

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS**

In Re:	)	
	)	Administrative Order
Samuel Pastore, Candidate.	)	No. 26-050
	)	Re: Appeal of Preliminary
	)	Determination of Ineligibility
	)	

**MEMORANDUM OPINION AND
ORDER**

This matter came before the District of Columbia Board of Elections (“the Board”) at a special meeting on August 13, 2026, and involved an appeal from an adverse determination of eligibility regarding Samuel Pastore, candidate for the office of Advisory Neighborhood Commissioner for Single Member District (“SMD”) 6B05 (“the Candidate”). Board Member Karyn Greenfield presided over the hearing on this matter. The Candidate appeared at that hearing *pro se*. The Board’s General Counsel was also present.

BACKGROUND

On July 29, 2026, the Candidate submitted a Declaration of Candidacy to run for the office sought. The Candidate subsequently received nominating petition materials, which included a document titled “Circulating and Filing Nominating Petitions” that advised candidates that “it is [their] responsibility to ensure that [their] petition is complete and contains the minimum number of signatures for ballot access before [they] file it with the Board.” In addition, the document states that circulators should “[m]ake sure that the Circulator’s Affidavit on each petition sheet is completed correctly and signed.”

The Candidate timely filed a nominating petition (“Petition”) in support of his candidacy. The Petition contained four sheets and, on its face, thirty-four signatures — nine signatures

above the twenty-five required for Advisory Neighborhood Commission seats. *See* D.C. Official Code § 1-309.05(b)(1)(B). The circulator affidavit (by which an attestation is made as to the genuine character of the signatures) on the second Petition sheet was, however, incomplete in that it omitted the date of the circulator's attestation. The omission resulted in the submission of only twenty-four valid signatures by the Candidate because the second Petition sheet contained ten signatures.

On August 10, 2026, the Board's Executive Director notified the Candidate in writing of her preliminary determination that he did not meet the qualification requirements to run for the SMD 6B05 seat. The letter set forth the authority for the adverse determination, including a Board regulation that provides that no signature on a sheet bearing an incomplete circulator affidavit shall be counted toward the signature requirement of a petition. *See* 3 DCMR §§ 1605.3(a) & 1605.4.

On August 12, 2026, the Candidate filed a written appeal of the preliminary adverse determination. The appeal stated the Candidate personally circulated the four Petition sheets, including the second Petition sheet missing the date. He further affirmed that he personally witnessed the signatures collected on the Petition sheets he collected. The appeal asked that the Board treat the circulator defect as formal error and therefore waive it. Mr. Pastore identified an authority, *In Re Philip Newland*, BOE Case No. 2023-006 (Feb. 9, 2023), that he asserted supported waiver of the defect.

The Board had previously scheduled a hearing with respect to adverse preliminary determinations to occur on the morning of August 13, 2026. The assigned OGC attorney spoke with the Candidate about his appeal on the morning of August 13, 2026 and requested that he make himself available for a hearing later that morning. The Candidate agreed.

At the hearing, OGC's General Counsel and the assigned attorney explained that, because the circulator affidavit on the Candidate's second Petition sheet contained no date and was therefore incomplete, the Executive Director had not counted any of the signatures on the second Petition sheet toward the twenty-five signature requirement in issuing her preliminary determination. The Candidate appeared at the hearing remotely and was placed under oath. He testified that he was the circulator for all four Petition sheets. He explained that he gathered the signatures during the relevant time, that he personally witnessed each signature, and filled out the four Petition sheets' circulator's affidavit on the same day. The Candidate acknowledged that he neglected to date the circulator affidavit at the bottom of the second Petition sheet and expressed regret for this failure.

At the conclusion of the Candidate's presentation, the Board's General Counsel recommended that the Board waive the circulator defect as a formal error. Board Member Greenfield expressed her agreement with the General Counsel's recommendation and subsequently moved to waive the formal error.

ANALYSIS

A nominating petition for a candidate seeking ballot access to the office of Advisory Neighborhood Commissioner must be signed by at least twenty-five registered District voters who reside in the respective SMD. *See* D.C. Official Code § 1-309.05(b)(1)(B). Pertinent Board regulations at 3 DCMR provide as follows:

1605.3 Within three (3) business days following the petition-filing deadline, the Executive Director or his or her designee shall issue a preliminary determination of petition sufficiency. In order to be determined sufficient, a petition nominating a candidate shall:

(a) Contain the minimum statutory number of signatures required to obtain ballot access for the office sought;

1605.4 In determining whether the minimum statutory number of signatures is

contained in the nominating petition, the Executive Director or his or her designee shall not count any signatures submitted on petition pages that fail to include a completed circulator's affidavit[.]

The statutory requirements for circulator affidavits are set forth in D.C. Official Code § 1- 1001.08(b)(3). We have previously stressed the importance of the statute's circulator requirement to the integrity of the ballot access process and the validity of petitions. *See e.g., In Re Earle Douglass*, BOE Case No. 22-017, p. 4 (issued Aug. 19, 2022) (citing *Williams v. District of Columbia Bd. of Elections and Ethics*, 804 A.2d 316, 318-19 (D.C. 2002)). Nevertheless, where the integrity of a signature is bolstered by extrinsic evidence, we have excused minor defects in the date of the circulator affidavit. *See, e.g., In Re Philip Newland*, BOE Case No. 2023-006 (Feb. 9, 2023). In that regard, we have noted that the statute does not specify that the circulator's signature must be dated. *Id.*

Here, the Candidate has testified under oath to witnessing the Petition's signatures in person and within the period for petition circulation. Based on the record before us, we find that there is no substantial evidence that the Candidate, as circulator of his Petition, acted in a manner inconsistent with the circulator's oath and that the evidence presented at the hearing on this matter sufficed to cure the defect of the omitted date for the circulator's signature. We therefore waive as formal error the omission of the date upon which the Candidate signed the circulator affidavit for the second Petition sheet.

CONCLUSION

For the reasons set forth in this opinion, we conclude that the signatures on the second Petition sheet qualify to be counted toward the Petition's numerical sufficiency in accordance with 3 D.C.M.R. § 1605.3 and that the Petition shall be preliminarily found to have thirty-four (34) signatures, a sufficient number for ballot access.

Accordingly, it is therefore:

ORDERED that the Petition submitted by the Candidate for the Office of Advisory Neighborhood Commissioner for SMD 6B05 be found preliminarily sufficient.

I issue this written order today, which is consistent with the Board's oral ruling rendered on August 13, 2026.

Dated: August 14, 2026

A handwritten signature in cursive script, appearing to read 'K. Greenfield', written in black ink.

Karyn Greenfield
Presiding Board Member