

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

_____	)	
Kristiana Gomes,	)	
	)	
Challenger,	)	
	)	Administrative Hearing
v.	)	No. 00-031
	)	
Chris Ray,	)	Re: Challenge to Nomination Petition
	)	
Candidate.	)	
_____	)	

**MEMORANDUM OPINION AND ORDER**

This matter came before the Board of Elections and Ethics on Tuesday, September 26, 2000 and involved a challenge to the candidacy of Chris Ray, candidate for the office of At-Large Member of the Council. The challenge was brought by Kristiana Gomes. Members Stephen Callas Jonda McFarlane, and Chairman Benjamin Wilson represented the Board. The Challenger appeared at the hearing pro se; however, the candidate did not appear, and the Board proceeded ex-parte.

According to the evidence presented to the Board, Candidate Chris Ray submitted a nominating petition containing a total of 3,540 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 853 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 Chris Ray had failed to file the minimum 3,000 valid signatures of duly registered Democratic 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));

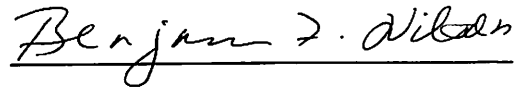
The review of the challenge conducted by the Registrar of Voters indicated that 439 of the challenges were found to be valid. During the hearing, the Board reviewed the Registrar's challenges and upheld an additional 37 challenges. This decreased the number of valid signatures obtained by Candidate Chris Ray to 3,064 registered qualified electors, which is higher than the minimum number required for ballot access.

Accordingly, the challenge fails to provide an adequate legal basis upon which to reduce the number of valid signatures obtained by Candidate Chris Ray below the legal minimum requirement. Consequently, the candidate possesses an adequate number of signatures to remain eligible for ballot access.

In view of the evidence presented, the Board finds that the challenge is insufficient to remove the candidate's name from the ballot. Therefore, the Board denies the challenge as specified herein and in accordance with the report of the Registrar of Voters. Accordingly, it is hereby

**ORDERED**, that Chris Ray be granted access to the ballot in the November 7<sup>th</sup> General Election as a candidate for At-Large Member of the Council.

September 28, 2000

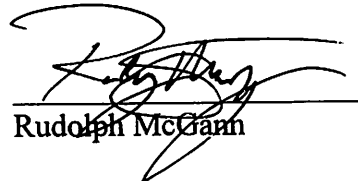


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Benjamin Wilson  
Chairman,  
D.C. Board of Elections and Ethics

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing order was delivered via Federal Express this 28<sup>th</sup> of September, 2000 to the following parties: Chris Ray, 2613 Monroe Street, NE Washington D.C. 20018; Kristiana Gomes, 1417 N Street # 704 NW Washington D.C. 20005



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Rudolph McGann