

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

_____ Paula Nickens,)	
)	
Challenger,)	
)	Administrative Hearing
v.)	No. 00-026
)	
Wanda Alston,)	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 Wanda Alston, candidate for the office of At-Large 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 Alston submitted a nominating petition containing a total of 547 signatures. The minimum signature requirement to qualify for the ballot for this office is 500 signatures of persons who are duly registered voters who are members of the Democratic Party.

Challenger Nickens filed a total of 155 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 Alston had failed to file the minimum valid signatures of duly registered Democratic voters for the following reason(s):

- 1) The signer is not registered to vote at the address listed on the petition at the time

- the petition was signed (3 D.C.M.R. § 1704.7(b));
- 2) the signer is not a duly registered voter (3 D.C.M.R. § 1704.7(c));
 - 3) 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));
 - 4) the petition does not include the printed or typed name of the signer (3 D.C.M.R. § 1704.7(g)), and;
 - 5) that the signature is a duplicate.

The review of the challenge conducted by the Registrar of Voters indicated that 123 of the challenges were found to be valid. This decreased the number of valid signatures obtained by Candidate Alston to 424 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 Alston 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. Alston be denied access to the ballot in the May 2, 2000

Presidential Preference Primary as a candidate for At-Large Member of the Democratic State
Committee.

March 23, 2000

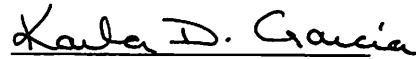
Date



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

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing order was mailed this 23rd day of March, 2000 to the following parties: Paula Nickens, 3024 Clinton Street, NE, Washington, DC 20018, and; Wanda Alston, 3605 Warder Street, NW, Washington, DC 20010.



Karla D. Garcia