

# *Exhibit 19*

COUNTY OF BERNALILLO        )  
  ) ss:  
STATE OF NEW MEXICO        )

AFFIDAVIT OF STEPHEN SMITH

I, Stephen Smith, being first duly sworn upon oath, depose and state as follows:

1. My name is Stephen Smith.
2. I am over 18 years of age and competent to make this affidavit.
3. I make this affidavit upon personal knowledge.
4. I reside at 1810 Silver Avenue, Albuquerque, New Mexico 87106. My telephone number is (505) 615-7848.
5. On October 27, 2004, at 2:30 p.m., I cast an early vote at the polling place located at 814 San Mateo (corner of San Mateo and Trumbull) in Bernalillo County.
6. I intended to vote for John Kerry for president. However, when I pressed the screen where Kerry/Edwards was indicated, a check mark registered in the box for the Libertarian candidate instead.
7. I asked a poll worker for assistance. The poll worker showed me how to erase the incorrect vote – i.e., by pressing the screen where the Libertarian candidate was indicated. The check mark in the Libertarian box disappeared. I then pressed the screen for Kerry/Edwards again, and a check mark registered in the Kerry/Edwards box.
8. The poll worker appeared unconcerned to me. He told me: “Sometimes the machines are finicky.”
9. Because I was alert to the fact that an incorrect vote had registered when I first voted, I was able to correct it. However, given the poll worker’s comment to me, it is likely that other voters at this polling place had the same experience, and they may not have caught the error.



FURTHER AFFIANT SAYETH NAUGHT.

Stephen Smith  
STEPHEN SMITH

Sworn to and subscribed before me this  
2<sup>nd</sup> day of ~~October~~, 2004  
November 2004

Heather E. Ferguson  
Notary Public

My commission expires: 3/7/07

