

7. General Statutes § 9-462 provides that on September 15th in each year when there is a state election, the Secretary of the State “shall mail to each town clerk a list of the names of all duly nominated candidates for state... offices to be filled at such election...”

8. General Statutes § 9-374 provides that, “In the case of a minor party, no authority of the state or any subdivision thereof having jurisdiction over the conduct of any election shall permit the name of a candidate of such party for any office to be printed on the official ballot unless at least one copy of the party rules regulating the manner of nominating a candidate for such office has been filed in the office of the Secretary of the State at least sixty days before the nomination of such candidate....”

9. The Secretary of the State has listed the following candidates for the office of State Treasurer: (1) Harry Arora on the Republican Party line; (2) Erick Russell on the Democratic Party line; (3) Jennifer Baldwin on the Independent Party line; (4) Erick Russell on the Working Families Party line; and (5) JoAnna Laiscell on the Libertarian Party line.

10. The Independent Party is not legally authorized to nominate candidates for state office in the November 8, 2022 election.

11. In the 2008 election for President, the Independent Party received more than 1 percent of the vote.

12. Bylaws for the Independent Party have been filed with the Secretary of the State only in 2006 and 2010.

13. In Independent Party v. Merrill, 330 Conn. at 681, 708-709 (2019), the Connecticut Supreme Court determined that the 2010 bylaws, and not the 2006 bylaws,

were the effective party rules because the party did not exist for purposes of election law prior to the 2008 election results.

14. In Independent Party v. Merrill, 330 Conn. at 708 n.16, the Connecticut Supreme Court clarified that “a minor party must refile its rules with the Secretary each time that party's candidate receives 1 percent of the vote for a particular office, thereby affording it party status for that office for the next election.”

15. In Independent Party v. Merrill, 330 Conn. at 708, the Supreme Court explained that “a minor party simply does not exist for purposes of our election laws until its candidate receives 1 percent of the vote, thus triggering an obligation to file party rules and creating a party line on the ballot for the next election.”

16. In Independent Party v. Merrill, 330 Conn. at 708, the Supreme Court explained that a minor party must: (1) file their effective party rules “after the putative minor party’s candidate receives 1 percent of the vote;” and (2) file those party rules at least sixty days before the nomination is made.

17. In Stefanowski v. Kohler, HHD-CV22-6160145-S (Sept. 15, 2022) (*Noble, J.*), the court found, based on a stipulation signed by the Secretary of the State and the Independent Party, that the Independent Party’s bylaws were last filed with the Secretary of the State on March 20, 2010.

18. The Independent Party has not filed bylaws with the Secretary of the State for state offices, and specifically the Office of State Treasurer, and is therefore not a “minor party” for the Office of State Treasurer.

19. Defendant Kohler's directive to town clerks in Connecticut that Jennifer Baldwin be listed on the Independent Party ballot line as a candidate for State Treasurer in the November 8, 2022 election is a ruling of an election official.

20. Voters and candidates have a constitutional right to a fair and lawful election.

21. A candidate has standing to assert his or her own constitutional rights as well as the constitutional rights of the voters. See Bush v. Gore, 531 U.S. 98, 104 (2000); Anderson v. Celebrezze, 460 U.S. 780, 788 (1983); Walgren v. Board of Selectmen of Town of Amherst, 519 F.2d 1364 n.1 (1st Cir. 1975)

22. Plaintiff Arora is aggrieved as an elector and as a candidate by the improper listing of a candidate for the office of State Treasurer who is not authorized under state law to appear on the November 8, 2022 ballot.

WHEREFORE, the Plaintiff prays for judgment as follows:

(i) A declaration the no candidate may appear on the Independent Party ballot line for the November 8, 2022 election for State Treasurer.

(ii) Such other relief as this Court determines to be just and equitable.

PLAINTIFF,

HARRY ARORA,
CANDIDATE FOR STATE TREASURER

By 

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CERTIFICATION PURSUANT TO
GENERAL STATUTES § 9-324

This is to certify that a copy of the foregoing Complaint has been sent by first-class mail or delivered on this 19th day of September, 2022, at the following:

State Elections Enforcement Commission
55 Farmington Avenue
Hartford, CT 06106
SEEC@ct.gov

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c/o Office of the Attorney General
165 Capitol Avenue
Hartford CT 06106
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By 

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