

FILED
STATE OF ALASKA
APPELLATE COURTS

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IN THE SUPREME COURT OF THE STATE OF ALASKA

LT. GOVERNOR BYRON MALLOTT,)
in his official capacity as Lt. Governor)
for the State of Alaska, and JOSEPHINE)
BAHNKE, in her official capacity as)
Director of the Division of Elections,)

Appellants,

Supreme Court No.: 516492

and

DEAN WESTLAKE,

Intervenor,

v.

BENJAMIN NAGEAK, ROB ELKINS,)
ROBIN D. ELKINS, LAURA WELLES)
and LUKE WELLES,)

Appellees.

Superior Court Case No.: 3AN-16-09015CI

NOTICE OF APPEAL

Lieutenant Governor Byron Mallott and Director of the Division of Elections Josephine Bahnke appeal the Order of the superior court in 3AN-16-09015CI dated October 6, 2016. This Court has previously ordered that this appeal will be consolidated with No. S-16462 for briefing, argument, and decision.

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DATED: October 6, 2016

JAHNA LINDEMUTH
ATTORNEY GENERAL

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STATEMENT OF POINTS ON APPEAL

Appellants, Lieutenant Governor Byron Mallott and Director of the Division of Elections Josephine Bahnke, raise the following points on appeal:

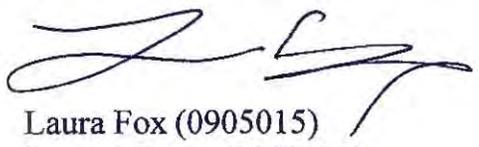
1. The superior court erred by concluding that the plaintiffs met their election contest burden under AS 15.20.540.
2. The superior court erred by ordering the Division to change the candidates' vote totals and certify Mr. Nageak as the winner of the primary.

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Appellants,)

Supreme Court No.: S16492

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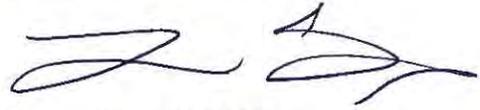
DESIGNATION OF TRANSCRIPT

Pursuant to Appellate Rules 204(b) 210(b), the state appellants designate the entire trial in this case, September 27-30 and October 3, 2016. According to the transcriber, the transcript was scheduled to be lodged with the Court in companion case number S-16462 on October 6, 2016. The Court has ordered that these cases be consolidated for review.

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