

STATE OF INDIANA  
VIGO CIRCUIT COURT  
2020 TERM

IN RE THE PETITION TO	)	CAUSE NO.
CONTEST ELECTION OF	)	
VIGO COUNTY AUDITOR:	)	84C01-2011-MI-5913
	)	
JAMES W. (JIM) BRAMBLE	)	
Petitioner,	)	
v.	)	
	)	
REBECCA L. COLEMAN	)	
Respondent,	)	

**VERIFIED PETITION TO CONTEST ELECTION OF**  
**VIGO COUNTY AUDITOR PURSUANT TO**  
**I.C. § 3-12-8-5**

Comes now the Petitioner, James W. (Jim) Bramble, in person and respectfully files this Verified Petition to Contest Election of Vigo County Auditor Pursuant to I.C 3-12-8-5. In support thereof, the Petitioner states as follows:

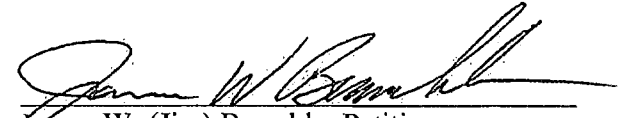
1. That the Petitioner, James W. (Jim) Bramble, certifies that he was a candidate in the election held on November 3, 2020 in Vigo County Indiana for the office of auditor.
2. That the Petitioner satisfies all the eligibility requirements for the Office of Auditor and desires to contest the aforementioned election under I.C 3-12-8-5.
3. That the Petitioner, at all times mentioned, was a duly qualified candidate for Auditor of Vigo County residing at [REDACTED] West Terre Haute, IN 47885.
4. That the Respondent, Rebecca Coleman, who resides at [REDACTED] West Terre Haute, IN 47885 is the person whose right to the Office of Vigo County Auditor is contested.
5. That the parties were opposing candidates for the Office of Vigo County Auditor in the November 3, 2020 election.
6. That on or about the 5<sup>th</sup> day of February, 2020 Rebecca Coleman filed a Declaration of Candidacy as a Republican Candidate for Auditor of Vigo County.
7. That in her Declaration of Candidacy Rebecca Coleman certified in Paragraph Four (4) that:

“I comply with all requirements under the laws of the State of Indiana to be a candidate for this office including any applicable residency requirement. I am not ineligible to be a candidate due to a criminal conviction that would prohibit me from serving in this office. (emphasis added) (See Exhibit A.)

8. That the Petitioner believes in good faith that the Respondent is disqualified from assuming the office of auditor under I.C 3-8-1-5(d)(3) because the Respondent was convicted on May 8, 1997 in Vigo Superior Court, Division One for Theft, a Class D Felony and Conspiracy to Commit Robbery, a Class B Felony. *(See Exhibits B and C.)*
9. That the Petitioner contends that Indiana law disqualifies a person from being a candidate for public office in Indiana if the person has a felony conviction.
10. That a search conducted on the State of Indiana’s “mycase.IN.gov” website on November 5, 2020 revealed felony convictions under the name Rebecca Reedy, Date of Birth: April 1, 1973, Social Security Number xxx-xx-██████. That Petitioner contends that Rebecca Reedy and Rebecca Coleman are the same person.
11. That the Petitioner contends that on November 3, 2020 Rebecca (Reedy) Coleman had felony convictions and was not an eligible candidate for the Office of Vigo County Auditor.
12. That under Indiana law Rebecca Coleman cannot hold or assume the Office of Auditor of Vigo County.
13. That the Petitioner contends that had Rebecca Coleman answered the Declaration of Candidacy correctly that she would not have been placed on the ballot as a candidate.
14. That the Petitioner contends that the only other candidate receiving votes for the Office of Auditor of Vigo County was the Petitioner and that Petitioner should be declared the winner of the election for Auditor of Vigo County pursuant to I.C 3-12-8-17(c).
15. That the Petitioner respectfully requests that the Court order the Vigo County Election Board to not certify the results from the November 3, 2020 election for Auditor of Vigo County until this Petition can be addressed by this Court on its merits.

WHEREFORE, the Petitioner requests that proceedings be had pursuant to I.C 3-12-8-17 and that at the conclusion of such proceedings it be decreed that the Respondent is ineligible to be elected to hold the Office of Auditor of Vigo County, Indiana. After determining that the Respondent is ineligible to be elected, the Petitioner requests that the Court declare as elected the qualified candidate who received the highest number of votes and render judgment accordingly, and for all other relief just and proper in the premises.

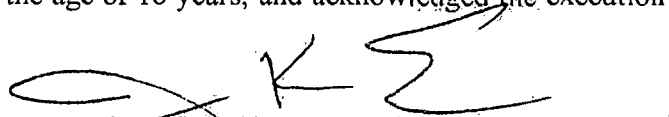
I, AFFIRM UNDER THE PENALTIES OF PERJURY, THAT THE FOREGOING REPRESENTATIONS ARE TRUE AND ACCURATE.

