

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

James Harnett,	)	
Challenger	)	Administrative
	)	Order #26-054
	)	
v.	)	Re: Challenge to Nominating
	)	Petition Submitted for
	)	Advisory Neighborhood
Marcus Thomas Hickman,	)	Commissioner, SMD 8B06
Candidate.	)	

MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the District of Columbia Board of Elections (“the Board”) on August 31, 2026. It is a challenge to the nominating petition submitted by Marcus Thomas Hickman (“Candidate”) to run for the office of Advisory Neighborhood Commissioner for Single Member District (“SMD”) 8B06 in the November 3, 2026 General Election (“the General Election”). The challenge was filed by James Harnett (“the Challenger”), a registered voter in the District of Columbia, pursuant to D.C. Official Code § 1-1001.08(o)(1). Board Members Karyn Greenfield and Michael Wakefield presided over the hearing. Mr. Harnett appeared at the hearing and the Board’s General Counsel, Terri Stroud, was also present.

Background

On August 5, 2026, the Candidate submitted a nominating petition to appear on the ballot as a candidate in the General Election contest for the office of Advisory Neighborhood Commissioner in SMD 8B06 (“the Petition”). The minimum number of signatures required to obtain ballot access for this office is 25 signatures from registered qualified electors residing within the SMD. The Petition contained 25 signatures. Pursuant to Title 3, District of Columbia

Municipal Regulations (D.C.M.R.) § 1603.1, Marissa Corrente, the Board of Elections' Registrar of Voters, accepted 25 signatures for review.

On August 8, 2026, the Board posted the Petition for public inspection for 10 days, as required by law. On August 11, 2026, the Challenger filed the Challenge.

The Challenger filed challenges to a total of three of the 25 signatures submitted, enumerated by line and page number on individual challenge sheets. The signatures were challenged pursuant to Title 3 D.C.M.R. § 1607.1 of the Board's regulations on the following ground: the signer, according to the Board's records, is not registered to vote at the address listed on the petition at the time the petition was signed. Notice of the Challenge was served on the Candidate by email on August 14, 2026.

Assistant Registrar's Preliminary Determination

The Assistant Registrar's review of the Challenge indicated that all three of the signature challenges were valid. Upon verification against Board records, the Assistant Registrar found that one signature was invalid because the signer is not registered to vote in the District of Columbia; one signature was invalid because the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed; and one signature was invalid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed.

Accordingly, the Assistant Registrar preliminarily determined the Petition contained 22 valid signatures, which is three signatures below the number required for ballot access.

The 10-day period during which change-of-address forms could be submitted to cure signatures of voters whose addresses on the petition did not match those that appeared in the Board's records under D.C. Official Code § 1-1001.08(o)(3) expired on August 24, 2026. No change-of-address forms were received or credited to the Candidate's Petition.

August 27, 2026 Pre-Hearing Conference

Pursuant to Title 3 D.C.M.R. § 415.1, the Office of the General Counsel convened a pre-hearing conference with the parties on August 27, 2026. In her findings report issued prior to the pre-hearing conference, the Assistant Registrar outlined her determinations with respect to the validity of each signature challenged and provided a key code explaining the notations she used to indicate the basis for upholding or denying each challenge.

The Challenger appeared *pro se*. A representative of the Registrar's Office was present at the hearing and presented the findings of the Assistant Registrar. The Assistant Registrar's report indicated that all three challenges were valid, leaving the Petition with 22 valid signatures, three below the 25 required for ballot access.

The Candidate did not appear at the pre-hearing conference, nor did he respond to a reminder email sent at the scheduled time of the conference. Because the Candidate did not appear, no issues were preserved for the Board hearing.

The Challenger agreed with the Assistant Registrar's determination and raised no additional issues.

As the matter was not resolved, it was set for a Board hearing on August 31, 2026. The Board notified the Candidate and the Challenger of the hearing.

August 31, 2026 Board Hearing

A representative of the Registrar's Office was in attendance at the hearing and presented the Assistant Registrar's findings. During the Board hearing, the Challenger urged that the Board accept the findings of the Assistant Registrar and deny ballot access. The Candidate did not appear at the hearing.¹

¹ The Board proceeded in the Candidate's absence pursuant to 3 D.C.M.R. § 418.1(b).

The General Counsel then made her recommendations that the Candidate be denied ballot access. Member Greenfield made a motion consistent with that recommendation. The motion was seconded and passed unanimously.

Discussion

The minimum number of signatures required to obtain ballot access for the office of Advisory Neighborhood Commissioner for SMD 8B06 in the November 3, 2026 General Election is 25 signatures from registered qualified electors residing within the SMD. D.C. Official Code § 1-1001.08(i)(1)(E); 3 D.C.M.R. § 1603.7. The Petition contained 25 signatures, which is the exact statutory minimum. The Challenger filed challenges to three signatures. The Assistant Registrar determined that all three challenges were valid, reducing the valid signatures to 22. The Board has reviewed the record and upholds the findings of the Assistant Registrar.

With respect to the one signature invalidated because the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed, the Board notes that D.C. Official Code § 1-1001.07(j)(5)(B) provides that inactive registrations "shall not be counted as valid" in signature verification. This is a statutory requirement that the Board cannot waive.

With respect to the one signature invalidated because the signer is not registered to vote at the address listed on the petition, the Board notes that D.C. Official Code § 1-1001.08(o)(3) provides a 10-day cure period during which a signer may file a change of address form. That 10-day period begins on the date the candidate is notified of the challenge. Notice was served on the Candidate on August 14, 2026. The cure period thus expired on August 24, 2026. No change-of-address forms were received or credited to the Petition. The address match requirement is grounded in law that the Board cannot ignore. *See Harnett v. Hamilton*, Administrative Order No. 24-006.

The Candidate did not appear at either the pre-hearing conference or the Board hearing. He preserved no issues for the Board's consideration and presented no evidence to rebut the Assistant Registrar's determinations. The Board accordingly concludes that the Petition contains 22 valid signatures, which is three signatures below the statutory minimum of 25 required for ballot access.

Conclusion

As a result of this challenge, the Board finds that the Petition contains 22 valid signatures – three signatures below the number required for ballot access. It is hereby:

ORDERED that the challenge to the nominating petition of Marcus Thomas Hickman for the office of Advisory Neighborhood Commissioner for Single Member District 8B06 in the General Election is hereby **UPHELD**, and ballot access is **DENIED**.

The Board issues this written order today, which memorializes its oral ruling rendered on August 31, 2026.

Date: September 3, 2026



Karyn Greenfield
Presiding Board Member