

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

Steve Mudd

Complainant,

v.

John Craig

Respondent.

Administrative Hearing
No. 10-014

Re: Challenge to Nomination Petition

MEMORANDUM OPINION AND ORDER

This matter came before the Board of Elections and Ethics on Friday, September 24, 2010, and involved a challenge to the candidacy of John Craig to appear on the ballot in the November 2, 2010 General Election for the Office of Advisory Neighborhood Commissioner Single Member District 1D06. The Challenge was brought by Steve Mudd. The Challenger appeared pro se, but the Candidate elected not to appear at the hearing.

Pursuant to D.C. CODE § 1-1001.05(g) the Board heard the case by a one (1) member panel. Board member Charles Lowery presided over the hearing.

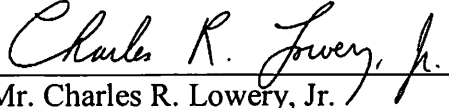
According to the evidence presented to the Board, candidate Craig submitted a nominating petition containing twenty-nine (29) signatures. The minimum signature requirement to qualify for the ballot for this office is twenty-five (25) signatures of qualified electors who live in the single-member district pursuant to D.C. CODE § 1-309.04(b)(1)(B). Challenger Mudd filed a total of eight (8) challenges to signatures on the nominating petition. As required by the Board's regulations, Challenger Mudd

alleged the signatures were defective because: the signer was not registered to vote at address listed on petition at time signed (3 D.C.M.R. § 1607.5(b)); the signer is not duly registered in the single-member district from which the candidate seeks election at the time the petition is signed (3 D.C.M.R. § 1607.5 (f)); the signature is not dated (3 D.C.M.R. § 1607.5 (d)); and the signer is not a duly registered voter (3 D.C.M.R. § 1607.5(c)).

The review of the challenge conducted by the Registrar of Voters indicated that seven (7) of the challenges were found to be valid. This decreased the number of valid signatures obtained by Candidate Craig to twenty-two (22) registered qualified electors, which is three below the minimum number required for ballot access.¹ Therefore, the Board upholds the challenge as specified herein and in accordance with the preliminary determination of the Registrar of Voters. Accordingly, it is hereby

ORDERED that candidate John Craig is denied access to appear on the ballot in the November 2, 2010 General Election for the Office of Advisory Neighborhood Commissioner Single Member District 1D06.

September 29, 2010
Date


Mr. Charles R. Lowery, Jr.
Board Member,
Board of Elections and Ethics

¹ Mr. Craig had two address changes to cure, and there were questions concerning a recently married signatory signing the petition using her married name; however, Mr. Craig never submitted the address changes, and the newlywed was not registered under her maiden name.