IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No.: 03-Z-2453 (CBS)

KEITH LANCE, CARL MILLER, RENEE NELSON, NANCY O'CONNOR

Plaintiffs,

v.

DONETTA DAVIDSON, SECRETARY OF STATE

Defendant

AFFIDAVIT OF CARL MILLER

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1. I, Carl Miller, reside at 111 West 3rd Street, in the City of Leadville, Lake County, Colorado.

2. I am a citizen of Colorado and registered elector, eligible to vote in Colorado state elections and federal elections.

3. I have voted in each state and federal election since the beginning of 2000.

4. I plan to vote in all future state and federal elections as a resident of the City of Leadville, Lake County Colorado.

5. Lake County has traditionally been part of the Third Congressional District that encompasses Colorado's Western Slope, because Lake County shares many of the same interests with other Western Slope counties.

6. The redistricting plan adopted by the Colorado Supreme Court in 2002, (the "Court's

Plan") places Lake County in the Fifth Congressional District, separating it from the majority of the Western Slope.

7. The Court's Plan denied me the right to have congressional districts created by the state legislature pursuant to the elections clause of the U.S. Constitution.

8. Upon the institution of the Court's Plan, I recognized the prejudice that would occur to my vote in Lake County, and therefore petitioned the legislature to institute a new plan that would once again make Lake County a part of the Third Congressional District, along with the rest of the Western slope.

9. The redistricting plan adopted in 2003 by the Colorado General Assembly (the "General Assembly's Plan") restored Lake County to the Third Congressional District, redressing the grievances done onto me and the other residents of Lake County by the Court's Plan.

10. The Colorado Supreme Court's removal of the General Assembly's Plan and institution of the Court's Plan has created a situation in which I face a continuing and ongoing violation of my fundamental right to vote in congressional districts created by the state legislature pursuant to the elections clause of the United States Constitution.

FURTHER THE AFFIANT SAYETH NAUGHT.

Dated this 21 day of July, 2006.

Carl Miller

Carl Miller

STATE OF COLORADO)
)ss.
COUNTY OF Lake)

SUBSCRIBED AND SWORN TO before me this 21st day of July 2006, by

Carl Miller .
(Print Affiant's Name)

WITNESS MY HAND AND OFFICIAL SEAL.

My commission expires 2/27/2009.

Peggy Skala LaLome
Notary Public

~~CERTIFICATE OF SERVICE~~

I hereby certify that on ~~July 24, 2006~~, I electronically filed the foregoing with the Clerk