

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

Sandra Seegars,
Complainant

v.

Jauhar Abraham
Respondent.

Administrative Hearing
No. 12-01

Re: Challenge to Nominating
Jauhar Abraham,
Ward 8 Member of the Council

MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the Board of Elections and Ethics on January 31, 2012. It is a challenge to the Nominating Petition of Jauhar Abraham (“Abraham”) as a candidate for the office of Ward 8 Member of the Council filed by Sandra Seegars (“Seegars”) pursuant to D.C. CODE § 1-1001.08(o)(1) (2006). Chairman Deborah K. Nichols and Board members Devarieste Curry and Stephen I. Danzansky presided over the hearing. The Respondent did not appear for the hearing notwithstanding notice served by electronic mail on Friday January 27, 2012, pursuant to tit. 3 D.C. Mun. Regs. § 402.2. The Board accordingly proceeded *ex parte* pursuant to tit. 3 D.C. Mun. Regs. § 403.4. The Complainant appeared *pro se*.

Background

On January 4, 2012, Abraham submitted a Nominating Petition for the office of Ward 8 Member of the Council containing a total of four hundred and two (402) signatures.

On January 7, 2012, the petition was posted for inspection, pursuant to D.C. CODE § 1-1001.08(o)(1) (2011), for a 10-day challenge period.¹

On January 17, 2012, Seegars filed a challenge to the petition in which she challenged two hundred and eighty-five (285) of four hundred and two (402) signatures. Each signature was challenged on a specific ground or grounds as required by the Board's regulations. Specifically, Seegars challenged signatures on the following basis: the signer is not a duly registered voter; the signer, according to the Board's records, is not registered to vote at the address listed on the petition page, and has failed to file a change of address with the Board within ten days of the challenge; the signer is not registered to vote in the same party as the candidate at the time the petition is signed; and the circulator is not a duly registered voter at the time of signing. Additionally, the challenger alleged that in a vast number of the challenges the signature on the petition was not made by the person whose signature it purports to be.

The Registrar of Voters' ("Registrar") review of the challenges concluded that two hundred, thirty-nine (239) of the challenges to Abraham's nominating petition were valid while forty-six (46) were invalid—leaving the Candidate with one hundred, sixty-three (163) signatures. The minimum requirement of signatures for this office is two-hundred, fifty (250) pursuant to D.C. CODE § 1-1001.08(i)(2) (2011). Accordingly, the

¹ D.C. CODE § 1-1001.08(o)(1) (2011) states in relevant part:

The Board is authorized to accept any nominating petition for a candidate for any office as bona fide with respect to the qualifications of the signatures thereto if the original or facsimile thereof has been posted in a suitable public place for a 10-day period beginning on the third day after the filing deadline for nominating petitions for the office. Any registered qualified elector may within the 10-day period challenge the validity of any petition by written statement signed by the challenger and filed with the Board and specifying concisely the alleged defects in the petition.

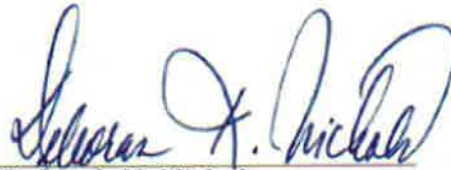
Registrar concluded the Candidate had not secured enough signatures on his nominating petition for ballot access.

During the *ex-parte* hearing, Seegars did not take exception to the Registrar's findings. In sum, the Board affirmed the decision of the Registrar of Voters with respect to the challenge. Based on the Board's findings and conclusions, it is hereby:

ORDERED that Jauhar Abraham be **DENIED**

Ballot Access in the April 3, 2012 Primary Election for the office of Ward 8 member of the District of Columbia Council.

February 3, 2012



Deborah K. Nichols
Chairman, Board of Elections and Ethics

Devarieste Curry
Member, Board of Elections and Ethics

Stephen I. Danzansky
Member, Board of Elections and Ethics