

# [***Appeals court leaves hold on New Jersey's primary ballot system in place***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BPX-0SV1-DYMD-60XN-00000-00&context=1516831)

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**Body**

PHILADELPHIA — A federal appeals court upheld a lower court judge's ruling putting a temporary halt on [*New Jersey's primary ballot design,*](https://apnews.com/article/new-jersey-election-ballot-design-primary-court-3de3387c8faf5dcebf367b514dc50d52) widely seen as helping those with party establishment support.

The 3rd Circuit Court of Appeals in Philadelphia denied an appeal by county clerks seeking to halt U.S. District Judge Zahid Quraishi's recent order preliminarily stopping how the officials design primary ballots. The appeals court ruling means Quraishi's order stays in place ahead of the June 4 primary.

The higher court's ruling on Wednesday is just the latest in a flurry of developments affecting how the state's elections are carried out. Quraishi clarified over the weekend that his order applies only to the Democratic primary, not the Republican.

The [*suit was brought*](https://apnews.com/article/new-jersey-andy-kim-tammy-murphy-lawsuit-8432085d5661892d3e48259100ebf0e5) by Democratic Rep. Andy Kim as part of his campaign to succeed [*indicted Democratic Sen. Bob Menendez*](https://apnews.com/article/menendez-bribery-senate-new-jersey-7a8cd625f5be3d2f2c4c1f2c2a72ff9e). Kim and two other Democratic candidates sued in federal court to block New Jersey's so-called county line primary system.

New Jersey is the only state to set its primary ballots in that way, which groups candidates who have won the county party's backing in a single column, and listing others in discrete places elsewhere on the ballot. Kim — and many people in New Jersey ***politics*** — contend that such a system of bracketing party-backed candidates gives them an unfair advantage and relegates other candidates to “ballot Siberia.”

Quraishi agreed to the extent that he ruled the county clerks in most of the state must stop using that system for the June primary. What happens beyond that is unclear.

Kim's suit originated out of his contest against first lady Tammy Murphy for the state's Senate seat, but she has since dropped out of the race, leaving Kim in favorable position.

The crux of his argument was that because Murphy earned the backing of powerful county party leaders in populous areas, she was unfairly given favorable ballot position. Her departure from the race leaves Kim as a dominant candidate in the party, though he's vowed to continue to fight the county line system.

That aligns with progressives in the party who have railed against the county line for years, arguing it unfairly tips primaries toward influential party leaders who make their choices behind closed doors.

Republicans were not originally part of Kim's lawsuit, though they recently petitioned Quraishi to join. He denied their request, saying they missed a deadline.

New Jersey hasn't elected a Republican to the Senate in over five decades, but the GOP is hopeful that their rivals might be tarnished because Menendez's second corruption trial. He's pleaded not guilty to federal charges he accepted bribes of cash, gold bars and a luxury vehicle in return for helping business associated get a lucrative contract from Egypt.

Democrats have nearly a million more registered voters than Republicans in New Jersey.

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