of General Assembly must be filed with Secretary of State (90 days before general election)	OH Const. XVI, I
	Nominating petitions of candidates in nonpartisan races must be filed by 4 p.m. (90 days before general election)	R.C. 1507.13, 3513.259, 263
	Local questions and issues for November 8 general election, including local option petitions, must be certified to or filed with boards of elections by 4 p.m. (90 days before general election)	R.C. 731.28, 29, 3501.02, 4301.33, 331, 332, 333, 334, 4305.14
Aug. 12	Absentee ballots for August 2 special election returned by U.S. Mail must be postmarked no later than August 1 and received by boards of elections by this date to be counted (10 days after special election)	R.C. 3509.05, 3511.11
Aug. 13	UOCAVA absentee ballots for August 2 special election must be received by boards of elections by this date to be counted (10 days after special election)	R.C. 3511.11
Aug. 13	Boards of elections may begin official canvass of August 2 special election ballots (11 days after special election)	R.C. 3505.32
Aug. 15*	Political party or independent candidate nominating committees must certify name of person to fill vacancy on November 8 general election ballot caused by withdrawal or disqualification of candidate by 4 p.m. (86 days before general election)	R.C. 3513.1
Aug. 17	Boards of elections must begin official canvass of August 2 special election ballots no later than this date (15 days after special election)	R.C. 3506.32
Aug. 22	Boards of elections must certify the validity and sufficiency of candidates' petitions in nonpartisan races (78 days before general election)	R.C. 3513.263
	Boards of elections must certify the validity and sufficiency of local option petitions (78 days before general election)	R.C. 4301.33, 331, 332, 333, 334, 4305.14
Aug. 23	Boards of elections must complete official canvass of August 2 special election ballots no later than this date (21 days after special election)	R.C. 3505.32
Aug. 26	Protests against candidates for nonpartisan office must be filed by this date (74 days before general election)	R.C. 3513.263
	Protests against local option petitions must be filed by 4 p.m. (74 days before general election)	R.C. 4301.33, 331, 332, 333, 334, 4305.14
Aug. 29*	Write-in candidates must file declarations of intent by 4 p.m. (72 days before general election)	R.C. 3513.041
Aug. 30	Secretary of State must certify to boards of elections the form of official ballots for November 8 general election (70 days before general election)	R.C. 3505.01
Sep. 02	Board of elections of most populous county of a multi-county district must certify names of all candidates to other boards of elections (70 days before general election)	R.C. 3505.01
Sep. 02	Protests against write-in candidates for general election must be filed by 4 p.m. (67 days before general election)	R.C. 3513.041
Sep. 09	Boards of elections must schedule a program for instruction of precinct election officials (within 60 days before general election)	R.C. 3501.27
Sep. 23	UOCAVA absentee ballots for November 8 general election must be ready for use (46 days before general election)	R.C. 3511.04
	Boards of elections must update and publish notices of November 8 general election and provide the notices to federal write-in absentee voters upon request (no later than 46 days before general election)	R.C. 3511.16
Sep. 27	Boards of elections must advertise in newspaper(s) the places, dates, times, qualifications, and methods for voter registration (6 weeks before general election)	R.C. 3503.12
Oct. 11*	Deadline for voter registration for November 8 general election (30 days before general election)	R.C. 3503.19
	Deadline to file corrections and challenges to precinct voter registration lists (30 days before general election)	R.C. 3503.24
Pet. 12	Non-UOCAVA absentee ballots for November 8 general election must be ready for use (first day after close of voter registration)	R.C. 3509.01
Pet. 17	Secretary of State and boards of elections must send notice to candidates required to file pre-general campaign finance reports (10 days before the pre-general campaign finance report deadline)	R.C. 3513.11
Pet. 19	Committees advocating or opposing issues on November 8 general election ballot must file by 4 p.m. to be recognized as a committee to appoint observers (20 days before general election)	R.C. 3505.21
Pet. 25	Boards of elections must prepare precinct voter registration lists for general election (14 days before general election)	R.C. 3503.23
Pet. 27	Pre-general election campaign finance reports must be filed by certain candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (12 days before general election) detailing contributions and expenditures through October 19, 2022 (20 days before general election)	R.C. 3517.10
