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IN THE TWENTY-FIRST JUDICIAL DISTRICT COURT
IN AND OF THE STATE OF MONTANA

ANTHONY L. HUDSON, Precinct Captain,
Petitioner,

v.

RAVALLI COUNTY REPUBLICAN
CENTRAL COMMITTEE and its Chairman
RONALD STOLTZ,

Respondents.

Cause No.

**PETITION FOR WRIT OF
MANDATE AND DECLARATORY
RELIEF**

Petitioner Anthony L. Hudson, ("Tony Hudson") states the following petition against

Respondents:

I. THE PARTIES

1.1 Petitioner: Petitioner is Tony Hudson, Nineteenth Precinct Committeeman for the Ravalli County Republican Central Committee ("RCRCC"). He states this claim in his capacity as Precinct Committeeman and as a member of the RCRCC. Ravalli County Republicans elected him in the June 2024 primary.

1.2 Respondent: Respondent Ravalli County Republican Central Committee ("RCRCC") is a Respondent in this matter. RCRCC is a partisan political organization "dedicated to advancing conservative principles, supporting Republican candidates, and engaging with our

community." The acts and omissions of its officers and directors and voting members are the acts and omissions of RCRCC.

1.3 Respondent: Respondent Ronald Stoltz is acting as the Chairman of the RCRCC. His acts and omissions are the acts and omission of RCRCC or in the alternative are acts and omissions for which he is individually obligated. Stolz has not been duly elected Chairman of the RCRCC following the June 2024 primary.

II. JURISDICTION AND VENUE

2.1 The Court has jurisdiction over the subject matter and parties to these proceedings.

2.2 Venue is proper in Ravalli County where the parties are located and where the elections of delegates should occur.

III. THE FACTS SUPPORTING RELIEF

3.1 Ravalli County republicans elected committee representatives to RCRCC for each election precinct in Ravalli County in June of 2024. Ravalli County has twenty-five precincts. State statute entitles one man and one woman representative from each precinct - fifty total precinct positions. MCA 13-38-201.

3.2 Ravalli County citizens elected the following precinct committee men and women:

District 1: Thomas Parell, Barbara Parell

District 2: Ronald Stoker, Theresa Manzella

District 3: Joede Vanek, Ginger Vanek

District 4: Charles Owings, Judy Haefner

District 5: Howard Lyons, Jane Alford

District 6: Sean Ashby, Shannon Urso

District 7: Jason Ellsworth, Laurie Burnham

1 District 8: undeclared write in, undeclared write in

2 District 9: Rick Franklin, Patty Franklin

3 District 10: Richard Hulse, Holli Hudson

4 District 11 : Kurt Love, Kathy Love

5 District 12: Mike Swanson, Helen Sabin

6 District 13: Jeff Schlagel, Dana Gentry

7 District 14: Wayne Rusk, Carrie Rusk

8 District 15: undeclared write in, undeclared write in

9 District 16: Joe Banda, Sharon Parks-Banda

10 District 17: Don Montgomery, undeclared write in

11 District 18: Doug Bohn, Carlene Bohn

12 District 19: Tony Hudson, Joyce McGraw

13 District 20: Steve Jackson, Penny Howe

14 District 21: Mark Matthews, Susan McCreary

15 District 22: Steve Gibson, Melva Neal

16 District 23: Wallace Smith, Theresa Pendergast

17 District 24: Steven Neal, Ryan Roth

18 District 25: Ron Stoltz, Kim Dailey

19 3.3 None of the elected District Committeemen and Committeewomen have voted on
20 officers for the RCRCC since elected in June of 2024.

21 3.4 Officers elected prior to the June primary such as Respondent Ronald Stolz have since
22 the election continued to exert control over the RCRCC over the objections of elected officials
23 like petitioner Precinct Committeeman Tony Hudson.
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1 3.5 Committeeman Hudson seeks here to enforce his rights as Committeeman and the rights
2 of his fellow committee members to elect a presiding officer and one or more vice presiding
3 officers as specified under state statute, MCA 13-38-205. To date, he and his fellow members
4 have been denied that right.
5

6 3.6 Committeeman Hudson seeks here to enforce his rights as Committeeman and the rights
7 of his fellow committee members to participate in a county central committee meeting
8 designated a county convention to elect delegates and alternate delegates to the state
9 convention under the rules of the state party as specified in state statute, MCA 13-38-205. To
10 date, he and his fellow members have been denied that right.
11

