

IN THE CHANCERY COURT FOR LOUDON COUNTY, TENNESSEE

AMY J. LANGLEY
Plaintiff,

v.

SCOTT GOLDEN, Chairman,
SCOTT SMITH, Member, and
AMY JONES, Member,
In their listed capacities within
The REPUBLICAN STATE
EXECUTIVE COMMITTEE of
TENNESSEE

Defendants.

Case No. 12933

COMPLAINT FOR DECLARATORY JUDGMENT AND EMERGENCY INJUNCTIVE
RELIEF

Plaintiff, Amy J. Langley, by and through counsel, states the following for her Complaint against Defendants, SCOTT GOLEN, Chairman, SCOTT SMITH, Member, and AMY JONES, Member, In their listed capacities within The REPUBLICAN STATE EXECUTIVE COMMITTEE of TENNESSEE.

THE PARTIES

1. Plaintiff, Amy J. Langley, resides in Loudon County, Tennessee and seeks to be on the ballot as a candidate for Loudon County Clerk as a Republican.
2. Defendant, SCOTT GOLDEN, is the Chairman of the Republican State Executive Committee of Tennessee may be served at Tennessee Republican Party, 95 White Bridge Road, Suite 414, Nashville, Tennessee 37205.
3. Defendant, SCOTT SMITH, is a member of the Republican State Executive Committee of Tennessee serving the 5th District, and may be served at 721 Irwin Road, Powell, Tennessee 37849.

FILED 14 DAY OF May 2022
AT 3:39 P.M.
Risa Miles
LOUDON CO. CLERK & MASTER

CS

4 Defendant, AMY JONES, is a member of the Republican State Executive Committee of Tennessee serving the 5th District, and may be served at 111 Jones Lane, Briceville, Tennessee 37710.

JURISDICTION AND VENUE

5. This Court has jurisdiction over this cause pursuant to, *inter alia*, Tenn. Code Ann. §§ 2-17-101, 16-11-102, 20-2-222, 20-2-223, 29-14-102, and 29-14-113.

6. The acts and omissions giving rise to the matters asserted herein occurred in this jurisdiction, accordingly venue is proper in this Court pursuant to, *inter alia*, Tenn. Code Ann. §§ 20-4-101, 20-4-102 and 20-4-104.

FACTUAL ALLEGATIONS

7. Plaintiff seeks to be on the ballot as a candidate for Loudon County Clerk as a Republican for the May 2022 primary.

8. In order to be on the ballot, a prospective candidate must meet certain criteria, one of which is that the prospective candidate must be a “bona fide republican.”

9. The Plaintiff was notified by Scott Golden (Chairman of the Republican State Executive Committee of Tennessee (“SEC”)), that, without the Plaintiff having an opportunity to be heard, the SEC through Mr. Golden and the SEC members for the 5th district (Scott Smith and Amy Jones) recommended the rejection of her candidacy based upon her “activity with either the state or . . . local party.”¹ This information was conveyed by letter which is attached hereto as **Exhibit 1** to this Complaint.

10. The TRP’s by-laws define a “bone fide Republican” as follows:

¹ The bylaws state that “the final decision concerning said individual’s [the candidate] bona fide Republican status shall be determined by a majority vote of the following: the State Chairman and each SEC member who represents any portion of the district covered by said individual’s proposed candidacy.” *Bylaws, Article IX, section 1(C)*. Loudon County is within the 5th District.

A. Any individual who is actively involved in the Tennessee Republican Party, his county Republican Party, or any recognized auxiliary organization of either; and resides and is registered to vote in said county; and either

B. Any individual who has voted in at least three (3) of the four (4) most recent Statewide Republican primary elections; or

C. Any individual who is vouched for in writing (to the satisfaction of the decision makers defined herein) as a bona fide Republican by an officer of the TRP or a member of the CEC, excluding SEC members, of the County and/or District where said individual resides. The decision makers defined herein may require additional verification that said individual is indeed a bona fide Republican.

