

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

_____	)	
Anita Shelton,	)	
	)	
Challenger,	)	
	)	Administrative Hearing
v.	)	No. 00-028
	)	
Ana Nunez/Saul Solorzano,	)	Re: Challenge to Nomination Petition
	)	
Candidates.	)	
_____	)	

**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 candidacies of Ana Nunez and Saul Solorzano, candidates for the offices of Ward One Members of the Democratic State Committee. The challenge was brought by Anita Shelton. The Board was represented by members Dr. Lenora Cole Alexander and Stephen Callas. Both the Challenger and the Candidates failed to appear at the hearing.<sup>1</sup>

According to the evidence presented to the Board, Candidates Nunez and Solorzano submitted a nominating petition containing a total of 103 signatures. The minimum signature requirement to qualify for the ballot for this office is 100 signatures of persons who are duly registered Democratic voters in Ward One.

Challenger Shelton filed a total of 21 challenges to signatures on the nominating petition. As required by the Board's regulations, Challenger Shelton specified the alleged defects pursuant to 3 D.C.M.R. § 1706.2. Challenger Edwards alleged that Candidates Nunez and Solorzano had

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<sup>1</sup> Notwithstanding the fact that both parties to the proceeding failed to appear, the Board is granted the authority to proceed with the hearing *ex parte*, pursuant to 3 D.C.M.R. § 403.4.

failed to file the minimum 100 valid signatures of duly registered Democratic voters in Ward One for the following reason(s):

- 1) the signer is not a duly registered voter (3 D.C.M.R. § 1704.7(c));
- 2) the signature is not dated (3 D.C.M.R. § 1704.7(d));
- 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 address of the signer (3 D.C.M.R. § 1704.7(g)); and;
- 5) 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. § 1704.7(h)).

The review of the challenge conducted by the Registrar of Voters indicated that 17 of the challenges were found to be valid. This decreased the number of valid signatures obtained by Candidates Nunez and Solorzano to 86 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 Candidates Nunez and Solorzano below the legal minimum requirement. Consequently, the candidates do 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 candidates' names 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 Mr. Solorzano and Ms. Nunez be denied access to the ballot in the May 2, 2000 Presidential Preference Primary as candidates for Ward One Members of the Democratic State Committee.

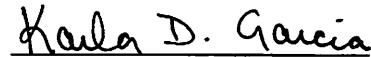
March 23, 2000  
Date



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 23<sup>rd</sup> day of March, 2000 to the following parties: Anita Shelton, 1937 Lamont Street, NW, Washington, DC 20010; Ana Nunez, 3636 16<sup>th</sup> Street, NW, Washington, DC 20010, and; Saul Solorzano, 1725 Lanier Place, NW, Washington, DC 20009.



Karla D. Garcia  
Karla D. Garcia