12 3.7 Committee representatives in each precinct constitute the county central committee of
13 the Republican Party, MCA 13-38-202(2).
14

15 3.8 Committee representatives serve two-year terms from the date of the election.
16

17 3.9 The primary election occurs every even year.
18

19 3.10 The power to govern the RCRCC rests with the 2024 elected committeepersons, who
20 may not be bound by past elections.
21

22 3.11 By statute the committeemembers that constitute the current committee have the power
23 to elect county members of the state central committee and fill all vacancies and make rules in
24 their jurisdiction. County committees may make rules for the government of its political party
25 in each county not inconsistent with any of the provision of the election laws of this state or
26 the rules of its state political party. MCA 13-38-203.
27

28 3.12 RCRCC bylaws as published with the Secretary of State as required by statute, MCA 13-
38-105, Article IV Election of Officers, mandates RCRCC "hold a convention for the purpose

1 of organizing the Central Committee between February 1, and April 1 in each odd numbered
2 year."

3 3.13 RCRCC committeepersons have the right to vote on officers no later than April 1, 2025.
4

5 3.14 Stolz has no authority to serve in an officer position without an election in 2025 past April
6 1, 2025; however, he has indicated an intent to control the RCRCC without election to office
7 in 2025 through to 2027.

8 3.15 Stoltz aligns with committeepersons who hold themselves out as Freedom Caucus
9 loyalists, an affiliation of extreme conservative far right thinkers who rule through bullying
10 and intimidation.

11 3.16 Petitioner Hudson worked hard recruiting committee candidates who did not align
12 themselves with the Freedom Caucus. Freedom Caucus committeepersons and candidates
13 thought no one would run and they would then control the RCRCC through appointment of
14 likeminded members.
15

16 3.17 Hudson's work for the RCRCC recruiting reasoned and broader minded representatives
17 was successful.
18

19 3.18 A majority of RCRCC committeepersons do not align themselves uniformly with the
20 bullying tactics of the Freedom Caucus.

21 3.19 The Freedom Caucus intends to control the Republican platform. To achieve that
22 outcome, the State Convention held in June of 2024 resulted in newly adopted bylaws for the
23 Montana Republican Party. Prior to the June 2024 election, Freedom Caucus took control of
24 many county and local committees and stacked likeminded individuals as the county delegates
25 to the state convention.
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1 3.20 The state convention in June of 2024 followed the election of new precinct
2 cornrnitteepersons, but the new cornrnitteepersons did not pick the delegates because local
3 elections had not yet occurred. The state delegates at the 2024 state convention were picked
4 at the end of 2023 or early in 2024.

5
6 3.21 The Freedom Caucus advocates at the 2024 convention sought to extend their power
7 because they knew based on election results that local committees were not still stacked in
8 their favor come 2025, which was particularly true in Ravalli County due to Hudson's
9 advocacy.

10
11 3.22 State delegate Paul Fielder moved to amend the state bylaws to set local committee
12 conventions between December 1 of each even numbered year and March 31 in each odd-
13 numbered year. Delegate Brad Tschida moved to amend the proposed amendment to the effect
14 "beginning December 1, 2026". The amended motion was seconded and the amended motion
15 passed. Section C: Committees Section III. County Central Committee Subsection (C) now
16 reads in part as follows:
17

18 "C) Election of County Officers. Each County Central Committee must
19 hold a convention for the purpose of organizing the Central Committee between
20 December 1 of each even numbered year and March 31 in each odd-numbered year,
21 beginning December 1, 2026... The County Chairman, or the Vice Chairman or
22 other officer as provided in Robert's Rules of Order Newly Revised, in the absence
23 of the Chairman, shall preside at the county convention ...

24 * *"beginning December 1, 2026" is removed automatically after the date*
25 *occurs"*

26 3.23 Fielder explained the purpose of the amendment was to hold county conventions before
27 the State Officer's convention and to allow flexibility to hold a county convention in the
28 absence of the county chair.

1 3.24 Current state bylaws have no provisions controlling County Central Committee elections
2 in 2025. The 2024 convention amendments were silent as to 2025 elections.

3 3.25 Respondent Stoltz does not intend to recognize the rights of the Committeemembers
4 elected in 2024 to select their officers.
5

6 3.26 Respondent Stoltz plans to act as the Chairman of RCRCC without a 2025 election.

