

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS**

Paula Nickens,)	
)	
Challenger,)	
)	Administrative Hearing
v.)	No. 00-027
)	
Regina Hubbard,)	Re: Challenge to Nomination Petition
)	
Candidate.)	
)	

MEMORANDUM OPINION AND ORDER

This matter came before the Board of Elections and Ethics on Monday, March 20, 2000 and involved a challenge to the candidacy of Regina Hubbard, candidate for the office of Ward Two Member of the Democratic State Committee. The challenge was brought by Paula Nickens. The Board was represented by members Dr. Lenora Cole Alexander and Stephen Callas. Both the Challenger and the Candidate appeared at the hearing pro se.

According to the evidence presented to the Board, Candidate Hubbard submitted a nominating petition containing a total of 104 signatures. The minimum signature requirement to qualify for the ballot for this office is 100 signatures of persons who are duly registered Democratic voters in Ward Two.

Challenger Nickens filed a total of 20 challenges to signatures on the nominating petition. As required by the Board's regulations, Challenger Nickens specified the alleged defects pursuant to 3 D.C.M.R. § 1706.2. Challenger Nickens alleged that Candidate Hubbard had failed to file the minimum 100 valid signatures of duly registered Democratic voters in ward Two for the following reason(s):

- 1) the signer is not a duly registered voter (3 D.C.M.R. § 1704.7(c));

- 2) the signer is not registered to vote in the same party as the candidate at the time the petition is signed (3 D.C.M.R. § 1704.7(e));
- 3) the signer is not duly registered in the ward from which the candidate seeks election at the time the petition is signed (3 D.C.M.R. § 1704.7(f)), and;
- 4) that the signature is a duplicate.

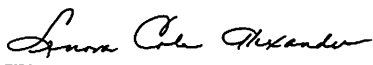
The review of the challenge conducted by the Registrar of Voters indicated that 17 of the challenges were found to be valid. This decreased the number of valid signatures obtained by Candidate Hubbard to 87 registered qualified electors, which is below the minimum number required for ballot access.

Accordingly, the challenge succeeds in providing an adequate legal basis upon which to reduce the number of valid signatures obtained by Candidate Hubbard below the legal minimum requirement. Consequently, the candidate does not possess an adequate number of signatures to remain eligible for ballot access.

In view of the evidence presented, the Board finds that the challenge is sufficient to remove the candidate's name from the ballot. Therefore, the Board sustains the challenge as specified herein and in accordance with the report of the Registrar of Voters. Accordingly, it is hereby

ORDERED, that Ms. Hubbard be denied access to the ballot in the May 2, 2000 Presidential Preference Primary as a candidate for Ward Two Member of the Democratic State Committee.

March 23, 2000
Date



Dr. Lenora Cole Alexander
D.C. Board of Elections and Ethics