

**DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS**

Cory Ellis,	)	
Challenger	)	Administrative
	)	Order #26-038
	)	
v.	)	Re: Challenge to Nominating
	)	Petition Submitted for
	)	Markus Batchelor
Markus Batchelor,	)	
Candidate	)	

**MEMORANDUM OPINION AND ORDER**

**Introduction**

This matter came before the District of Columbia Board of Elections (“the Board”) on April 17, 2026. It is a challenge (“the Challenge”) to the nominating petition submitted by Markus Batchelor (“the Candidate”) to run for the office of United States Senator in the June 16, 2026 Primary Election (“the Primary Election”). The challenge was filed by Cory Ellis (“the Challenger”), a registered voter in the District of Columbia, pursuant to D.C. Official Code § 1-1001.08(o)(1). Chairman Gary Thompson and Board member Karyn Greenfield presided over the hearing. The Challenger was represented by Mr. Justin Naughton, and the Candidate was represented by Ms. Lorelie Masters.

**Background**

On March 18, 2026, the Candidate submitted a nominating petition to appear on the ballot as a candidate in the Primary Election contest for the nomination for the office of United States Senator (“the Petition”). The minimum number of signatures required to obtain ballot access for this office is 2,000 signatures of District of Columbia voters who are duly registered in the same party as the candidate. Pursuant to Title 3, District of Columbia Municipal Regulations (D.C.M.R.)

§ 1603.1, Marissa Corrente, the Board's Registrar of Voters ("the Registrar"), accepted 2,749 signatures for review.

On March 21, 2026, the Petition was posted for public inspection for 10 days, as required by law. On March 30, 2026, the Challenger filed the Challenge.

The Challenger filed challenges to a total of 1,359 signatures. Specifically, the signatures and affidavits were challenged pursuant to Title 3 D.C.M.R. § 1607.1 of the Board's regulations on the following grounds: the signer is not a registered voter in DC; the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed; 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; the signature is a duplicate of a valid signature; the signature is not dated; the petition does not include the address of the signer; the petition does not include the name of the signer, and the signature is not sufficiently legible for identification; the circulator of the petition sheet was not a qualified petition circulator at the time the petition was signed; the circulator of the petition failed to complete all required information in the circulator's affidavit; the signature is not made by the person whose signature it purports to be; the signature was not personally witnessed by the circulator; and the signer is not registered to vote in the same party as the candidate at the time the petition is signed.

On April 1, 2026, the Office of General Counsel ("OGC") notified the candidate of the challenge and set a pre-hearing conference for April 15, 2026. On April 13, 2026, the Candidate timely provided a list of updated voter registration addresses.

### **Registrar's Preliminary Determination**

On April 14, 2026, the Registrar issued her initial report. The initial report, which outlined the Registrar's determinations with respect to the validity of each signature challenged and was accompanied by a key code that explained the notations used to indicate the basis for upholding or denying each challenge, indicated that 904 of the Challenger's 1,359 challenges were valid, which left the Petition below the threshold for ballot access with 1,845 presumptively valid signatures.

After the Registrar issued an initial report, the Candidate provided a line-by-line chart of signatures that he believed to be valid and thus asked the Registrar to reassess.

In an updated report that was issued on April 17, 2026, the Registrar indicated that only 831 of the 1,359 signature challenges were valid as opposed to 904. The Registrar found that 161 are valid because the signer is not registered to vote; 163 are valid because the signer is not registered to vote at the address listed on the petition at the time the petition was signed; 35 are valid because the signer's voter registration was designated as inactive on the voter roll at the time the petition was signed; 112 are valid because the signature is a duplicate of a valid signature; 39 are valid because the signature is not dated; 13 are valid because the signature does not include the address of the signer; 70 are valid because neither the name of the signer nor the signature is sufficiently legible for identification; 10 are valid because the circulator of the petition sheet was not a qualified petition circulator at the time the petition was signed; 22 are valid because the signature is not made by the person whose signature it purports to be; 21 are valid because the signature appears on a sheet that was not personally circulated by the circulator; and 183 are valid because the signer is not registered to vote in the same party as the candidate at the time the petition is signed.

Accordingly, the Registrar preliminarily determined the Petition contained 1,918 presumptively valid signatures, which is 82 signatures below the number required for ballot access.

