

Keeping Early Ballots Secret

Saball v. Town of Groton

(*Leo T. Sorokin, D. Mass. 1:18-cv-12312*)

A pro se federal complaint alleged that voters' names on envelopes containing early cast ballots violated the secret ballot. The district judge denied immediate relief for want of compelling arguments and for want of service on the defendants.

Subject: Absentee and early voting. *Topics:* Early voting; pro se party.

A pro se federal complaint filed in the District of Massachusetts on the day before the November 6, 2018, general election, alleged that election officials in Groton, Massachusetts, denied the early-voting plaintiff a secret ballot, because that ballot was in an envelope with the plaintiff's name on it.¹ With his form complaint, the plaintiff filed a hand-written emergency request for relief before the secret ballots were opened.²

The complaint alleged that election officials told the plaintiff that "they would not look at [his] personal ballot because 'they don't have the time.'"³

On the day that the complaint was filed, Judge Leo T. Sorokin entered a docket sheet order denying emergency relief without prejudice: the plaintiff had not provided the court with compelling legal arguments and had not shown service on the defendants.⁴

Judge Sorokin dismissed the case on March 15, 2019,⁵ on an unanswered February 20, 2019, order to show cause why the case should not be dismissed for failure of service on the defendants.⁶

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1. Complaint, *Saball v. Town of Groton*, No. 1:18-cv-12312 (D. Mass. Nov. 5, 2018), D.E. 1.
 2. Emergency Request, *id.* (Nov. 5, 2018), D.E. 2.
 3. Complaint, *supra* note 1, at 5.
 4. Docket Sheet, *Saball*, No. 1:18-cv-12312 (D. Mass. Nov. 5, 2018) (D.E. 6).
 5. *Id.* (D.E. 8).
 6. Order to Show Cause, *id.* (Feb. 20, 2019), D.E. 7.