

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

_____)	
Charles Matiella,)	
)	
Complainant,)	
)	Administrative Hearing
)	No. 02-022
)	
Regina Upchurch,)	Re: Challenge to Nomination Petition
)	
Respondent.)	
_____)	

MEMORANDUM OPINION AND ORDER

This matter came before the Board of Elections and Ethics on September 24, 2002, and involved a challenge to the candidacy of Regina Upchurch, candidate for the office of Advisory Neighborhood Commissioner in Single-Member District 1A08. The challenge was brought by Charles Matiella. The Board was represented by Chairman Benjamin F. Wilson and Members Stephen Callas and Jonda McFarlane. Both the Challenger and the Candidate appeared at the hearing *pro se*.

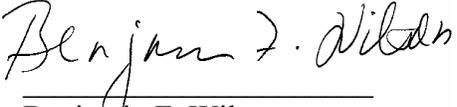
According to the evidence presented to the Board, Candidate Upchurch submitted a nominating petition containing a total of 40 signatures. The minimum signature requirement to qualify for the ballot for this office is 25 signatures of persons who are duly qualified electors in the single-member district. Challenger Matiella filed a total of 17 challenges to signatures on the nominating petition. As required by the Board's regulations, Challenger Matiella specified the alleged defects pursuant to 3 D.C.M.R. 1609.2.

The review of the challenge conducted by the Registrar of Voters indicated that 16 of the challenges were found to be valid. This decreased the number of valid signatures obtained by Candidate Upchurch to 24 registered qualified electors, which falls below the minimum number required 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 preliminary determination of the Registrar of Voters. Accordingly, it is hereby

ORDERED that Candidate Regina Upchurch be denied access to the ballot in the November 5, 2002 General Election as a candidate for Advisory Neighborhood Commissioner in Single-Member District 1A08.

September 26, 2002
Date
Chairman



Benjamin F. Wilson,

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing order was hand-delivered this September 26, 2002 to Regina Upchurch, 617 Newton Place, NW, Washington, DC 20010 and Charles Matiella, 770-B Princeton Place, NW, Washington, DC 20010.

Terri D. Stroud