**April 13, 2026 Pre-Hearing Conference**

Pursuant to title 3 D.C.M.R. § 415.1, OGC convened a pre-hearing conference on Wednesday, April 15, 2026 which both parties and their representatives attended. At the pre-hearing conference, each side presented issues that they wished to preserve for the Board's consideration. The Candidate asked that the Board review the new list of potential valid signatures. The Candidate also argued that the challenge was not brought in good faith because many challenges included multiple grounds that the candidate believes are contradictory.<sup>1</sup> The Candidate also asked the Board to consider affidavits from circulators addressing date and other affidavit defects that he would submit to the OGC on Thursday, April 16, 2026.

The Challenger's representative also raised several issues he wished to preserve. He argued that the Petition did not meet the threshold of 2,000 valid signatures and should therefore be rejected. He asserted that the Board had credited too many signatures back to the campaign. He further objected to both the Candidate's April 15, 2026 submission of additional line-by-line requests for the Registrar to review regarding signature validity and the inclusion of the affidavits from circulators to cure affidavit defects.<sup>2</sup>

As the parties were not able to resolve the matter, the case was set for a Board hearing on April 17, 2026.

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<sup>1</sup> The Assistant Registrar, Millicent Green Wright, noted that of the 596 challenges based on multiple grounds, Voter Services upheld 499 of those challenges.

<sup>2</sup> The Challenger also made allegations of possible fraud and offered to provide a handwriting expert at the Board's hearing. However, the Registrar determined that only 22 of the challenged signatures were not made by the person whose signature it purported to be.

On April 16, 2026, the Candidate provided the aforementioned affidavits from circulators. While some of these affidavits attempted to address defects in the Petition's circulator's affidavits,<sup>3</sup> others attempted to verify the signature of voters. However, only one affidavit, provided by Ms. Morin, was from a voter verifying that she did in fact sign the petition.<sup>4</sup> Even if they were all determined to be valid, the number of signatures on the pages that the affidavits submitted by Petition circulators were intended to cure were not sufficient to bring the candidate over the threshold required for ballot access.

### **April 17, 2026 Board Hearing**

At the Board hearing on April 17, 2026, the Assistant Registrar presented her findings indicating that the Petition did not contain the requisite number of signatures for ballot access. The Candidate then asked for some additional time to review the updated Registrar's report. The Board granted that request and continued the matter until later that day. After the hearing reconvened, the Candidate argued that the Board should credit the statements in the affidavits from circulators where the circulators affirmed that certain challenged signatures were actually signed by the voters in question. However, other than the affidavit submitted by Ms. Morin, the Candidate did not provide any evidence from the voters themselves. The Candidate also provided a new list of approximately 50 line-by-line determinations that it wished for the Registrar to review. In response, the Registrar and the OGC representative explained that the Challenge had been thoroughly and repeatedly reviewed at the point of the hearing, and that even if the new line-by-

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<sup>3</sup> An affidavit from circulator Jamal Holtz would address a missing a date on the circulator petition, and an affidavit from John Capozzi would address an illegible date on a circulator petition. Even if the Board accepted these affidavits to cure the circulator petition defects (affecting 17 potentially valid signatures), the Petition would still not have enough valid signatures to achieve the threshold necessary for ballot access.

<sup>4</sup> The affidavit of circulator Kemry Hughes addressed the validity of certain signatures by voters that had been challenged. His circulator petition sheets 106 and 114, however, are missing both the date and the signature of the circulator. This Board previously decided in the matter of *In re Calvin Gurley*, Board Order 2022-016, that the Board has "never sanctioned. . . the acceptance of petition sheets where the circulator affidavit is unsigned."

line list were considered, there were still not enough signatures to bring the Candidate over the threshold for ballot access.

**Discussion**

The minimum number of signatures of required to obtain ballot access for this office is 2,000 signatures of District voters who are duly registered in the same party. The Petition contained a total of 2,749 signatures. As a result of the Challenge, the Petition was found to contain 1,918 presumptively valid signatures. Given that the Candidate did not produce enough evidence to rebut the reasons for upholding the valid challenges, we cannot find that there are sufficient signatures for ballot access.

**Conclusion**

As a result of this challenge, the Board finds that the Petition contains 1,918 valid signatures – 82 signatures below the number required for ballot access. It is hereby:

**ORDERED** that challenge to the nominating petition of Markus Batchelor for the office of United States Senator in the Primary Election is hereby **UPHELD**, and Candidate Batchelor is denied ballot access in this contest for the June 16, 2026 primary election.

The Board issues this written order today, which memorializes its oral ruling rendered on April 17, 2026.

Date: April 18, 2026



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Gary Thompson  
Chairman  
Board of Elections