

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

Gottlieb Simon,	)	
Challenger	)	Administrative
	)	Order #26-064
	)	
v.	)	Re: Challenge to Nominating
	)	Petition Submitted for
	)	Advisory Neighborhood
	)	Commissioner, SMD 6D02
David Bowman Jr.,	)	
Candidate.	)	

MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the District of Columbia Board of Elections ("the Board") on September 4, 2026. It is a challenge ("the Challenge") to the nominating petition submitted by David Bowman Jr. ("the Candidate") to run for the office of Advisory Neighborhood Commissioner in Single-Member District ("SMD") 6D02 in the November 3, 2026 General Election ("the General Election"). The Challenge was filed by Gottlieb Simon ("the Challenger"), a registered voter in the District of Columbia, pursuant to D.C. Official Code § 1-1001.08(o)(1). Chairman Gregory McCarthy and Board Members Karyn Greenfield and Michael Wakefield presided over the hearing. Both parties appeared *pro se*. The Candidate had been represented by counsel at the pre-hearing conference but appeared without counsel at the hearing.

Background

On August 4, 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 for SMD 6D02 ("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. D.C. Official Code § 1-1001.08(i)(1)(E). The Petition contained 32 signatures across four petition sheets, all circulated by the Candidate. Pursuant to Title 3, District of Columbia Municipal Regulations (D.C.M.R.) § 1603.7, the Board's Registrar of Voters accepted 32 signatures for review.

On August 8, 2026, the Board posted the Petition for public inspection for 10 days, as required by law. On August 17, 2026, the Challenger challenged the Petition.

The Challenger filed challenges to 15 of the 32 signatures submitted, enumerated by line and page number on individual challenge sheets filed for each petition page. The signatures were challenged pursuant to Title 3 D.C.M.R. §§ 1603 and 1607.1 of the Board's regulations on the following grounds: the signer is not a registered voter in D.C. (§ 1603); 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 (§ 1607.1(b)); the petition does not include the name of the signer and the signature is not sufficiently legible for identification (§ 1607.1(f)); and the signature is not made by the person whose signature it purports to be (§ 1607.1(i)).

Assistant Registrar's Preliminary Determination

The Assistant Registrar's initial review of the Challenge indicated that 11 of the 15 signature challenges were valid. She found that four signatures were invalid because the signer is not a registered voter in the District of Columbia; four signatures were invalid because the signer is not registered to vote at the address listed on the Petition at the time the Petition was signed; two signatures were invalid because neither the name of the signer nor the signature is sufficiently legible for identification; and one signature was invalid because the signer is not a registered voter in the jurisdiction from which the Candidate seeks nomination.

Accordingly, the Registrar preliminarily determined the Petition contained 21 valid signatures, which is four signatures below the 25 required for ballot access.

September 2, 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 September 2, 2026. The Candidate appeared through counsel, Ikechukwu S. Mpamaugo, Esq. The Challenger appeared *pro se*. A representative of the Voter Services Division presented the findings of the Assistant Registrar.

The Candidate's counsel preserved the following issues for Board consideration: a general denial of all sustained challenges, contending that the Challenger bears the affirmative burden of proving the invalidity of each challenged signature under 3 D.C.M.R. § 424.1; that four signers found to have address mismatches (Christopher Joseph, Richard McKinstry-Joseph, Monique Swanson, and Chris Washington) are registered voters within SMD 6D02, and their signatures should be cured under D.C. Official Code § 1-1001.08(o)(3); that the finding that Kezel Justiz resides outside SMD 6D02 was erroneous; that the two illegible-signature findings should not stand where the signer's identity can be established through other means; and that counsel had reason to believe a change-of-address form may have been submitted by one or more signers and the Board should confirm the receipt and timeliness of any such filings.

The Challenger stated that he had not yet received the Registrar's report and did not raise any issues at the conference.¹

At the close of the conference, counsel for the Candidate was granted until noon on September 3, 2026 to submit documentary evidence, and he timely filed a notice of appearance, a declaration from the Candidate, and a memorandum of law. Based on the information provided,

¹ Following the prehearing conference, the Challenger discovered that the report had been routed to his spam folder.

the Assistant Registrar of Voters determined that the Candidate should be credited with the signature of signer Antonio Gonsalves.² This meant that the number of sustained challenges decreased from 11 to 10, and that the Petition was determined to contain 22 valid signatures, three below the 25 required for ballot access.

As the parties were not able to resolve the matter, the matter was set for a Board hearing on September 4, 2026.

September 4, 2026 Board Hearing

A representative of the Voter Services Division was present at the hearing and presented the Assistant Registrar's findings. The staff attorney for the Office of the General Counsel summarized the contested findings identified in the Candidate's memorandum of law. He indicated that there was no basis to disturb the Assistant Registrar's findings with respect to any of the signatures identified in the Candidate's memorandum of law save for one – that of Mr. Gonsalves. He further indicated that, of the remaining contested findings, four were for address mismatches for which no change-of-address forms were timely filed; one was for a signature where the signer's registration was confirmed as inactive; one was for a signer whose address fell outside SMD 6D02; and one was for a signer who was not a registered voter. The staff attorney explained that the defects associated with each of these signatures was non-waivable and could not be credited to the candidate.

The Candidate appeared without counsel and did not contest the Assistant Registrar's findings. He asked whether signature cross-referencing could identify a signer where no printed name appeared (Sheet 1, Line 8). The General Counsel explained that the Board requires a name

² The Assistant Registrar of Voters had previously determined that Mr. Gonsalves was not registered, but later reversed this finding as a result of Mr. Gonsalves's submission of a timely filed change of address form.

to locate a voter in its records and cannot search for a matching signature without any identifying information.

The General Counsel noted on the record that even if the Board were to waive the two illegible-signature defects in the Candidate's favor, the Petition would stand at 24 valid signatures, which is still one below the 25-signature threshold. She then recommended that the Board deny the Candidate ballot access. The General Counsel also informed the Candidate on the record that he retains the right to submit an affirmation of write-in candidacy for the contest.

Chairman McCarthy moved to deny the Candidate ballot access. The motion was seconded and passed unanimously.

Discussion

The Candidate needed to obtain 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 32 signatures. The Challenger filed challenges to 15 signatures. The Registrar ultimately determined that 10 of those challenges were valid, bringing the Petition to 22 valid signatures. The Board has reviewed the record and finds that the Assistant Registrar's determination is correct and should be upheld.

Conclusion

Accordingly, 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 David Bowman Jr. for the office of Advisory Neighborhood Commissioner in SMD 6D02 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 September 4, 2026.

Date: September 9, 2026

A handwritten signature in dark ink, appearing to read "G McCarthy", written in a cursive style.

Gregory McCarthy
Chair