Pet. 28	Deadline for political parties, groups of candidates and issue committees to file notice of observer appointments (11 days before general election)	R.C. 3505.21
Pet. 29	Boards of elections must give public notice of November 8 general election (10 days before general election)	R.C. 3501.03
	Certificate to fill vacancy on November 8 general election ballot caused by death of candidate nominated at primary election whose name is on ballot in more than one county (10 days before general election)	acjsj&ai
Nov. 03	Certificate to fill vacancy on November 8 general election ballot caused by death of independent or nonpartisan candidate prior to October 29 (10 days before general election) must be filed by 4 p.m. (five days before general election)	R.C. 3513.31
	Certificate to fill vacancy on November 8 general election ballot caused by death of candidate nominated at primary election whose name is on ballot in only one county must be filed by 4 p.m. (five days before general election)	R.C. 3513.31
Nov. 05	Applications for absentee ballots to be mailed for November 8 general election must be received by boards of elections by noon (three days before general election)	R.C. 3509.03, 08, 3511.02
Nov. 07	Amendments to observer appointments must be filed by 4 p.m. (one day before general election)	R.C. 3505.21
	Boards of elections must submit verification forms of handicapped accessible parking and handicapped accessible polling locations to the Secretary of State's Office (no later than one day before general election)	R.O. 350129
Nov. 08	General Election Day. Polls open from 6:30 a.m. to 7:30 p.m.	R.C. 3501.01, 32
	If voter, or voter's minor child is hospitalized because of accident or medical emergency, voter may apply for an absentee ballot until 3 p.m.	R.C. 3509.08
	Boards of elections must receive absentee ballots, returned in person or via a method other than U.S. Mail, by the close of polls	R.C. 3509.05, 3511.11
Nov. 18	Absentee ballots returned by U.S. Mail must be postmarked no later than November 7 and received by boards of elections by this date to be counted (10 days after general election)	R.C. 3509.05, 3511.11
	UOCAVA absentee ballots must be received by boards of elections by this date to be counted (10 days after general election)	R.C. 3511.11
Nov. 19	Boards of elections may begin official canvass of November 8 general election ballots (11 days after general election)	R.C. 3505.32
Nov. 23	Boards of elections must begin official canvass of November 8 general election ballots no later than this date (15 days after general election)	R.C. 3506.32
Nov. 29	Boards of elections must complete official canvass of November 8 general election ballots no later than this date (21 days after general election)	R.C. 3517.11
Dec. 06	Secretary of State and boards of elections must send notice to candidates required to file post-general election campaign finance reports (10 days before the post-general campaign finance report deadline)	R.C. 4301.33, 4305.14
Dec. 08	Last day for certain local option petitioners to send street listings to Division of Liquor Control (55 days before February 1, 2023 petition filing deadline for May 2, 2023 primary/special election)	R.C. 3517.10
Dec. 16	Post-general election campaign finance reports must be filed by candidates, political action committees, caucus committees (legislative campaign funds), and political parties by 4 p.m. (38 days after general election) detailing contributions and expenditures through December 9, 2022 (the 7th day before the report is filed)	R.C. 3517.10
2023		Reference
Jan. 01	Applications for absentee ballots for all elections held in 2023 may be accepted (first day of the year)	R.C. 3509.03, 3511.02
Jan. 03*	Last day for local option petitioners contesting community facility to send street listings to Division of Liquor Control (30 days before February 1 petition filing deadline for May 2 primary/special election)	R.C. 4301.334
Recounts and Election Contests		
Application for a recount must be filed no later than 5 days after official results are declared.		R.O. 3515.02
A petition contesting an election must be filed in the appropriate court within 15 days after the official results are declared or, if a recount of the election is conducted, within 10 days after the official results of a recount are declared.		R.C. 3515.09

*Note: In some instances, the statutory deadline falls on a day when the offices of the Secretary of State and boards of elections are closed. In those instances, the deadlines are extended, pursuant to R.C. 1.14, to the next succeeding day when the appropriate office is open for regular business hours. The preceding dates reflect the extended deadline.

UOCAVA is an acronym for Uniformed & Overseas Citizens Absentee Voting Act to refer to those voters who are uniformed and/or overseas. *Non-UOCAVA* refers to voters who are not uniformed or overseas voters.