

IN THE CIRCUIT COURT OF ST. CLAIR COUNTY, ALABAMA

ANDREW WEATHINGTON,  
CERTIFIED ELECTION OFFICIAL )  
AND JUDGE OF PROBATE )  
OF ST. CLAIR COUNTY, )  
ALABAMA, )

CASE No. 2024-CV-24-91

PETITION TO EXTEND THE TIME FOR CLOSING POLLING PLACES

COMES NOW, the Petitioner, Andrew Weathington, Certified Election Official and Judge of Probate of St. Clair County, Alabama, AND petitions this honorable Court to extend the time for closing certain polling places within St. Clair County, Alabama beyond that established by Code of Ala. § 17-9-6. In support thereof, Petitioner states as follows:

1. Petitioner is the Judge of Probate of St. Clair County and the chief election official of St. Clair County pursuant to Code of Ala. 17-1-3(b).
2. The affected polling places are located in both the Northern and Southern Divisions of the St. Clair County, Circuit Court and include:

- Ashville City Hall; precinct no. (1)
- Poplar Springs Church; precinct no. (11)
- Argo Town Hall; precinct no. (8)
- Wattsville VFD; precinct no. (10)
- Celebrations; precinct no. (12)
- New London VFD; precinct no. (13)
- Wolf Creek VFD; precinct no. (14)
- Boys & Girls Club; precinct no. (15)
- Cook Springs Baptist Church; precinct no. (19)
- Moody Civic Center; precinct no. (17)
- Cropwell Baptist Church; precinct no. (19)
- Prescott Baptist Church; precinct no. (23)
- New Hope Baptist Church; precinct no. (24)
- Whites Chapel Town Hall; precinct no. (26)
- Cedar Grove Baptist Church; precinct no. (30)

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- 3. Upon opening the sealed ballots at the opening of the polls at the above-listed polling places it was discovered that certain printed ballots were printed in error by failing to include certain ballot provisions, namely certain proposed Alabama Constitutional Amendments.
- 4. *Code of Ala.* § 17-10-2(a) anticipates potential court orders to extend poll closing times and provides that:

A voter shall be required to cast a provisional ballot when: . . .

(4) A federal or state court order extends the time for closing the polls beyond that established by state law and the individual votes during the extended period of time. Notwithstanding any other provision of state law, where provisional ballots are cast pursuant to a federal or state court order extending the time for closing the polls beyond that established by state law, the provisional ballots shall be segregated from other provisional ballots into a separate sealed container for such purpose and shall be counted, tabulated, and canvassed only pursuant to the order of a court having proper jurisdiction.

- 5. In the interest of justice and equity, and to ensure adequate citizen voting opportunity on a ballot that includes the proper Alabama Constitutional Amendments language at the above-listed polling places, your Petitioner respectfully requests this Court extend the time for closing said polling places to allow voters to cast provisional ballots pursuant to *Code of Ala.* § 17-10-1 et. seq.

**WHEREFORE, PREMISES CONSIDERED,** Petitioner, Andrew Weathington, Judge of Probate of St. Clair County, Alabama, petitions this honorable Court to enter an Order extending the time for closing the polls beyond that established by Code of Ala. § 17-9-6 for the above-listed polling places within St. Clair County, Alabama and provide Petitioner with any further, different relief to which he may be entitled.

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Respectfully submitted,



**ANDREW WEATHINGTON, Petitioner  
JUDGE OF PROBATE  
ST. CLAIR COUNTY, ALABAMA**

/s/ James E. Hill, III

**JAMES E. HILL, III (HIL056)**

/s/ Kyle C. Barrentine

**KYLE C. BARRENTINE (BAR107)**

/s/ B. Isaac Gibson

**B. ISAAC GIBSON (GIB047)**

**ATTORNEYS FOR PETITIONER**

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