

## Ballot-Access Requirements in Puerto Rico

*López-Rutol v. Gracia*

*(Hector M. Laffitte, D.P.R. 3:03-cv-1880)*

A would-be independent candidate for Puerto Rico’s senate filed a federal complaint challenging ballot-petition requirements for candidates. The court denied the plaintiff immediate relief. On the one hand, the plaintiffs “waited for the eleventh hour to file the present petition for injunctive relief”; on the other hand, they “erroneously believe[d] that a law imposing any burden upon the right to vote must be subject to strict scrutiny.”

*Subject:* Getting on the ballot. *Topics:* Getting on the ballot; laches.

A would-be independent candidate for Puerto Rico’s senate and several of his supporters filed a federal complaint in the District of Puerto Rico on August 18, 2003, challenging ballot-petition requirements for candidates.<sup>1</sup> The complaint sought a temporary restraining order and a preliminary injunction.<sup>2</sup>

Judge Hector M. Laffitte issued an order to show cause why injunctive relief should not be granted and set the matter for hearing on August 22.<sup>3</sup> At the hearing, Judge Laffitte denied the plaintiffs immediate injunctive relief, and he issued an opinion on the matter on September 2.<sup>4</sup> On the one hand, the plaintiffs “waited for the eleventh hour to file the present petition for injunctive relief”; on the other hand, they “erroneously believe[d] that a law imposing any burden upon the right to vote must be subject to strict scrutiny.”<sup>5</sup> Judge Laffitte found Puerto Rico’s ballot-access petition requirements to be reasonable.<sup>6</sup>

On September 29, Judge Laffitte accepted the plaintiffs’ voluntary dismissal.<sup>7</sup>

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1. Docket Sheet, *López-Rutol v. Gracia*, No. 3:03-cv-1880 (D.P.R. Aug. 18, 2003); Opinion at 1–2 & nn.1–2, *id.* (Sept. 2, 2003), D.E. 12.

2. Order to Show Cause, *id.* (Aug. 19, 2003), D.E. 4.

3. Order, *id.* (Aug. 20, 2003), D.E. 5; Order to Show Cause, *supra* note 2.

Judge Laffitte retired on February 16, 2007. Federal Judicial Center Biographical Directory of Article III Federal Judges, [www.fjc.gov/history/judges](http://www.fjc.gov/history/judges).

4. Opinion, *supra* note 1.

5. *Id.* at 4–5.

6. *Id.*

7. Judgment, *López-Rutol*, No. 3:03-cv-1880 (D.P.R. Sept. 29, 2003), D.E. 19.