  
James W. (Jim) Bramble, Petitioner

STATE OF INDIANA )  
 )SS:  
COUNTY OF VIGO )

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned, a Notary Public, in and for said County and State, this 10<sup>th</sup> day of November, 2020, personally appeared James W. Bramble, said person being over the age of 18 years, and acknowledged the execution of the foregoing instrument.



  
Notary Public  
Printed Name: JOSEPH K. ETLING  
Vigo County, Indiana

My Commission Expires: AUGUST 10, 2022  
Commission Number: #0656621

Respectfully submitted,

/s/ William G. Smock  
William G. Smock, #401-84  
Smock & Etling  
77 Cherry Street  
Terre Haute, IN 47807  
(812) 238-1751  
(812) 238-1752 (FAX)

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the above and foregoing pleading on Rebecca L. Coleman at 711 6<sup>th</sup> Street, West Terre Haute, IN 47885 on this 10<sup>th</sup> day of November, 2020.

/s/ William G. Smock  
William G. Smock, #401-84



# DECLARATION OF CANDIDACY FOR PRIMARY NOMINATION IN 2020

State Form 46439 (R19 / 8-19)  
Indiana Election Division (IC 3-8-2-7)

**INSTRUCTIONS:** This form is used by an individual who is seeking the Democratic or Republican party nomination to an elected office in a primary election. A declaration of candidacy must be filed no later than NOON, February 7, 2020, and no earlier than January 8, 2020. Please print or type all information on this form except all signatures. SEE IMPORTANT INFORMATION ON BACK OF FORM. Candidates seeking the office of U.S. Senator in a primary election also file a CAN-4 form. Candidates seeking the office of Governor in a primary election also file a CAN-25 form. All candidates seeking a primary nomination for a LOCAL office (other than circuit, probate, or superior court judge, or prosecuting attorney) must also file the CAN-12 form WITH this form.

STATE OF INDIANA )  
COUNTY OF Vigo )

### GENERAL INFORMATION

Rebecca Coleman the undersigned, certify the following:  
Name of Candidate

- (1) I am a registered voter of Precinct SC-B of the Township of Sugar Creek (or of Ward, if applicable, \_\_\_\_\_ of the City or Town of \_\_\_\_\_), County of Vigo, State of Indiana.
- (2) I request that my name be placed on the official primary ballot of the party with which I am affiliated (check one box)
  - Democratic Party or the  Republican Party for the office of Auditor, District \_\_\_\_\_ (if any) to be voted on at the primary election to be held on May 5, 2020.
- (3) I am claiming affiliation with the Democratic or Republican Party. I understand that my party affiliation is determined by which party I voted for in the last primary election in Indiana in which I voted. I understand that if I cannot meet this party affiliation requirement I must obtain and file with this declaration a certificate from the appropriate county chairman of the party indicating that I am a member of this political party. I meet the requirement to be affiliated with the political party indicated because (check one)
  - The most recent primary election in Indiana in which I voted was the primary held by the party with which I claim affiliation above.
  - The county chairman of the county in which I reside, and of the political party with which I claim affiliation above, has certified that I am a member of the political party. (I have attached a copy of the county chairman's certification to this form.)
- (4) (This paragraph does not apply to a candidate for federal office.) I comply with all requirements under the laws of the State of Indiana to be a candidate for this office including any applicable residency requirement. I am not ineligible to be a candidate due to a criminal conviction that would prohibit me from serving in this office.

### RESIDENCY INFORMATION

- (5) My complete residence address is:  
[Redacted] West Terre Haute, IN (amend if other state) 47885  
Complete residence address must be inserted City ZIP Code
- (6) My mailing address is (Write address if mailing address is different from residence address; write "SAME" if both addresses are identical):  
[Redacted] West Terre Haute, IN (amend if other state) 47885  
Mailing address City ZIP Code

### CANDIDATE NAME INFORMATION

request that my name appear on the primary election ballot in the following manner:  
Rebecca Coleman LKE RLC  
(\*Include any Nickname and/or Suffix, Jr. Sr. II III IV)

also request that my name on my voter registration record be the same as the name on this declaration of candidacy.

The candidate's name must comply with the requirements in Indiana Code 3-5-7. If a candidate's name does not comply with this state law, the declaration may be voided under Indiana Code 3-8-1-2.

A candidate may use a nickname on the ballot only if the nickname is a name by which the candidate is commonly known and does not exceed 20 characters. EXAMPLE: John R. (Jack) Doe. A candidate may not use a title or designation that implies a title or degree.

