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June 17, 2011

OPINION LETTER NO. 106-2011

The Honorable Robin Carnahan  
Missouri Secretary of State  
James C. Kirkpatrick State Information Center  
600 West Main Street  
Jefferson City, MO 65101

Dear Secretary Carnahan:

This opinion letter responds to your request dated June 14, 2011, for our review under § 116.332, RSMo, of the sufficiency as to form of an initiative petition submitted by Theodis Brown.

We conclude that the petition must be rejected for at least the following reasons:

1. The petition is not in the form prescribed by § 116.040, RSMo.
2. The petition does not contain "all matter which is to be deleted included in its proper place enclosed in brackets and all new matter shown underlined" as required pursuant to § 116.050, RSMo.

Because of our rejection of the form of the petition for the reasons stated above, we have not reviewed the petition to determine if additional deficiencies exist. Pursuant to § 116.332.3, RSMo, the Secretary of State is authorized to review this opinion and "make a final decision as to the approval or rejection of the form of the petition."

Very truly yours,

A handwritten signature in black ink that reads "Chris Koster".

CHRIS KOSTER  
Attorney General

OP-2011-0133