7 3.27 Respondent Stoltz interprets the state bylaw amendment erroneously, claiming State
8 bylaws preclude a 2025 election of officers.

9 3.28 Respondent Stoltz' reading of the state bylaws conflicts with RCRCC bylaws.

10 3.29 Respondent Stoltz must under RCRCC bylaws hold a convention in 2025 before April 1.

11 3.30 By statute, MCA 13-38-205, county central committees "shall meet prior to the state
12 convention of its political party and organize by electing a presiding officer and one or more
13 vice presiding officers." Respondents may not bypass 2025 election of officers.
14

15 3.31 After election of officers, then the presiding officer of the county central committee shall
16 call the central committee meeting, MCA 13-38-205.
17

18 3.32 By statute, the election of County Committee officers occurs in advance of any county
19 convention. Absent an election by the duly elected committeepersons there is no officer who
20 has any authority to act. Officers may not hold over without a new election.

21 3.33 Respondent Stolz acts in conflict with state election laws and in violation of Article II
22 Section A of RCRCC when purporting to hold the office of Chairman without election to office
23 by the Committeepersons, the people elected to vote for officers locally and as state delegates.

24 3.34 Respondent Stoltz and the RCRCC acts in conflict with state election laws when planning
25 to send delegates elected by past committeepersons to the 2025 state Republican Convention
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1 without a 2025 election that allows the committeepersons holding office in 2024 and 2025 to
2 elect their delegates.

3 **IV. CAUSES OF ACTION**

4
5 The above facts are incorporated into the following causes of action:

6 **First Cause of Action**

7 **Writ of Mandate**

8 4.1 Respondents have an affirmative duty to comply with Montana's election laws. Mont.
9 Const. art. IV Sec. 3 obligates the legislature to provide by law for the administration of
10 elections. The Legislature shall insure the purity of elections and guard against abuses of the
11 electoral process. The Legislature has adopted standards in conformance with its constitutional
12 duties for elections applicable to political parties at MCA 13-38.

13
14 4.2 Per the constitutional dictates from the Legislature, Respondents have an affirmative duty
15 to hold an election of officers following the election of committeepersons every two years.

16
17 4.3 MCA 13-38-205 mandates a committee comprised of the committeepersons elected in
18 the June 2024 primary meet prior to the state convention of its political party and organize by
19 electing a presiding officer and one or more vice presiding officers.

20 4.4 Following the election of officers, the presiding officer must call a county convention to
21 elect delegates and alternate delegates to the state convention under the rules of the state party.

22 4.5 Respondents have violated their statutory duties.

23 4.6 Respondents have failed to hold an election of officers since the June primary election.

24 4.7 Respondent Stoltz has expressed his intent to act as chairperson without election.

25 4.8 Respondent Stolz has expressed his intent to not convene a county convention in 2025.
26
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1 4.9 Respondents have interpreted the State Republican Party Bylaws in contravention of state
2 election laws.

3 4.10 State election laws prevail over local interpretation of state bylaws.
4

5 4.11 State bylaws are silent regarding 2025 elections.

6 4.12 State bylaws may not be applied nor interpreted to prevent local election of officers by a
7 county committee in 2025.

8 4.13 Respondents' interpretation of state bylaws conflates election of officers and county
9 convention election of delegates to the state convention.

10 4.14 In order to hold a county convention to elect state delegates, the county duly elected
11 committeepersons from the last primary election must first elect committee officers.

12 4.15 Petitioner seeks a writ of mandate pursuant to MCA 27-26-102 compelling the election
13 of officers to the RCRCC by the committeepersons elected in the June 2024 primary.

14 4.16 Petitioner seeks a writ of mandate pursuant to MCA 27-26-102 to compel a county
15 convention prior to April 1, 2025, to select its delegates to the 2025 state republican party
16 convention.
17

18 4.17 The act sought to be compelled is one which the law requires as a duty resulting from the
19 office of party organization committee structure mandates of MCA 13-38-201, 202, 203 and
20 205.
21

22 4.18 There is no alternative plain, speedy, and adequate remedy in the ordinary course of law.

23 4.19 Respondents have abused the electoral process and have caused impurity in the RCRCC
24 when holding over without officer and delegate elections. There has been a disregard of the
25 people's choice for representation within the political party by disregarding officer elections
26 by the committeepersons elected to make those leadership decisions.
27
28

1 4.20 The Court should mandate compliance with the election laws.

