

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

Kristiana Gomes,)	
)	
Challenger,)	
)	Administrative Hearing
v.)	No. 00-033
)	
Faith,)	Re: Challenge to Nomination Petition
)	
Candidate.)	
)	

MEMORANDUM OPINION AND ORDER

This matter came before the Board of Elections and Ethics on Wednesday, September 20, 2000 and involved a challenge to the candidacy of Faith, candidate for the office of Delegate to the U.S House of Representatives. The challenge was brought by Kristiana Gomes. Members Stephen Callas and Chairman Benjamin Wilson represented the Board. Both the Challenger and the Candidate appeared at the hearing pro se.

According to the evidence presented to the Board, Candidate Faith submitted a nominating petition containing a total of 3,187 signatures. The minimum signature requirement to qualify for the ballot for this office is 3,000 signatures of persons who are duly registered voters in the District.

Challenger Gomes filed a total of 1,095 challenges to signatures on the nominating petition. As required by the Board's regulations, Challenger Gomes specified the alleged defects pursuant to 3 D.C.M.R. § 1706.2. Challenger Gomes alleged that Candidate Faith had failed to file the minimum 3,000 valid signatures of duly registered voters for the following reason(s):

- 1) the signer's voter registration was designated inactive pursuant to D.C. Code § 1-1311(j)(2) at time of signing petition (3 D.C.M.R. § 1607.5(a));
- 2) signer not registered to vote at address listed on petition at time signed (3 D.C.M.R.

§ 1607.5(b));

- 3) the signer is not a duly registered voter (3 D.C.M.R. § 1607.5(c));
- 4) the signature is not dated (3 D.C.M.R. § 1607.5 (d));
- 5) 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. § 1607.5 (f));
- 6) the petition does not include the printed or typed address of the signer (3 D.C.M.R. § 1607.5(g));
- 7) the petition does not include the printed or typed name of the signer where the signature is not sufficiently legible for identification (3 D.C.M.R. § 1607.5 (h));
- 8) the circulator of the petition sheet was not a registered qualified elector of the District of Columbia at the time the petition was signed (3 D.C.M.R. § 1607.5 (i)), and;
- 9) that the signature is a duplicate.

The review of the challenge conducted by the Registrar of Voters indicated that 984 of the challenges were found to be valid. This decreased the number of valid signatures obtained by Candidate Faith to 2,203 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 Faith 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 Faith be denied access to the ballot in the November 7th General Election as a candidate for Delegate to the U.S House of Representatives.

September 25, 2000

Benjamin D. Wilson

Benjamin Wilson
Chairman,
D.C. Board of Elections and Ethics

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing order was hand delivered this 25th of September, 2000 to the following parties: Faith, 1629 Columbia Road, Washington D.C. 20009, Kristiana Gomes, 1417 N Street, N.W. Washington D.C. 20005.

Karla D. Garcia

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