

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

Deonte' Leach,)	
Challenger)	Administrative
)	Order #16-015
)	
v.)	Re: Nominating Petition
)	Challenge for the Office
)	Advisory Neighborhood
Gia Stancell,)	Commissioner Single Member
Candidate.)	District 7F01

MEMORANDUM OPINION AND ORDER

INTRODUCTION

This matter came before the District of Columbia Board of Elections (“the Board”) on September 7, 2016. It is a challenge to the nominating petition of Gia Stancell (“Ms. Stancell”) for the office of Advisory Neighborhood Commissioner, Single Member District 7F01 filed by Deonte’ Leach (“Mr. Leach”) pursuant to D.C. Code § 1-1001.08 (o)(1) (2001 Ed.). Neither party appeared for the hearing. Accordingly, the hearing proceeded ex-parte pursuant to Title 3 of the District of Columbia Municipal Regulations (“DCMR”) §403.4. Chairman Michael Bennett and Board members Dionna Lewis and Michael Gill presided over the hearing.

BACKGROUND

On August 10, 2016, Gia Stancell submitted a nominating petition to appear on the ballot as a candidate in the November 8, 2016 General Election contest for the office of Advisory Neighborhood Commissioner (ANC) for Single Member District (SMD) 7F01. That petition was posted for public inspection for 10 days, as required by law, and challenged on August 22, 2016 by Deonté Leach, a registered voter in the District of Columbia. Ms. Stancell submitted a

total of thirty-one (31) signatures. The minimum requirement for this office is twenty-five (25) signatures of District voters who are duly registered in the same SMD as the candidate.

Challenger Deonté Leach filed challenges to a total of seven (7) signatures, enumerated by line and page number on individual “challenge sheets” filed for each petition page. Petition signatures were challenged pursuant to 3 D.C.M.R. §1607.1 of the Board’s regulations on the following grounds: the signer is not a registered voter in the ward or Single-Member District from which the candidate seeks nomination at the time the petition was signed. The Registrar’s review of the challenges indicates that a total of 2 of the 7 challenges are valid. This leaves the candidate’s nominating petition with 29 signatures, 4 signatures above the number required for ballot access.

DISCUSSION

The United States Supreme Court has long recognized that states and localities have a responsibility to protect the integrity and reliability of the election process, and has generally accorded them latitude in establishing rules and procedures toward that end. “[T]here must be a substantial regulation of elections if they are to be fair and honest and if some sort of order is to accompany the democratic process.” *Buckley v. American Constitutional Law Foundation, Inc.*, 525 U.S. 182, 187 (1999). Accordingly, the District of Columbia has established a nominating petition process that require prospective candidates to demonstrate a modicum of support from a specific number of qualified electors as a condition precedent for ballot access.

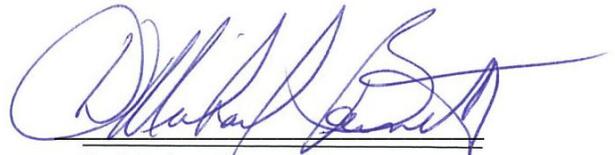
Mr. Leach did not attend the hearing and did not submit any evidence to the Board taking issue with the Registrar’s findings.

CONCLUSION

Ms. Stancell secured 29 valid signatures, which is 4 signatures above the 25 signatures required for ballot access. It is hereby:

ORDERED that candidate Gia Stancell is granted ballot access for the office of Advisory Neighborhood Commissioner, Single Member District 7F01.

September 12, 2016
Date



D. Michael Bennett
Chairman,
Board of Elections