

CAUSE NO. 2023-00964

ALEXANDRA MEALER, REPUBLICAN	§	
GENERAL ELECTION CANDIDATE FOR	§	<u>IN THE DISTRICT COURT</u>
HARRIS COUNTY JUDGE	§	
CONTESTANT	§	
	§	
v.	§	133rd <u>JUDICIAL DISTRICT</u>
	§	
HON. LINA HIDALGO, DEMOCRATIC	§	
GENERAL ELECTION CANDIDATE FOR	§	
HARRIS COUNTY JUDGE	§	
CONTESTEE	§	HARRIS COUNTY, TEXAS

MOTION FOR AN EXAMINATION OF ELECTION RECORDS

1. Under Sections 221.008, 221.010; 221.018; and 231.006 of the Election Code, the Contestant hereby Moves to Compel the custodian of records to produce the following records for inspection in front of the presiding judge and counsel for the Contestee, at the earliest possible date:

- a. All precinct returns for this race;
- b. All carrier envelopes for ballots by mail returned for this race;

- c. All applications and available signatures for all returned ballots by mail for this race;
- d. Records and official reports listing the number of ballots by mail requested, sent, and returned in this race;
- e. VMAX or other reports listing each ballot by mail requested and sent in this race;
- f. All tally sheets for late arriving ballots by mail in this race;
- g. All provisional ballots and ballot envelopes cast in this race;
- h. All ballot and seal certificates for the precincts within the territory covered by this race for Early Voting in Person and Election Day in Person;
- i. All transfer forms from Central Count to the Early Voting Ballot Board for ballots in this race;
- j. All transfer forms for ballots in this race from the Signature Verification Committee to the Central Count;
- k. All transfer forms for ballots in this race from the Signature Verification Committee to the Early Voting Ballot Board;
- l. All transfer forms for ballots in this race from the Early Voting Ballot Board to the Central Count;
- m. Any notices of rejected ballots sent to a voter who resides in the territory covered by this race pursuant to Section 87.0431;
- n. An official copy of the canvassed results by precinct;
- o. An official copy of the canvassed results for early voting ballot by mail;
- p. All copies of e-poll books output;
- q. All voter rosters for each location where a vote was cast in-person in this election;

- r. Reports showing the number of paper ballots allocated for each location;
- s. Tech slips, call records, repair requests, witness statements, and other official records of issues reported on election day.
- t. Any audit logs created for the Hart Verity system;
- u. List of Early Voting or Election Day polling locations that had a discrepancy of one percent or more between the number of voters that checked in to the number of votes cast at that location;
- v. Registry of provisional voters from every polling place on election day;
- w. Provisional voter affidavits from every polling place on election day;
- x. Documentation of the creation of all MBBs (Mobile Ballot Boxes) purporting to contain ballots which were counted on election day;
- y. Documentation of chain of custody records for all MBBs purporting to contain ballots which were counted on election day;
- z. Registry of spoiled ballots from every polling place on Election Day;
- aa. A copy of the CCS plan for the November 2022 General Election;
- bb. CCS Reconciliation forms;
- cc. Audit logs from the Hart software, the devices backed up report from SERVO, the Media Production List from Boss, and MBB processing and status reports from Rally and Tally and other documents that may be used to reconcile the number of voters who checked in at a location on Election Day with ballots cast;

- dd. Copies of all documents in each JBC Election Day Envelope per location including tape print outs and Reconciliation cover sheets; the Expired Code & Cancelled Booth Logs; and JBC Reconciliation Forms
- ee. The JBC Reconciliation Log for each Election Day polling location;
- ff. Tabulation audit logs for Election Day;
- gg. And all Central Count Packets used for polling places who accepted voters on Election Day;
2. If separating the requested documents would require the Department of Elections of the Canvassing Authority to take more than 2 days to produce, the Contestant would request this Court Compel production of all documents which might contain those the Contestant needs pursuant to the Code and the Contestant by and through counsel will search through the records for the ballots he requires to continue litigation and then the Court may impound those of which satisfactory copies cannot be made to its custody and return the rest to the custodian of record.

RESPECTFULLY SUBMITTED, February 7, 2023

/s/Elizabeth Alvarez
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CERTIFICATE OF SERVICE

I certify that on February 7, 2023, I served a copy of this Motion on all Contestees, and their counsel of record if known, in accordance with the Texas Rules of Civil Procedure and the Texas Election Code through service of process.

/s/Elizabeth D. Alvarez

Elizabeth D. Alvarez

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Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Joshua Alvarez on behalf of Elizabeth Alvarez
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