

EMBARGOED UNTIL 4:30 PM: August 28, 2024

CONTACT: Matthew Malcom, 307.287.4965, Malcom.Matthew@outlook.com

William P. Schwartz, Attorney, 307.403.0420, BSchwartz@parsonsbehle.com

Wyoming Candidate and Voter Challenge Election Law

On August 28, Legislative Candidate Matthew Malcom and independent voter Jim Roscoe filed a complaint in state district court in Cheyenne contending that Wyoming's laws prohibiting a candidate who is unsuccessful in a party primary from running in the general election as an independent violates the Wyoming State Constitution.

"Residents in my district have reached out to voice their frustrations with our election system. They are upset that now they will have no choice on the November ballot," said Malcom. "This is about freedom at the polls. Wyomingites deserve more choices on the ballot. More competition will force candidates to earn constituent votes by talking about the issues that matter."

Malcom ran in HD61 and lost the primary election by 153 votes out of the 859 cast. There are approximately 8,000 registered voters in HD61. Because no Democrat ran, there will be only one candidate on the general election ballot, meaning that only 10% of the voters decide who represents the district, which falls far short of representative democracy.

After the primary, Malcom quickly gathered 60 signatures (more than the 36 needed) to appear on the November 5th general election ballot as an independent, but the Wyoming Secretary of State rejected them, telling Malcolm he could not run in the general election because he had lost the Republican primary.

"We are seeking a judicial declaration that Wyoming's laws prohibiting a candidate who is unsuccessful in a party primary from running in the general election as an independent violates the Wyoming State Constitution," said William Schwartz, attorney. "These laws unconstitutionally infringe upon Matt Malcom's political rights to run as an independent candidate and Jim Roscoe's political rights as an independent voter."

The Complaint was filed in state district court in Cheyenne on August 28.