

STATE OF INDIANA ) BEFORE THE INDIANA RECOUNT COMMISSION  
 ) SS:  
COUNTY OF MARION ) SITTING AT INDIANAPOLIS, INDIANA

PAULA K. COPENHAVER, )  
 )  
 Petitioner, )  
 v. )  
 )  
SPENCER R. DEERY, )  
 )  
 Respondent. )

INDIANA ELECTION DIV  
MAY 22 '26 PM 2:11

**PETITIONER’S OBJECTION TO THE UNTIMELY  
AND UNAUTHORIZED ALTERATION OF CERTIFIED ELECTION RESULTS  
AND REQUEST FOR EMERGENCY PROVISIONAL RELIEF  
FROM THE INDIANA RECOUNT COMMISSION**

Petitioner, Paula K. Copenhaver, by counsel, objects to the untimely and unauthorized alteration of certified election results that occurred after noon on May 18, 2026, and in violation of Ind. Code § 3-12-5-6, and requests emergency and provisional relief from the Indiana Recount Commission (the “Commission”), and in support thereof shows the Commission as follows:

1. Ind. Code § 3-12-5-6 specifies a hard deadline of “[n]ot later than noon on the second Monday following an election” for each county clerk to prepare, and the Indiana Election Division to receive, a certified statement under the clerk’s seal of the number of votes received by each candidate for state office.

2. The *2026 Indiana Election Administrator’s Manual* (the “Manual”) published by the Indiana Election Division reinforces the mandatory nature of the statutory language, stating: ***“Not later than noon (local prevailing time), thirteen (13) days after a primary, general, municipal, or special election, the county election board must submit their canvassed and***

**final election results.** These reports . . . *are required to be filed in SVRS<sup>1</sup> by this deadline.*” *Manual*, p. 18 (bolding original; italics added).

3. The *Manual* is clear regarding not only when, but how the certification must occur:

*Not later than noon (Indianapolis time), the second Monday after a primary, general, or municipal election, the circuit court clerk must prepare a statement identifying all votes cast at the election. **A county must use the statewide voter registration system (SVRS) to certify the final results of the elections conducted in that county unless the election division authorizes the use of an alternative method for transmission of the results.** (IC 3-12-5-1.5) Included in this electronic filing requirement is the County Election Report (CEB-9) . . . However, *the deadline to finalize the CEB-9 in SVRS is noon, fourteen (14) days after a primary, general, or municipal election.* (IC 3-6-5-17; IC 3-6-5-17.5)*

*Manual*, pp. 279-80 (bolding original; italics added); *see also Manual*, p. 277 (“After the ballots have been tabulated, *county election administrators must certify the results of the election to the Indiana Election Division not later than noon (Indianapolis time) the second Monday following Election Day.* (IC 3-12-5-1).”) (italics added).

4. There is no process in the Indiana Election Code or in the *Manual* for the late submission of a CEB-9 to alter a county’s certified election results in the SVRS after noon on the second Monday following a primary election. Therefore, the only way that a county’s certified election results may be lawfully changed after the deadline is within a recount by order of the Commission or possibly by court order.

5. However, well outside the statutory deadline, on Thursday, May 21, 2026 at 9:52 a.m., Parke County Circuit Court Clerk Nicole Collins sent the email attached hereto as **Exhibit A**, explaining that she had just that morning sent “re-certified” election results to the Indiana Election Division, some three (3) days after the mandatory certification deadline and two days

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<sup>1</sup> “SVRS” refers to the statewide voter registration system, which is the secured electronic system maintained by the Indiana Election Division into which each county’s final certification of election results must be uploaded.

after the Commission ordered that “[a]ll other election materials [and] records remain impounded until further order of the Indiana Recount Commission.” Order 2026-5 Order of Impoundment (May 19, 2026).

6. Furthermore, minutes after the Parke County Circuit Court Clerk’s email was sent the reported Indiana election results for the Republican nominee for State Senate District 23 were changed on the website of the Indiana Election Division to add an additional vote to the total for Candidate Spencer R. Deery.

7. In her email the Parke County Clerk explained that she “re-certified” after the statutory deadline based on “provisional ballots information [that] didn’t get saved when we added it to our totals and the election was certified.” Exhibit A (May 21, 2026 email from Nicole Collins).

8. The Parke County Clerk’s explanation, however, does not justify altering the certification of election results after the statutory deadline set by Ind. Code § 3-12-5-6 (a) and after the impoundment order issued by the Commission on May 19, 2026.

