

for the office of the Advisory Neighborhood Commissioner for Single Member District 8E01.

2. The minimum petition requirement for ballot access for the office of the Advisory Neighborhood Commissioner for Single Member District 8E01 is 25 signatures of qualified electors registered in the same Single Member District as the candidate. D.C. Official Code § 1-309.05(a)(1)(B).
3. Ms. Jenkins' petition was posted for public inspection for 10 days as required by law. D.C. Official Code § 1-1001.08 (o)(1).
4. On August 20, 2018, Joseph Johnson, a registered voter in the District of Columbia, filed a challenge to Ms. Jenkins' nominating petition. Mr. Johnson challenged nineteen (19) individual signatures, challenged pursuant to the Board's regulations at 3 DCMR § 1607.1, citing the specific ground or grounds for challenge.
5. On August 22, 2018, both the Candidate and the Challenger were sent notice by email confirming receipt of the Challenge, providing a copy of the Challenge and notice of the time period to cure signature defects by change of address. The same email provided notice of the date and time of a scheduled prehearing conference concerning the Challenge.
6. A prehearing conference was held at 2:00 PM on Tuesday, August 28 at the Board's offices at 1015 Half Street SE Suite 750. Both the Challenger and the Candidate were in attendance. The Challenger's representative Sandra Seegars was also present.
7. At the prehearing conference, the Assistant Registrar of Voters ("the Registrar") gave her preliminary report concerning the challenge. The Registrar's review of the challenges concluded that 5 challenges were valid and 14 of the challenges were invalid. The Registrar further concluded that as a result of the 5 valid challenges, the Candidate's nominating

petition contained 26 signatures, 1 signature above the requirement for ballot access. At the request of the challenger, the matter was scheduled for a public hearing to be held on August 31, 2018 at 2 PM.

8. Both Ms. Jenkins and Mr. Johnson were advised of the hearing date and time via telephone and email on Wednesday, August 29, 2018.
9. The hearing on this matter occurred as scheduled on Friday, August 31, 2018. The Candidate appeared *pro se* and Sandra S. Seegars appeared on behalf of the Challenger.
10. At the hearing, the Registrar provided the Board with her preliminary report of the challenge. The preliminary report was identical to the report read at the prehearing conference.

II. CONCLUSIONS OF LAW

11. The District of Columbia Election Code provides, in relevant part, that nominating petition challenges shall occur in the following manner:

Any registered qualified elector may within the 10-day period challenge the validity of any petition by written statement signed by the challenger and filed with the Board and specifying concisely the alleged defects in the petition. A copy of the challenge shall be sent by the Board promptly to the person designated for the purpose in the nominating petition... The Board shall receive evidence in support of and in opposition to the challenge and shall determine the validity of the challenged nominating petition not more than 20 days after the challenge has been filed. D.C. Official Code § 1-1001.08 (o)(1)-(2).

12. The Challenger contested the findings of the Registrar by stating that the following signatures on the petition did not match the signatures on the corresponding voter cards:

- Page 1, Line 6 (Belinda Jones);
- Page 1, Line 10 (Tonya E. Rush);
- Page 1, Line 20 (Marci C. Hill);
- Page 2, Line 5 (Shenita L. Buie);

- Page 2, Line 8 (Kenya Brown); and
- Page 2, Line 9 (Termaine Richmond).

The Registrar initially determined these six challenges to be invalid. The Board accepts the Registrar's findings that these challenges are invalid, with the exception of the challenge to the signature appearing on Page 2, Line 8 (Kenya Brown). The Board also accepts the Registrar's conclusion that after the valid challenges of 5 other signatures, Ms. Jenkins' nominating petition contained 26 signatures. After removing the above-mentioned signature at the discretion of the Board, the Candidate's nominating petition has 25 signatures.

13. Because Ms. Jenkins' nominating petition contains the valid signatures of at least 25 qualified electors registered in the same Single Member District as the candidate, the Board concludes that Ms. Jenkins qualifies for ballot access in the November 6, 2018 General Election.

ORDER

Based on the findings of fact and conclusions of law contained in the Board's Memorandum Opinion, it is hereby **ORDERED** that the Challenge filed by Mr. Joseph Johnson is rejected. It is further **ORDERED** that Ms. Rufaro Jenkins, the Candidate, be granted ballot access in the November 6 General Election.

August 31, 2018



D. Michael Bennett
Chairman, Board of Elections