Please complete this form



CANDIDATE CERTIFICATION

(7) (This paragraph does not apply to federal offices.) By initialing, I acknowledge that I have attached a copy of the applicable statement of economic interest statement, file stamped by the office required to receive the statement, or a receipt or photocopy of a receipt showing that this statement of economic interest has been filed. (initial here) DLO

(8) (This paragraph does not apply to a candidate for federal office or state legislative office) By initialing, I acknowledge that I might be required to file a surety bond before serving in office. (initial here) DLO

(9) (This paragraph does not apply for candidates for federal office, state office, or state legislative office.) By initialing, I acknowledge that I might be required to complete training or have attained certification related to service in office. (initial here) DLO

(10) (This paragraph does not apply to a candidate for federal office.)

By initialing, I acknowledge that I am aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign finance contributions and expenditures, and agree to comply with the provision of IC 3-9. (Initial here) DLO

(11) I have been a candidate for state, state legislative, or local office in a previous primary, municipal, special, or general election:

[X] Yes [ ] No (Check one)

(If the answer to this question is no, skip paragraph 12 and proceed to paragraph 13.)

(12) I have filed all reports required by IC 3-9-5-10 for all previous candidacies: [X] Yes [ ] No (Check one)

(13) (This paragraph only applies to a candidate for a local office if the local office receives compensation of at least \$5,000 per year, or to a local office if the local office receives compensation of less than \$5,000 but the candidate raises or spends more than \$500.) I have filed a campaign finance statement of organization for my principal candidate's committee with the appropriate county election board OR I am aware that I may be required to file the campaign finance statement of organization not later than noon, seven (7) days after the final date to file this declaration of candidacy. (initial here)

I certify that the information in this Declaration of Candidacy is true and complete, and that I meet the specific requirements of this office.

Signature: Rebecca Coleman Date Signed (MM/DD/YY): 2/15/2020 (8/12) Telephone (Day): 264-9690 Telephone (Evening): 264-9690

OPTIONAL INFORMATION: Candidate's email address:

Campaign website address:

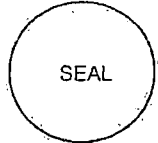
STATE OF Indiana )
COUNTY OF Vigo )

Subscribed and sworn to before me this 5th day of February, 2020.

Notary Public or Other Official Administering Oath according to IC 33-42-9-7

My Commission expires (applies only to Notary Public):

County of Residence:



CAMPAIGN FINANCE NOTICE

- A candidate's committee must file a pre-primary campaign finance report no later than NOON, April 17, 2020, with the Indiana Election Division...
-The candidate's committee must also file a pre-primary supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning April 11, 2020 and ending at 6:00 a.m. on May 3, 2020...
-A candidate's committee must file a pre-election campaign finance report no later than NOON, October 16, 2020, with the Indiana Election Division...
-The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning October 10, 2020 and ending at 6:00 a.m. November 1, 2020...
-A person who fails to file a report with the Indiana Election Division or a county election board is subject to a civil penalty of \$50 for each day the report is late, with the afternoon of the final date for filing the report being calculated as the first day, for a maximum penalty of not more than \$1,000, plus any investigative costs incurred and documented by the Election Division or county election board. NOTE: State legislative candidates are required to file electronically with the Election Division.

NOTE TO CANDIDATES FOR STATEWIDE OFFICE:

A candidate's committee must file "quarterly" campaign finance reports with the Indiana Election Division, according to the following schedule. These filings must be made electronically, and are subject to the same civil penalties set forth in the Campaign Finance Notice above. Contact the Campaign Finance Division of the Election Division for further information.

The committee must file quarterly reports no later than noon, Indianapolis time:

- (1) April 15, 2020, covering the period from January 1, 2020 through March 31, 2020.
(2) July 15, 2020, covering the period from April 1, 2020 through June 30, 2020.
(3) October 15, 2020, covering the period from July 1, 2020 through September 30, 2020.
(4) October 27, 2020, covering the period from October 1, 2020 through October 19, 2020.
(5) January 20, 2021, covering the period from October 20, 2020 through December 31, 2020.

The candidate's committee must also file supplemental reports with the Indiana Election Division no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the reporting periods listed below. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

- (1) Supplemental Reporting Period: April 1, 2020, through NOON, April 15, 2020.
(2) Supplemental Reporting Period: July 1, 2020, through NOON, July 15, 2020.
(3) Supplemental Reporting Period: October 1, 2020, through NOON, October 15, 2020.

