

Dallas County Republican Party Resolution to Pay Election Attorney Expenses for March 2024 Primary

WHEREAS, the Dallas County Republican Party (DCRP) appointed Michael Slaton to serve as the Presiding Republican Judge for Central Count for the March 5, 2024 Republican Primary Election.

WHEREAS, Mike Slaton, as Presiding Judge of the Dallas County central counting station had all the authority and responsibility of a district court judge in Central Count in Dallas County, Texas (Tex. Elec. Code 32.075 and 127.005(c));

WHEREAS, the Dallas County Central Accumulator failed the required Test of Tabulating Equipment as required by Tex. Elec. Code 127.095i, because the Elections Department did not successfully perform a perfect count of the test ballots.

WHEREAS, when Mr. Slaton requested the Dallas County Elections Administrator produce documents that the central accumulator was running certified software on the primary tabulation computer that tabulates Republican voters' votes, the Elections Department could not provide such validation and as a result, concerns were raised regarding the Central Accumulator may have been loaded with uncertified and/or illegal software which could have caused incorrect tabulation of votes.

WHEREAS, Mr. Slaton met with Elections Administrator Heider Garcia 2-3 times, urging him to not tabulate Republican votes with the likely uncertified software of the Central Accumulator and to instead use Dallas County's ballot scanner equipment, DS450s and DS850s to scan the paper ballots cast in-person at the polling locations, which *had* passed their respective validation tests;

WHEREAS, Mr. Garcia insisted on using the potentially uncertified Central Accumulator, requiring Presiding Judge Mike Slaton to seek legal advice to assess the risks of presiding over, and then certifying, a potentially incorrectly counted March 2024 primary;

WHEREAS, after conferring with, and on advice of election law attorney, Mr. Roger Borgelt, Presiding Judge Mike Slaton resigned his position as Presiding Judge rather than potentially be subject to a felony (Tex. Elec. Code 276.013), which resulted in incurring \$1,755.00 in legal fees with Texas election attorney Roger Borgelt;

WHEREAS, the legal expenses incurred during the course of the March 2024 Dallas County Central Accumulator equipment validation testing are valid expenses that *can* and *should* be covered by the DCRP as the Party should support its Presiding Judges in ensuring that they are able to seek competent legal advice to avoid the potential of being subject to criminal violations of the Election Code.

BE IT FINALLY RESOLVED, the DCRP will immediately pay the invoice due to Texas election attorney Roger Borgelt in the amount of \$1,755.00.

Adopted by the Dallas County Republican Party on September 15, 2025.


_____, Chair, Dallas County Republican Party
Lt. Col. Allen B. West