9. Nor could this explanation justify the Indiana Election Division opening access to the SVRS to permit the County’s certification to be altered after both the statutory deadline and the Commission’s issuance of its impoundment order and apparently without consultation with the Commission.

10. When the Parke County Clerk acted, possibly with the assistance of the Indiana Election Division, after the deadline to attempt to “re-certify” election results previously certified by her County she was well past the deadline for certifying results for state office candidates. Ind. Code § 3-12-5-6 (a).

11. There are at least two significant problems associated with the tardy certification effort and the *ex parte* alteration of the official certification after the statutory deadline, which was apparently undertaken without authorization from the Commission:

- a. First, it violated Indiana law and usurped the role and authority of this Commission for any person or persons to alter the certification of election results after a recount had been filed and the statutory deadline had expired. Any alleged failure by the County to count remaining ballots after the deadline could only be properly addressed by the Commission through the recount process, as no other party or individual had lawful authority to modify the certification after the statutory deadline; and
- b. Second, on information and belief, altering the certified results on the Indiana Election Division's website after the statutory deadline required assistance from one or more individuals at the Indiana Election Division to allow the Parke County Clerk to access the computerized list established under Ind. Code § 3-7-26.3 and change the County's certification after the Commission's impoundment order and the deadline in Ind. Code § 3-12-5-6(a). Accordingly, the parties should receive complete information explaining how a supposedly locked election certification was altered after the deadline.

12. It is important that the parties and the public have confidence that the recount will proceed, as provided for in the Indiana Election Code, under the sole purview and authority of the Commission which, since noon on May 18, 2026, has been the only entity or individual with lawful authority to alter the final certification of election results that existed at that time.

13. For the foregoing reasons, before the counting of votes in this Recount, Petitioner is entitled to an order from the Commission re-establishing the certification of the election for the nomination of the Republican candidate for Senate District 23 that existed on May 18, 2026, at noon. The certification of the election as it existed on May 18, 2026, at noon should be the official and final certification of the primary election results for the Republican nominee in Senate District 23, subject only to the Commission’s actions and decisions within this Recount concerning whether or not to count or not count votes.

14. Therefore, the Commission should clarify that the certified election result at the outset of this Recount is the certification which existed at noon on May 18, 2026, which was:

Paula K. Copenhaver	6,334 votes
Spencer R. Deery	6,336 votes

15. Furthermore, the parties to this Recount are entitled to complete information regarding how the certification was apparently changed in the SVRS and on the website of the Indiana Election Division after the statutory deadline. Therefore, the Commission should issue an order requiring the Indiana Election Division to provide a full and complete written explanation to Petitioner and to Respondent explaining how the computerized list was accessed and altered by one or more individuals on May 21, 2026, identifying any and all persons who authorized, permitted, facilitated, or participated in, the alteration of the certification of votes for the Republican nomination for State Senate in Senate District 23 and/or in the alteration of the certified results displayed on the Indiana Election Division’s website after the deadline of noon on May 18, 2026, and produce all documents and records sufficient to verify and substantiate such written explanation.

WHEREFORE, Petitioner requests the Commission promptly issue an order or orders:

1. Specifying that when the Recount process begins the certification of votes for the Republican nomination for State Senate in Senate District 23 shall be the certification that existed as of May 18, 2026 at noon, unless and until changed by subsequent action of the Commission following the completion of the Recount proceedings or by a court on appeal, and

2. Requiring the Indiana Election Division to prepare a written report with supporting documentation explaining how the computer list containing certified election results was changed following the May 18, 2026, noon deadline, and the Commission's May 19, 2026, impoundment order, and identifying all individuals who participated in the decision-making and/or actions that lead to the official certified election results being altered in the SVRS and on the Indiana Election Division's website after the May 18, 2026, noon deadline.

Date: May 22, 2026

Respectfully submitted,

*/s/ William Bock III*

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William Bock III, Atty No. 14777-49  
Ted Nolting, Atty No. 27985-49  
Sarah R. Pfister, Atty No. 39820-32  
KROGER, GARDIS & REGAS, LLP  
111 Monument Circle, Suite 900  
Indianapolis, IN 46204  
Telephone: (317) 692-9000  
Fax: (317) 264-6832  
[wbock@kgrlaw.com](mailto:wbock@kgrlaw.com)  
[tnolting@kgrlaw.com](mailto:tnolting@kgrlaw.com)  
[spfister@kgrlaw.com](mailto:spfister@kgrlaw.com)

ATTORNEYS FOR PETITIONER, PAULA K.  
COPENHAVER

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served upon the following by First Class United States Mail, postage prepaid this 22 day of May 2026.

