

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT

SHERRY ABRAHAM AND AUDREY JARAMILLO,

Petitioners,

v.

No. D-101-CV-2020-01091

**JOHN BASSETT, JOHN ABRAMS
AND LINDA HOLLE, IN THEIR OFFICIAL
AND PERSONAL CAPACITIES,**

Respondents.

**ORDER AMENDING ALTERNATIVE WRIT OF MANDAMUS
AND MAKING WRIT PERMANENT**

The Court having issued an Alternative Writ of Mandamus commanding the Respondents to take the necessary actions to hold a meeting and adopt a resolution calling for a special election on the issue of whether the Town of Edgewood should be governed by a commission-manager form of government pursuant to NMSA 1978 §3-14-2; and Respondents having called for a special election to be held on August 24, 2020, on the issue of whether the Town of Edgewood should be governed by the commissioner-manager form of government in compliance with the command of the Writ; and the Respondents having also filed a responsive pleading containing a Certification of their Compliance with the command of the Alternative Writ, an Answer to the Alternative Writ, and a Motion to Clarify and/or Modify Provisions of the Writ with Respect to Potential Future Election; and

Upon further consideration of the motion by Respondents that the Writ should be clarified and /or modified with respect to the potential future election of commissioners, and the Court having read and considered the letter from the General Counsel of the Office of the Secretary of State provided by Respondents as Exhibit 3 to their responsive pleadings, and Petitioners not objecting to a modification of the Writ based upon the letter from the Secretary of State's Office;

IT IS HEREBY ORDERED:

1. That the provision of this Court's command on page 6 of the Alternative Writ which reads: "The Respondents are ordered to otherwise comply with all applicable statutes and regulations relating to implementing the election called for in NMSA 1978, Section 3-14-2" be modified to read as follows: "The Respondents are ordered to otherwise comply with all applicable statutes and regulations relating to implementing the election called for in NMSA

1978, Section 3-14-2; and that in the event that the ballot measure is approved, it be placed on the next regular local election to be held on November 2, 2021, consistent with the interpretations of applicable statutes as provided by the Office of the Secretary of State.”; and

2. That with the foregoing modification, the Writ is hereby made Permanent, and Respondents having called for a special election to be held on August 24, 2020, on the issue of whether the Town of Edgewood should be governed by the commissioner-manager form of government in compliance with the command of the Writ, the Permanent Writ has been complied with and satisfied, and the governing body of the Town of Edgewood shall make appropriate arrangements with the County Clerk for payment either to the County or an election vendor in accordance with section 1-24 5 (B) for the special election, and is expected to comply with all applicable statutes and regulations relating to implementing the special election called for in NMSA 1978, Section 3-14-2.”



JUDGE BRYAN BIEDSCHEID
District Court, Div. VI

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Respectfully submitted,

ROBLES, RAEL, & ANAYA, P.C.

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