

**CAUSE NO. 22DC-CV-00397**

CRAIG MCNAIR  
Contestant,

v.

LEON WILSON  
Contestee.

§  
§ IN THE DISTRICT COURT  
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§  
§ 253rd JUDICIAL DISTRICT  
§  
§  
§  
§ LIBERTY COUNTY, TEXAS

**FINAL JUDGMENT**

On April 11, 2022, this Court called the above election contest for a bench trial on the merits. Contestant Craig McNair personally appeared and was also represented by his attorney, Andy Taylor, both of whom announced ready for trial. Contestee Leon Wilson personally appeared and was also represented by his attorney, Jerad Najvar, both of whom announced ready for trial. After hearing evidence and arguments of counsel, the Court determined that it has both subject matter jurisdiction over this election contest and personal jurisdiction over the parties. After conducting a trial of the merits, the Court hereby renders this Final Judgment in favor of Contestant Craig McNair.

As demonstrated by the final canvassing order, the purported outcome of the March 1, 2022 Republican Party General Primary Election for Liberty County Commissioner Precinct Four (4) shows Contestant Craig McNair with 1111 votes

and Contestee Leon Wilson with 1116 votes. As will be explained more fully below, the Court finds that it cannot ascertain whether this purported five (5) vote margin of victory for Contestee over Contestant represents the true outcome of this specific race. More specifically, based upon the evidence presented at trial, the Court finds that more than five (5) voters cast their ballots in this particular race and those cast votes were improperly counted. Contestant showed by clear and convincing evidence that more than five (5) voters who vote in this race were not eligible to vote in this race because their residence is outside the boundaries of Commissioner Precinct 4. Accordingly, none of these specific votes were eligible to be counted.

Since the number of ballots cast which were illegally counted exceed the purported five (5) vote margin of difference between these two candidates, the Court cannot determine that the purported outcome of the March 1, 2022 Republican primary election, as reported by the canvass, is the true outcome, for this specific race. Because the Court finds that it cannot ascertain the true outcome of this particular race, Section 221.012 of the Texas Election Code requires this Court to declare this specific election to be void.

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the March 1, 2022 Republican General Primary Election for Liberty County Commissioner Precinct Four (4) is hereby declared to be VOID and a NEW ELECTION IS ORDERED.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT, pursuant to Section 232.041 of the Texas Election Code, a new election must be ordered by the appropriate authorities, and such new election shall be conducted on May 24, 2022, which is the date already set for the 2022 Republican General Primary Runoff Election, in the manner set forth in the Texas Election Code. Early voting shall occur from May 16-20, 2022, in the manner set forth in the Texas Election Code.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT, pursuant to Section 232.050 of the Texas Election Code, the ballot for the Liberty County Commissioner Precinct Four (4) race shall be prepared in the manner set forth in the Texas Election Code.

All costs of court are to be equally divided between the Contestant and the Contestee. All other claims, causes of action and requests for relief are denied. This judgment is final.

SIGNED this \_\_\_\_\_ day of April, 2022.

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The Honorable K. Michael Mayes  
Sitting by Assignment for the 253rd  
Judicial District Court

AGREED AS BOTH FORM AND SUBSTANCE:

ANDY TAYLOR & ASSOCIATES, P.C.

BY: /s/ Andy Taylor

Andy Taylor

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ATTORNEY FOR CONTESTANT MCNAIR

AGREED AS TO FORM ONLY:

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