STATE OF INDIANA )  
 ) SS:  
COUNTY OF VIGO )

IN THE VIGO SUPERIOR COURT 1

CAUSE NUMBER: 84D01-9608-CF-0260

STATE OF INDIANA

AMENDED INFORMATION FOR:

VS

REBECCA REEDY  
DOB: 04/01/73  
SS#: 313-88-5586

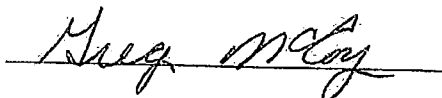
COUNT 1  
Theft  
A Class D Felony  
COUNT 2  
Conspiracy To Commit Robbery  
A Class B Felony

Count 1

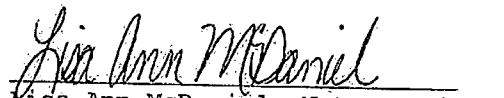
The undersigned being duly sworn upon his oath says that he is informed and believes that on or about July 15, 1996 in Vigo County, State of Indiana, Rebecca Reedy did then and there knowingly exert unauthorized control over the property of Luella Butts, to-wit: a purse, with intent to deprive the said owner of its use, in violation of I.C. 35-43-4-2(a).

Count 2

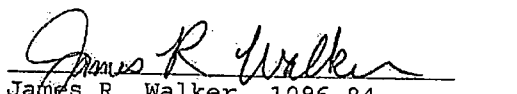
The undersigned being duly sworn upon his oath says that he is informed and believes that on or about July 22, 1996 in Vigo County, State of Indiana, Rebecca Reedy did then and there, with the intent to commit robbery, agree with Jeff Adams to commit robbery, to wit: to knowingly take property from Thelma Henneman by using force on the said Thelma Henneman, and in furtherance of said agreement, the defendant performed the following overt act, to wit: The defendant knowingly took a purse from Thelma Henneman, by using force on the said Thelma Henneman, thereby resulting in bodily injury to the said Thelma Henneman, in violation of I.C. 35-41-5-2, I.C. 35-42-5-1(1).



Subscribed and sworn to before me this 1st day of April, 1997.  
My Commission Expires:  
October 23, 1997

  
Lisa Ann McDaniel, Notary Public  
A Resident of Vigo County

APPROVED BY ME:

  
James R. Walker, 1096-84  
Chief Deputy Prosecuting Attorney

WITNESSES:

Luella Butts  
Thelma Henneman  
Jeff Milner, #82  
Billie Trotter



STATE OF INDIANA  
VIGO SUPERIOR COURT  
1997 TERM

RECEIVED  
William L. Mansard  
MAY 08 1997

STATE OF INDIANA

VS.

Clerk of the  
Vigo Circuit Court  
CAUSE NO. 84D01 9608 CF 00260

REBECCA REEDY

ORDER

Comes now the State of Indiana by Sarah Mullican, deputy prosecuting attorney. Comes now the defendant, in person and by counsel, James W. Boswell. The parties having heretofore submitted to the court a plea agreement and the court having taken said plea agreement under advisement and having ordered a presentence report and said presentence report having been received, this matter now comes on for hearing.

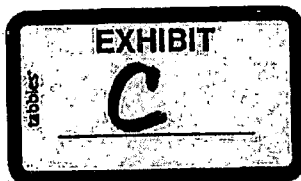
Court questions the defendant as to her knowledge of her constitutional rights and finds that the defendant understands said rights and wishes to waive same. Court requests the facts from the State of Indiana, which facts are given in open court and affirmed by the defendant herein. The court, finding that the defendant has entered knowing, intelligent and voluntary pleas of guilty, the court now accepts said pleas of guilty as follows: Count 1, Theft, Class D Felony, and the offense in Count 2 of the Amended Information, to-wit: Conspiracy to Commit Robbery, a Class B Felony.

The court, having found the defendant guilty of the above charges, this matter now comes on for sentencing.

The court questions the defendant as to the contents of the presentence report and counsel for the defendant informs the court of the various mistakes in said report. Court notes same for the record.

The State of Indiana presents evidence of what they believe would be a fair sentence and the defendant, by counsel, presents evidence of what they believe would be a fair sentence.

The Court, having heard evidence thereon now sentences the defendant to the Indiana Department of Correction for a period of two (2) years on Count 1, and two (2) years on Count 2, which sentence shall run concurrently with each other, and now suspends one (1) year of said sentence with the exception of sixty (60) days which shall be served, and has been served, in the Vigo County Jail. That said year shall be served on in-home detention. That while the defendant is on in-home detention, she shall be allowed to leave her home for church, work, and for groceries. Court



LM



admonishes the defendant that in the event defendant does not comply with the rules, the sentence will become an executed sentence. Further, that the defendant shall make restitution to the victims in this matter to be determined by the Adult Probation Department.

That all bond heretofore posted is canceled and considered a nullity. Surety is released and discharged from any further liability herein.

SO ORDERED this 8th day of May, 1997.

  
MICHAEL H. ELDRED, JUDGE

cc: State of Indiana  
James W. Boswell  
Adult Probation Department  
Community Correction