

IN THE  
SUPREME COURT OF MISSOURI

STATE OF MISSOURI ex rel. )  
JEREMIAH W. (JAY) NIXON, )  
Attorney General, )  
Relator, )  
vs. )  
HONORABLE MATT BLUNT, )  
Secretary of State for the State of Missouri )  
Respondent. )

No. **086013**

**DUPLICATE  
OF FILING ON  
MAY 24 2004  
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CLERK SUPREME COURT**

WRIT SUMMARY

**Identity of parties and their attorneys:**

<i>Relator:</i> Jeremiah W. (Jay) Nixon	<i>Represented by:</i>	Paul C. Wilson Supreme Court Building, P.O. Box 899 Jefferson City, MO 65102 (573) 751-8851 Fax: (573) 751-2203
<i>Respondent:</i> The Honorable Matt Blunt	<i>Represented by:</i>	Terry Jarrett Office of the Secretary of State State Information Center, 600 W. Main Jefferson City, MO 65101 (573) 526-1272 Fax: (573) 526-4903

**Nature of the underlying action, if any:** None.

**Action of Respondent being challenged, including date thereof:** Respondent is refusing to perform the duties of his office, including his duties pursuant to Section 116.160 RSMo 2000, relative to preparing the constitutional amendment proposed by the General Assembly in Senate Joint Resolution 29 for a vote of the people of this state in the August special election called for that purpose by the Governor in his Proclamation dated May 19, 2004.

**Relief sought by Relator:** An order directing respondent to take all necessary steps within the power of his office, including complying with his duties under Section 116.160 and other applicable statutes, to effect the Governor's Proclamation that the proposed constitutional amendment set forth in the Truly Agreed and Finally Passed SJR 29 be put

to a vote of the people of this state in a special election on August 3, 2004. Immediate relief is necessary due to impending statutory deadlines.

**Pertinent dates:** Respondent takes the position that he cannot act now, and that if he does not act by Tuesday, May 25, 2004, the proposed amendment cannot appear on the August ballot.

*\*All persons required to be served with a copy of this summary have been served.*