Spencer R. Deery  
3723 Westmoreland Drive  
West Lafayette, IN 47906

Jessica Dickinson  
Recount Director  
14 Municipal Drive  
Suite 300  
Fishers, IN 46038

*/s/ William Bock III*

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William Bock III  
KROGER, GARDIS & REGAS, LLP  
111 Monument Circle, Suite 900  
Indianapolis, Indiana 46204

Voice: (317) 698-9000

Email: [wbock@kgrlaw.com](mailto:wbock@kgrlaw.com)

# EXHIBIT A

**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-24)**

**COUNTY OF PARKE - Complete**

**United States Representative, Eighth District**

Republican	Mark Messmer (**)	...	2,062
	Total Number of Votes		2,062

**State Senator, District 23**

Republican	Paula K. Copenhaver	...	1,249
Republican	Spencer R. Deery (**)	...	1,191
	Total Number of Votes		2,440

**State Representative, District 042**

Republican	Tim R. Yocum (**)	...	2,047
	Total Number of Votes		2,047

**Prosecuting Attorney of Parke County, 68th Judicial Circuit**

Republican	Kevin Stalker (**)	...	2,186
	Total Number of Votes		2,186

**Parke County Circuit Court Clerk**

Republican	Nicole Collings (**)	8	243 North 875 East, Rockville, IN, 47872	2,260
	Total Number of Votes			2,260

**Parke County Auditor**

Republican	Susan P Kramer (**)	8	4248 S Hook Rd, Rockville, IN, 47872	2,074
	Total Number of Votes			2,074

**Parke County Sheriff**

Republican	Jason W Frazier (**)	8	1445 S Catlin Rd, Rockville, IN, 47872	2,297
	Total Number of Votes			2,297

**Parke County Coroner**

Republican	Tim Smith (**)	8	96 W North St, Bloomingdale, IN, 47832	2,091
	Total Number of Votes			2,091

**Parke County Surveyor**

Republican	Greg Lohrmann (**)	8	733 S Cooke Rd, Rockville, IN, 47872	2,185
	Total Number of Votes			2,185

**Parke County Assessor**

Republican	Katie Potter (**)	8	254 S Broadway St, Bloomingdale, IN, 47832	2,148
	Total Number of Votes			2,148

**Parke County Commissioner, District 2**

Republican	Bruce Hartman (**)	8	906 Oak Street, Rockville, IN, 47872	1,186
Republican	Cameron Martin	8	924 Sycamore Dr, Rockville, IN, 47872	761
Republican	Jeffrey A Ramey, II	8	309 North Virginia St, Rockville, IN, 47872	470
	Total Number of Votes			2,417

**Parke County Commissioner, District 3**

Republican	Donna Ireland Smith (**)	8	96 W North St, Bloomingdale, IN, 47832	1,562
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**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-24)**

**Parke County Commissioner, District 3**

Republican	Jim Meece	8	3901 N US Highway 41, Bloomingdale, IN, 47832	919
	Total Number of Votes			2,481

**Parke County Council, District 1**

Republican	Thomas Rohr (**)	8	3014 New Discovery Rd, Rockville, IN, 47872	539
	Total Number of Votes			539

**Parke County Council, District 2**

Republican	Rick Patton (**)	8	9484 N 525 W, Kingman, IN, 47952	527
	Total Number of Votes			527

**Parke County Council, District 3**

Republican	Caleb A Chambers		4854 W 700 S, Montezuma, IN, 47874	258
Republican	Jacob King (**)	8	649 E Angle Rd, Rosedale, IN, 47874	398
	Total Number of Votes			656

**Parke County Council, District 4**

Republican	Roy Wrightsman (**)	8	1719 N 400 E, Rockville, IN, 47872	520
	Total Number of Votes			520

**Adams Township Trustee, Parke County**

Republican	Sharon L Malone (**)	8	PO Box 117, Rockville, IN, 47872	716
	Total Number of Votes			716

**Greene Township Trustee, Parke County**

Republican	Jill A Helderman (**)	8	6475 E 700 N, Waveland, IN, 47989	96
	Total Number of Votes			96

**Howard Township Trustee, Parke County**

Republican	Audra Long (**)	8	9003 N 700 E, Waveland, IN, 47989	32
	Total Number of Votes			32

