

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

James Harnett,	)	
Challenger	)	Administrative
	)	Order #26-053
	)	
v.	)	Re: Challenge to Nominating
	)	Petition Submitted for
	)	Advisory Neighborhood
Opal Sturghill,	)	Commissioner, SMD 8B07
Candidate.	)	

MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the District of Columbia Board of Elections (“the Board”) on August 31, 2026. It is a challenge to the nominating petition submitted by Opal Sturghill (“the Candidate”) to run for the office of Advisory Neighborhood Commissioner for Single Member District (“SMD”) 8B07 in the November 3, 2026 General Election (“the General Election”). The challenge was filed by James Harnett (“the Challenger”), a registered voter in the District of Columbia, pursuant to D.C. Official Code § 1-1001.08(o)(1). Board Members Karyn Greenfield and Michael Wakefield presided over the hearing. Mr. Harnett appeared at the hearing and the Board’s General Counsel, Terri Stroud, was also present.

Background

On August 5, 2026, the Candidate submitted a nominating petition to appear on the ballot as a candidate in the General Election contest for the office of Advisory Neighborhood Commissioner in SMD 8B07 (“the Petition”). The minimum number of signatures required to obtain ballot access for this office is 25 signatures from registered qualified electors residing within the SMD. The Petition contained 40 signatures. Pursuant to Title 3, District of Columbia

Municipal Regulations (D.C.M.R.) § 1603.7, Marissa Corrente, the Board of Elections' Registrar of Voters, accepted 40 signatures for review.

On August 8, 2026, the Board posted the Petition for public inspection for 10 days, as required by law. On August 9, 2026, the Challenger challenged the Petition.

The Challenger filed challenges to a total of 17 signatures, enumerated by line and page number on individual challenge sheets. Specifically, the signatures were challenged pursuant to Title 3 D.C.M.R. § 1607.1 of the Board's regulations on the following grounds: the signer is not a registered voter in the District of Columbia; the signer, according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed; and the signer is not a registered voter in the single member district from which the candidate seeks nomination at the time the petition was signed.

Assistant Registrar's Preliminary Determination

The Assistant Registrar's review of the challenge indicated that all 17 signature challenges were valid. The Assistant Registrar found that eight signatures were invalid because the signer is not a registered voter in the District of Columbia; one signature was invalid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed; and eight signatures were invalid because the signer is not a registered voter in the SMD from which the candidate seeks nomination at the time the petition was signed. Accordingly, the Assistant Registrar preliminarily determined the Petition contained 23 valid signatures, which is two signatures below the number required for ballot access.

August 24, 2026 Pre-Hearing Conference

Pursuant to Title 3 D.C.M.R. § 415.1, the Office of the General Counsel convened a pre-hearing conference with the parties on August 24, 2026. In her findings report issued prior to the

pre-hearing conference, the Assistant Registrar outlined her determinations with respect to the validity of each signature challenged and provided a key code explaining the notations she used to indicate the basis for upholding or denying each challenge.

The Challenger was not present at the pre-hearing conference but submitted a written communication in advance indicating that he agreed with the Assistant Registrar's findings and did not propose changes. The Candidate appeared *pro se*.

A representative of the Registrar's Office was present and presented the findings of the Assistant Registrar. The Assistant Registrar's report indicated that all 17 challenges were valid, leaving the Petition with 23 valid signatures, two below the 25 required for ballot access.

During the pre-hearing conference, the Candidate stated that she had submitted approximately five voter registration applications on August 5, 2026 at the time she filed the Petition. The Candidate indicated that some of the applications were new voter registrations and some were changes of address, but that the applications were sealed and she could not identify which signers they corresponded to. The Candidate was advised that signatures of individuals who were not registered to vote at the time they signed the Petition cannot be cured by subsequent registration as that defect is grounded in statute. The Candidate was further advised that, even if the one signature challenged for an address mismatch were credited, the Petition would contain only 24 valid signatures, which remains one signature below the statutory minimum.

