



1                   **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2   **June 15, 2022**

3           **NO. S-1-SC-39426**

4           **MAGGIE TOULOUSE OLIVER,**  
5           **in her official capacity as Secretary of State**  
6           **of the State of New Mexico,**

7  
8                   Petitioner,

9           v.

10  
11           **THE OTERO COUNTY COMMISSION,**

12  
13                   Respondent.

14   **ORDER**

15           WHEREAS, this matter came before the Court for consideration on  
16           Petitioner Maggie Toulouse Oliver's Emergency Verified Petition for Writ of  
17           Mandamus to Compel Certification of Election Results, and the Court having  
18           considered the foregoing and being sufficiently advised, Chief Justice C. Shannon  
19           Bacon, Justice Michael E. Vigil, and Justice David K. Thomson concurring; and  
20           Justice Julie J. Vargas and Justice Briana H. Zamora recusing;

21           WHEREAS, Rule 12-504(C)(1) NMRA provides that the "Court may act on  
22           a petition prior to the filing of a response";

23           NOW, THEREFORE, IT IS ORDERED that the petition is GRANTED and  
24           a writ of mandamus shall issue directing Respondent The Otero County  
25           Commission to comply with the requirements set forth in NMSA 1978, Section 1-

1 13-13(A) (2019). Specifically, Respondent shall “meet to approve the report of the  
2 canvass of the returns and declare the results” of the 2022 primary election no later  
3 than **June 17, 2022**; and

4 IT IS FURTHER ORDERED that Respondent shall comply with all  
5 nondiscretionary duties set forth in Section 1-13-13(B) necessary to permit the  
6 Secretary of State to fulfill her obligations under Section 1-13-13(C).

7 IT IS SO ORDERED.



WITNESS, the Honorable C. Shannon Bacon, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 15th day of June, 2022.

Elizabeth A. Garcia, Clerk of Court  
Supreme Court of New Mexico

By  \_\_\_\_\_  
Chief Clerk

I CERTIFY AND ATTEST:  
A true copy was served on all parties  
or their counsel of record on date filed.  
Elizabeth A. Garcia  
Chief Clerk of the Supreme Court  
of the State of New Mexico