**Liberty Township Trustee, Parke County**

Republican	Tamra Tami Smith (**)	8	11419 N 400 W, Tangier, IN, 47952	107
	Total Number of Votes			107

**Raccoon Township Trustee, Parke County**

Republican	Kathy L Collom (**)	8	3353 E School Rd, Rosedale, IN, 47874	95
	Total Number of Votes			95

**Sugar Creek Township Trustee, Parke County**

Republican	Rylan L Carr (**)	8	10148 N Carpenter Rd, Bloomingdale, IN, 47832	27
	Total Number of Votes			27

**Union Township Trustee, Parke County**

Republican	Brent Jeffries (**)	8	2276 S State Rd 59, Rockville, IN, 47872	216
	Total Number of Votes			216

**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-24)**

**Washington Township Trustee, Parke County**

Republican	Clint W Engle (**)	8	796 East State Rd 236, Marshall, IN, 47859	0
	Total Number of Votes			0

**Adams Township Board Member, Parke County**

Republican	Dustin Jovanovich (**)	8	950 S Catlin Rd, Rockville, IN, 47872	524
Republican	Steve Nunn (**)	8	609 S Sassafras Dr, Rockville, IN, 47872	453
Republican	Mike A Watts (**)	8	506 S Michigan St, Rockville, IN, 47872	503
	Total Number of Votes			1,480

**Florida Township Board Member, Parke County**

Republican	Vickie L Whitesell (**)	8	132 South Main St, Rosedale, IN, 47874	276
	Total Number of Votes			276

**Jackson Township Board Member, Parke County**

Republican	Frank Moore (**)	8	9606 S 775 E, Carbon, IN, 47837	48
Republican	Gary L Williams (**)	8	9100 East 720 South, Carbon, IN, 47837	67
	Total Number of Votes			115

**Liberty Township Board Member, Parke County**

Republican	Steven Lee Crum (**)	8	3781 W 500 N, Tangier, IN, 47952	93
Republican	Erin McCoy (**)	8	9661 N 250 W, Kingman, IN, 47952	93
	Total Number of Votes			186

**Penn Township Board Member, Parke County**

Republican	Paul Lapp (**)	8	358 N Main St, Bloomingdale, IN, 47832	127
	Total Number of Votes			127

**Reserve Township Board Member, Parke County**

Republican	Anthony W Rohr (**)	8	4720 W Rohr Rd, Montezuma, IN, 47862	130
	Total Number of Votes			130

**Union Township Board Member, Parke County**

Republican	Sue Berry (**)	8	832 N 875 E, Rockville, IN, 47872	199
Republican	Travis Collings (**)	8	243 N 875 E, Rockville, IN, 47872	198
Republican	Bryan L Jones (**)	8	4279 S Martin Rd, Carbon, IN, 47837	180
	Total Number of Votes			577

**Wabash Township Board Member, Parke County**

Republican	Austin P Swaim (**)	8	4899 W Craig St, Mecca, IN, 47860	74
	Total Number of Votes			74

**Washington Township Board Member, Parke County**

Republican	William F Engle (**)	8	150 W Parke Ct, Marshall, IN, 47859	117
Republican	Donald Sink (**)	8	3258 E 400 N, Rockville, IN, 47872	107
Republican	John M Wrightsman (**)	8	4599 E 350 N, Rockville, IN, 47872	129
	Total Number of Votes			353

**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-24)**

**Montezuma Town Clerk-Treasurer**

Republican	Cathy L Morgan (**)	8	112 N Jefferson St, Montezuma, IN, 47862	71
	Total Number of Votes			71

**Rockville Town Clerk-Treasurer**

Republican	Brandy Asher (**)	8	930 Sycamore Drive, Rockville, IN, 47872	377
	Total Number of Votes			377

**Montezuma Town Council Member**

Republican	Sarah Bovair (**)	8	1183 N Washington St, Montezuma, IN, 47862	62
Republican	John "Jay" Norris (**)	8	1165 N Washington St, Montezuma, IN, 47862	57
	Total Number of Votes			119

**Rockville Town Council Member, At Large**

Republican	Tyson J Conrady	8	201 E High St , Rockville, IN, 47872	146
Republican	Shane D Russell (**)	8	303 E Ohio St, Rockville, IN, 47872	242
Republican	Rodger Smith (**)	8	805 Maple Dr, Rockville, IN, 47872	312
	Total Number of Votes			700