At the conclusion of the pre-hearing conference, the Candidate indicated that she wished to withdraw her candidacy. The Office of the General Counsel provided the Candidate with a withdrawal of candidacy form and advised her of the write-in candidacy option. However, the Candidate did not file a withdrawal of candidacy form with the Board.

As the matter was not resolved, it was set for a Board hearing on August 31, 2026. The Board notified the Candidate and the Challenger of the hearing.

August 31, 2026 Board Hearing

A representative of the Registrar's Office was in attendance at the hearing and presented the Assistant Registrar's findings. During the Board hearing, the Challenger urged that the Board accept the findings of the Assistant Registrar and deny ballot access. Despite receiving proper notice, the Candidate did not appear at the hearing.¹

The General Counsel then made her recommendation that the Candidate be denied ballot access. Member Greenfield made a motion consistent with that recommendation. The motion was seconded and passed unanimously.

Discussion

The minimum number of signatures required to obtain ballot access for the office of Advisory Neighborhood Commissioner for SMD 8B07 in the November 3, 2026 General Election is 25 signatures from registered qualified electors residing within the SMD. D.C. Official Code § 1-1001.08(i)(1)(E); 3 D.C.M.R. § 1603.7. The Petition contained 40 signatures. The Challenger filed challenges to 17 signatures. The Assistant Registrar determined that all 17 challenges were valid, reducing the valid signatures to 23. The Board has reviewed the record and upholds the findings of the Assistant Registrar.

With respect to the eight signatures invalidated because the signer is not a registered voter in the District of Columbia, the Board notes that D.C. Official Code § 1-1001.08(i)(1)(B) requires that a nominating petition be signed by "registered qualified electors." A signer who is not registered to vote at the time of signing is not a "registered qualified elector" within the meaning

¹ The Board proceeded in the Candidate's absence pursuant to 3 D.C.M.R. § 418.1(b).

of the statute. This is a statutory requirement that the Board cannot waive. *See* 3 D.C.M.R. § 1607.2 (Board may waive defects "unless waiver would conflict with a statutory petition requirement"). The Candidate's submission of voter registration applications on the date of filing does not cure this defect; a signer must be registered at the time of signing. *See* 3 D.C.M.R. § 1607.1(l).

With respect to the one signature invalidated because the signer is not registered to vote at the address listed on the petition, the Board notes that D.C. Official Code § 1-1001.08(o)(3) provides a 10-day cure period during which a signer may file a change of address form. That 10-day period begins on the date the candidate is notified of the challenge. Notice was served on the Candidate on August 10, 2026. The cure period thus expired on August 20, 2026. No change-of-address forms were received or credited to the Petition. The address match requirement is grounded in law that the Board cannot ignore. *See Harnett v. Hamilton*, Administrative Order No. 24-006.

With respect to the eight signatures invalidated because the signer is not a registered voter in SMD 8B07, the Board notes that D.C. Official Code § 1-1001.08(i)(1)(E) requires that a nominating petition for the office of Advisory Neighborhood Commissioner be signed by registered qualified electors of the SMD from which the candidate seeks election. This is a statutory requirement that the Board cannot waive. *See also* 3 D.C.M.R. § 1607.2.

The Candidate did not present evidence sufficient to rebut the Assistant Registrar's determinations for any of the 17 challenged signatures. The Board accordingly concludes that the Petition contains 23 valid signatures, which is two signatures below the statutory minimum of 25 required for ballot access.

Conclusion

As a result of this challenge, the Board finds that the Petition contains 23 valid signatures – two signatures below the number required for ballot access. It is hereby:

ORDERED that the challenge to the nominating petition of Opal Sturghill for the office of Advisory Neighborhood Commissioner for Single Member District 8B07 in the General Election is hereby **UPHELD**, and ballot access is **DENIED**.

The Board issues this written order today, which memorializes its oral ruling rendered on August 31, 2026.

Date: September 3, 2026



Karyn Greenfield
Presiding Board Member