

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

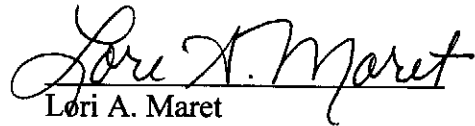
State of Nebraska ex rel.)	CI14-3204
MARK ELWORTH, JR.)	
)	
Relator,)	
)	
vs.)	
)	ORDER
JOHN A. GALE,)	
Secretary of State of the State of)	
Nebraska,)	
)	
Respondent.)	
)	
_____)	
)	
PETE RICKETTS, a duly nominated)	
candidate for Governor of the State of)	
Nebraska)	
)	
Amicus Curiae.)	

This matter came on for hearing on September 16, 2014 on the Court's Order to Show Cause as to why the Relator's First Amended Petition for Writ of Mandamus should not issue. Elizabeth Eynon-Kokrda appeared for the Relator. L. Jay Bartel and Lynn A. Melson appeared for Respondent. L. Steven Grasz appeared for Amicus Curiae, Pete Ricketts. The Court took Judicial Notice of the pleadings in the case as well as accepted briefs and memorandum of authority from the parties. Argument was made and heard.

Upon the information presented, the Court finds that Respondent has no clear legal duty that is subject to mandamus, and Relator has no clear right to the relief requested.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the First Amended Petition for Writ of Mandamus should be, and it hereby is, denied. Said matter is dismissed at Relator's costs.

Dated: September 17, 2014


Lori A. Maret
District Court Judge