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**UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING**

JOHN C. FRANK,

Plaintiff,

vs.

CHARLES GRAY, Wyoming Secretary of State,
SYLVIA HACKL, Laramie County District
Attorney,
DEBRA LEE, Laramie County Clerk,
in their official capacities,

Defendants.

Case No. 2:20-cv-00138-KHR

ANSWER TO FIRST AMENDED VERIFIED COMPLAINT

Defendants Charles Gray, Wyoming Secretary of State and Sylvia Hackl, Laramie County District Attorney, (State Defendants) submit their Answer to the Amended Verified Complaint [ECF No. 113].

INTRODUCTION

1. This paragraph asserts a legal conclusion and does not require an answer.

JURISDICTION AND VENUE

2. This paragraph asserts a legal conclusion and does not require an answer.
3. This paragraph asserts a legal conclusion and does not require an answer.

4. This paragraph asserts a legal conclusion and does not require an answer.

PARTIES

5. Admit that Plaintiff Frank is a resident of Cheyenne, Wyoming. Otherwise, State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

6. Admit.

7. Admit.

8. Admit.

STATEMENT OF FACTS

9. Admit that Plaintiff Frank is a resident of Cheyenne, Wyoming. Otherwise, State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

10. State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

11. State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

12. Admit that August 18, 2020 was the date of the primary election in 2020. Denied that November 4, 2020 was the date of the general election in 2020. The 2020 general election was on November 3, 2020. Otherwise, State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

13. Admit that August 20, 2024 is the date of the primary election in 2024. Admit that November 5, 2024 is the date of the general election in 2024. Otherwise, State

Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

14. Admit that the Laramie County Governmental Complex is located at 309 West 20th Street, Cheyenne, Wyoming. Otherwise, State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

15. State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

16. Admit that the Laramie County Governmental Complex is located at 309 West 20th Street, Cheyenne, Wyoming. State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

17. State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

18. Admit that Wyo. Stat. Ann. § 22-26-113 criminalizes electioneering within 100 yards of a polling place on the day of an election and criminalizes electioneering within 100 feet of an absentee polling place during the absentee polling period. Otherwise denied.

19. Admit.

20. Admit that the Campbell County Clerk's Office interpreted Wyo. Stat. Ann. § 22-26-113 to include the entire property of a government facility in which voting is occurring. Otherwise State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

21. Admit.

22. Admit.

23. Admit.

24. State Defendants are without knowledge or information sufficient to form a belief as to the truth of the averments.

COUNT I

25. This paragraph asserts a legal statement and does not require an answer.

PRAYER FOR RELIEF

1. State Defendants request the Court deny Plaintiff's request for declaratory relief.

2. State Defendants request the Court deny Plaintiff's request for declaratory relief.

3. State Defendants request the Court deny Plaintiff's request for a permanent injunction.

4. State Defendants request the Court deny Plaintiff's request for injunctive relief.

5. State Defendants request the Court deny Plaintiff's request for injunctive relief.

6. State Defendants request the Court deny Plaintiff's request for costs and attorneys' fees.

7. State Defendants request the Court deny Plaintiff's request for relief.

AFFIRMATIVE DEFENSES

1. Plaintiffs are unable to meet the requirements for the entry of declaratory and injunctive relief.

2. State Defendants reserve the right to assert additional affirmative defenses as they become known.

WHEREFORE, State Defendants request that this Court deny Plaintiff's requests for relief and that State Defendants be awarded such other relief as this Court deems just and appropriate.

DATED this 30th day of July, 2024.

/s/ James Peters

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Senior Assistant Attorney General

James Peters # 7-5749
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ATTORNEYS FOR STATE DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was served this 30th day of July, 2024, by the following means:

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