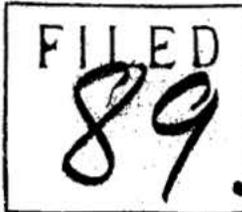


ELECTIONS: April 29th last day for filing for nomination in August primary.

January 31, 1952



Honorable Walter H. Toberman
Secretary of State
Capitol Building
Jefferson City, Missouri

Dear Mr. Toberman:

We have your recent letter in which you request an opinion of this department as to the deadline for filing for nomination to be made in the August primary election. Your letter is as follows:

"We respectfully request your opinion as to the deadline for filing for nomination to be made in the August primary election."

In answer to your inquiry we direct your attention to Section 120.340, RSMo 1949, which reads, in part, as follows:

"The name of no candidate shall be printed upon any official ballot at any primary election unless such candidate has on or before the last Tuesday of April preceding such primary filed a written declaration, as provided in sections 120.300 to 120.650, stating his full name, residence, office for which he proposes as a candidate, the party upon whose ticket he is to be a candidate, * * *"

We point out that the statute states in effect that the candidate must file on or before the last Tuesday of the April preceding the August primary. A reference to the calendar indicates that the last Tuesday of next April, which month of April precedes the next August primary, falls on the 29th of the month.

Hon. Walther H. Toberman

CONCLUSION

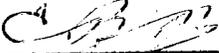
We are accordingly of the opinion that the deadline for filing for nomination to be made in the August primary 1952, is 12:00 o'clock midnight, April 29, 1952.

Respectfully submitted,

SAMUEL M. WATSON
Assistant Attorney General

SMW:smw

APPROVED:



J. E. TAYLOR
Attorney General