2 4.21 Petitioner has incurred costs and attorney's fees in seeking relief from this Court and
3 requests the Court award him reimbursement of fees and costs by Respondents.
4

5 **Second Cause of Action**

6 **Declaratory Relief**

7 4.22 Petitioner seeks a declaratory order under Montana's Uniform Declaratory Judgments
8 Act.

9 4.23 Petitioner has standing to request declaratory relief. Petitioner is a duly elected
10 committeeman to the RCRCC elected in June of 2024 by a majority of republican voters.
11

12 4.24 Petitioner's constitutional rights to fulfill his statutory duties as a committeeman have
13 been impeded by Respondents.

14 4.25 Respondents refuse to recognize petitioner at meetings and have ignored his efforts to
15 comply with the laws requiring an election of officers and county convention to select
16 delegates to the state convention in 2025.
17

18 4.16 Respondents have indicated that they have no intention of holding the statutorily required
19 election of officers or county convention to select delegates to the state convention in 2025.

20 4.17 Respondent Stoltz has without any lawful authority continued to act as Chairperson
21 beyond his statutorily authorized tenure of service and has refused to hold an election of
22 officers by the current committeepersons.
23

24 4.18 MCA 13-3-8-205 mandates an election of officers by the current committeepersons prior
25 to the 2025 convention.
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1 4.19 Respondents have misapplied and misinterpreted state republican party bylaws in
2 contravention to state law. Respondents have read into state bylaws a prohibition on 2025
3 election of officers and county convention when no such prohibition exists.
4

5 4.20 State bylaws may be interpreted in conformance with local bylaws that mandate a
6 convention by April 1, 2025, when reading state bylaws plainly to set a timeframe for county
7 conventions in 2026 and thereafter, not before. State bylaws have no restraints nor limits on
8 2025 officer elections or county convention selection of delegates.
9

10 4.21 Petitioners claims are justiciable. Petitioner has been denied any relief by the RCRCC
11 and the Republican Party.

12 4.22 Court intervention will finally resolve this dispute.

13 4.23 Compliance with state statutory requirements will not occur absent judicial intervention
14 and time is of the essence in resolving this dispute.

15 4.24 No available alternative remedies exist to enjoin Respondent Stoltz from continuing to
16 hold over his control of the RCRCC as acting chairperson without an election of officers by
17 the proper committeepersons elected in the June 2024 primary.
18

19 4.25 Petitioner seeks a declaratory order enjoining Respondent Stoltz from continued claims
20 to be Chairperson of the RCRCC absent an election to such office by the current
21 committeepersons.
22

23 4.26 Petitioner seeks a declaratory order compelling compliance with MCA 13-38-205.

24 4.27 Petitioner seeks a declaratory order interpreting the state bylaws in conformance with
25 state statute and local bylaws, which requires an election of officers and county convention
26 prior to April 1, 2025.
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1 4.28 Petitioner seeks an award of attorney's fees and costs pursuant to MCA 27-8-311 and 27-
2 8-313.

3 **V. PRAYER FOR RELIEF**

4 Petitioner prays for the following relief:

5
6 5.1 Writ of Mandate compelling the RCRCC hold an election of officers by the
7 committeepersons Ravalli County republicans elected in June 2024 in conformance with state
8 election statutes; and following that election of RCRCC officers by the duly elected
9 committeepersons, compel the newly elected presiding officer call a county convention by
10 April 1, 2025, to designate the delegates to the 2025 state republican convention.
11

12 5.2 A declaratory order enjoining Respondent Stoltz from acting as Chairman of the RCRCC
13 or any other past officer continuing in an officer capacity without election to office by the
14 committeepersons elected by Ravalli County republican votes in June of 2024.

15 5.3 An order declaring the rights of petitioner and other committeepersons to elect officers
16 and state committee representatives.
17

18 5.4 For an award of attorney's fees and costs in having to bring this action;

19 5.5 For such other and further relief as the court deems just and equitable.

20 DATED February 17, 2025, at Hamilton, Ravalli County, Montana.

21 III Branches Law, PLLC

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23 
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25 _____
26 Joan K. Mell,
27 Attorney for Tony Hudson
28

I, Tony Hudson, have read the above petition and factual allegations and affirm that they are true and correct to the best of my abilities.

1 DATED February 17, 2025, at Hamilton, Ravalli County, Montana

2 
3 Tony Hudson, Ravalli County Precinct 19 Committeeman
4