Bylaws and Rules of the Tennessee Republican Party, Article IX, section 1,
TENNESSEE REPUBLICAN PARTY, <https://www.tngop.org/tngop-bylaws-> (December 16, 2020).
(hereinafter “bylaws”)

11. It appears from the correspondence that the challenge levied against the plaintiff and her subsequent rejection from candidacy was based upon the first part of subsection A *infra*.

12. The bylaws (in Article IX, section 1(C)) define “actively involved in” as “a quantifiable contribution including, but not limited to, time or money to Tennessee Republican Party, his County Republican Party, or any recognized auxiliary organization of either during the time period since the most recent County Republican Party reorganization.”

13. Per that definition, the Plaintiff is actively involved in the Loudon County Republican Party. She became a member of the Loudon County Republican Party on July 17, 2021. She is a member of the Loudon County Women’s Republican Party and is an associate member of the Republican Strong Federated Women in Loudon County. She has also contributed to Republican Party nominees campaigns. True and correct copies of proof of the participation of this paragraph 10 are attached hereto as **Exhibit 2** to this Complaint.

14. None of the remaining criteria for candidacy have been stated by the Executive Committee as potential reasons for the Plaintiff's disqualification, and as such to not merit extrapolation in this Complaint. Of note, however, Plaintiff meets the remaining criteria.

15. Given the foregoing, it is clear that the Plaintiff was inappropriately, and in violation of her constitutional rights to participate in governance, removed from the ballot.

16. T.C.A. § 2-17-104(a) states that any candidate may contest the primary election of the candidate's party for the office for which that person was a candidate.

17. By denying the Plaintiff candidacy at the outset, the Defendants attempt to effectively forestall the Plaintiff from obtaining the relief afforded by the above statute.

18. However, the very fact that the Plaintiff is being denied an ability to be a candidate, creates a cognizable injury to the plaintiff that can only be relieved by allowing her the access to the ballot that she entitled to.

19. It is undeniable that the Plaintiff was a candidate, and was subsequently removed, such that she has standing to bring an action pursuant to T.C.A. § 2-17-101 *et. seq.*

20. However, the redress the Plaintiff seeks cannot be adequately addressed by the provisions of T.C.A. § 2-17-101 *et. seq.* except by setting aside the results of the election if the Plaintiff is successful in her contest of the election pursuant to the above statute.

21. Therefore, this action is amenable to, and requires relief to be afforded by declaratory judgment pursuant to T.C.A. § 29-14-101 *et. seq.* for the efficient adjudication of this matter prior to the expense, delay and interference with government activity that will be involved in a judicial determination of the election results after-the-fact.

22. Time is very obviously of the essence in this matter, such that the Plaintiff will suffer immediate and irreparable harm if an injunction does not issue pursuant to Tenn. R. Civ. Pro Rule

65 that either prohibits her removal from the ballot if it has not already been so, or in the alternative, requiring the Defendants to restore the Plaintiff to the ballot if it has already been removed.

PRAYERS FOR RELIEF

WHEREFORE, Plaintiff, Amy J. Langley, prays that judgment be entered in her favor and against the Defendants as follows:

- A. That the Court issue a declaratory judgment declaring that Mrs. Langley is qualified to be on the ballot as a Republican candidate for Loudon County's Clerk for the May 2022 primary.
- B. That injunctive relief be granted enjoining either of the Defendants, their officers, directors, employees, or anyone acting on their behalf or at their direction, from removing Mrs. Langley from the ballot as a Republican candidate for the position of Loudon County Clerk. Or, in the alternative, requiring the Defendants to have the Plaintiff placed on the ballot through the local election committee.
- C. That Mrs. Langley be granted and awarded any such other, further, or different relief to which this Court might find Mrs. Langley to be entitled.

Respectfully submitted this the 14th day of March, 2022.

AMY J. LANGLEY

By:


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