

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

Anthony Muhammad,)	
Complainant)	Administrative Hearing
)	No. 14-13
)	
v.)	Re: Nominating Petition
)	Challenge, Office of
)	Advisory Neighborhood
Maurice T. Dickens,)	Commissioner, 8E02
Respondent.)	

MEMORANDUM OPINION AND ORDER

I. Introduction

This matter came before the District of Columbia Board of Elections (“the Board”) on September 3, 2014 pursuant to a challenge filed by Anthony Muhammad (“Mr. Muhammad”) to the nominating petition submitted by Maurice Dickens (“Mr. Dickens”) in support of his candidacy for the office of Advisory Neighborhood Commissioner (“ANC”) for Single-Member District (“SMD”)8E02. Messrs. Muhammad and Dickens appeared *pro se*. Chairman Deborah K. Nichols and Board member Stephen Danzansky presided over the hearing pursuant to Title 3 of the District of Columbia Municipal Regulations (“DCMR”)§406.10.¹

II. Statement of Facts

On July 18, 2014, Mr. Dickens submitted a nominating petition in support of his candidacy for the office of ANC Commissioner for SMD 8E02 (“the Petition.”) The Petition contained a total of 56 signatures. The minimum signature requirement for this office is 25

¹3 DCMR § 406.10 states in relevant part:

“A majority of the board shall constitute a quorum.”

signatures of duly registered voters who reside in the same SMD from which the candidate seeks election pursuant to D.C. Official Code § 1-309.05(b)(1)(B) (2013).

On August 18, 2014, Mr. Muhammad, a duly registered voter in the District of Columbia, timely filed a challenge to the Petition in which he alleged that 40 of the 56 signatures were invalid. Each signature was challenged on a specific ground or grounds as required by the Board's regulations. Specifically, Mr. Muhammad challenges signatures on the grounds that: (1) the signer is not a duly registered voter; (2) the signer is not duly registered in the single-member district from which the candidate seeks election at the time the petition was signed; (3) the signature on the petition shall be made by the person whose signature it purports to be, and not by any other person; (4) the petition does not contain the printed or typed name of the signer where the signature is not sufficiently legible for identification; and (5) the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed.

Pursuant to 3 DCMR §415.1, the Board's Office of the General Counsel conducted a pre-hearing conference in this matter on Friday, August 22, 2014. Messrs. Muhammad and Dickens appeared *pro se*. During the pre-hearing conference, Karen Brooks, the Registrar of Voters ("the Registrar") rendered a preliminary determination report which indicated that 29 of the 40 challenges were valid leaving the Petition with 27 signatures, two signatures above the required minimum for ballot access. The Registrar determined there were no signatures that could be cured with change of address forms pursuant to D.C. Official Code § 1-1001.08(o)(3).

During the pre-hearing conference, Mr. Muhammad took issue with the Registrar's findings with respect to eight signatures, each of which was challenged on the ground that it was not made by the person whose signature it purports to be pursuant to 3 DCMR §1607.1(i) and credited to Mr. Dickens. These signatures were purportedly made by Ladonda Teon (page 1, line

7), Celestine Hardy (page 2, line 7), Nashell Elliot (page 2, line 10), Janel Patterson (page 2, line 11), Lisa Jones (page 3, line 6), Antoine Parker (page 3, line 8), Karen Williams (page 3, line 15), and Leon Hamilton (page 3, line 16). As a result of these concerns, Mr. Muhammad indicated that he wished to go before the Board for a hearing on the challenge.

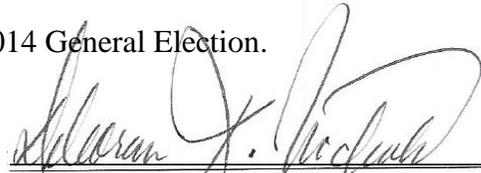
III. Discussion

Upon reviewing the challenge, the Board determined that the Registrar's findings with respect to seven of the eight signatures challenged on the grounds that they were not made by the persons whose signatures they purported to be should be upheld. The Board found that only one of the signatures, Celestine Hardy's, was likely not made by the person whose signature it purports to be.

IV. Conclusion

Accordingly, the Board finds that the Petition contains 26 valid signatures, one above the minimum required in order to allow Mr. Dickens to appear on the ballot. Therefore, it is hereby, **ORDERED** that Mr. Dickens be granted ballot access as a candidate for the office of ANC Commissioner in SMD 8E02 in the November 4, 2014 General Election.

September 8, 2014
Date



Deborah K. Nichols, Esq.
Chairman,
Board of Elections