**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-24)  
Attachment A**

**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-24)  
Attachment B**

**Parke County Republican Convention Delegate, At Large**

Republican	Merl F Heinlein (**)	8	7793 E CR 290 S , Rockville, IN, 47872	1,334
Republican	Christina Meagher (**)	8	9503 N 175 W, Bloomingdale, IN, 47832	1,508
Republican	Bill Webster (**)	8	809 Eastwood Dr, Rockville, IN, 47872	1,633
Republican	Paul Wilson (**)	8	4486 W Strawberry Rd, Montezuma, IN, 47862	1,765
	Total Number of Votes			6,240

This form CEB-24 was generated on Thursday, May 21, 2026

**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-23)**

**COUNTY OF PARKE - Complete**

**United States Representative, Eighth District**

Democratic	Mary Allen (**)	...	248
Democratic	Mario Foradori	...	26
Democratic	Christopher Rector	...	56
Democratic	Tabitha Zeigler	...	61
	Total Number of Votes		391

**State Senator, District 23**

Democratic	David A Sanders (**)	...	337
	Total Number of Votes		337

**Parke County Commissioner, District 2**

Democratic	Chance Hoover (**)	8	346 S 600 W, Montezuma, IN, 47862	296
	Total Number of Votes			296

**Florida Township Trustee, Parke County**

Democratic	Karen Rusk (**)	8	7089 W 5th Street, Rosedale, IN, 47874	74
	Total Number of Votes			74

**Jackson Township Trustee, Parke County**

Democratic	Richard Thompson (**)	8	3122 E 900 S, Brazil, IN, 47834	16
	Total Number of Votes			16

**Reserve Township Trustee, Parke County**

Democratic	Ashley Monroe (**)	8	89 N Jefferson St, Montezuma, IN, 47862	37
	Total Number of Votes			37

**Wabash Township Trustee, Parke County**

Democratic	Kelsey Hoover (**)	8	346 South 600 West, Montezuma, IN, 47862	16
	Total Number of Votes			16

**Florida Township Board Member, Parke County**

Democratic	Mary Jo Haltom (**)	8	8339 S Larkins St, Rosedale, IN, 47874	65
Democratic	Connie A Shatluck (**)	8	1685 W Rosedale Rd, Rosedale, IN, 47874	46
	Total Number of Votes			111

**Jackson Township Board Member, Parke County**

Democratic	Bonnie Rzonca (**)	8	5471 S Redbird Ln, Brazil, IN, 47834	16
	Total Number of Votes			16

**Liberty Township Board Member, Parke County**

Democratic	Patricia Patsy Steffen (**)	8	4776 W 950 N, Kingman, IN, 47952	6
	Total Number of Votes			6

**Raccoon Township Board Member, Parke County**

Democratic	Christine Sanquenelli (**)	8	8479 S Bridgeton Rd, Rosedale, IN, 47874	9
Democratic	Diane Smith (**)	8	1110 E Collings Rd, Rosedale, IN, 47874	17
	Total Number of Votes			26

**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-23)**

**Reserve Township Board Member, Parke County**

Democratic	Linda Baird (**)	8	3224 N 300 W, Bloomingdale, IN, 47832	34
Democratic	Connie Campbell (**)	8	315 E Sylvester St, Montezuma, IN, 47862	29
Democratic	Mary Jane Vincent (**)	8	1527 Jefferson St, Montezuma, IN, 47862	32
	Total Number of Votes			95

**Rockville Town Council Member, At Large**

Democratic	Kevin Michael Callans (**)	8	515 Jackson St, Rockville, IN, 47872	58
	Total Number of Votes			58

**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-23)  
Attachment A**

**Jackson Democratic Precinct Committeeman, Parke County**

Democratic	Bonnie Rzonca (**)	8	5471 S Redbird Lane, Brazil, IN, 47834	14
	Total Number of Votes			14

**Statements of the Circuit Court Clerk for  
State of Indiana (CEB-23)  
Attachment B**

**Parke County Democratic Convention Delegate, At Large**

Democratic	Susan Asbury Holley (**)	8	2941 E 450 N, Marshall, IN, 47859	250
Democratic	Tanya Snell (**)	8	8125 Parke Rd, Marshall, IN, 47859	197
Democratic	Mark Spelbring (**)	8	902 Northwood Dr, Rockville, IN, 47872	249
Democratic	Ken Steffen	8	4776 W 950 N, Kingman, IN, 47952	140
	Total Number of Votes			836

This form CEB-23 was generated on Thursday, May 21, 2026