



**APPLICATION #HAB-RA-002 TO RECALL DEMOREST CITY COUNCIL MEMBER
NATHAN WILE DAVIS ISSUED ON JULY 27, 2020**

The Election Superintendent for the City of Demorest, Georgia received the Application to recall Demorest City Council Member Nathan Wile Davis, issued on July 27, 2020, on August 11, 2020, within 15 days of the issuance of the application as required by O.C.G.A. Section 21-4-5(f)(1). Accordingly, the Superintendent has determined the following facts:

1. The application did not bear the printed name of the required designated chairperson who represents the sponsors on all matters pertaining to the recall application in violation of O.C.G.A. Section 21-4-5(b)(1)(B) and (C). *
2. The application consisted of more than one page but was not bound and numbered as required by O.C.G.A. Section 21-4-5(f)(1). *
3. The total number of signatures filed by the circulator: 114
4. Total number of signatures preliminarily verified: 114
5. Total number of signatures required for sufficiency: 100**
6. Total number of signatures found sufficient: 79***
7. Total number of signatures found insufficient: 35***


* The Election Superintendent, on advice of the county attorney, decided to proceed with the review of the application notwithstanding the violations of the mandatory code provisions.

** The number of official sponsors necessary to file an application for a recall petition must be equal in number to at least 100 electors or equal in number to at least 10 percent of the number of electors who were registered to vote at the last preceding election..." O.C.G.A. Section 21-4-5(c). The number of electors who voted in the required election was 990. Thus, the application must contain 100 verified and qualified signatures of electors (99.9 or 10%).

*** No notary public may sign the application as an elector ... of any application which he or she notarized. Any and all sheets of an application for a recall petition that have the circulator's affidavit notarized by a notary public ... who signed one of the sheets of the petition as an elector shall be disqualified and rejected. Here, Notary Wendi C. Henslee notarized affidavits of four pages containing a total of 35 electors. Accordingly, all elector sponsors contained on those pages are disqualified pursuant to O.C.G.A. Section 21-4-5(b)(E)(ii). The remaining 79 electors are listed as sufficient but are unverified.

Based on this examination and in accordance with O.C.G.A. Section 21-4-5(f)(2), the recall application is insufficient.

SO CERTIFIED, this 14th day of August 2020.


Laurel Ellison
Election Superintendent