

**DISTRICT OF COLUMBIA  
BOARD OF ELECTIONS AND ETHICS**

Sandra Seegars,  
Complainant,

v.

Kevin Hooks,  
Respondent.

Administrative Hearing  
No. 10-017

Re: Challenge to Nominating  
Kevin Hooks,  
Advisory Neighborhood Commissioner  
Single Member District 8E02

**MEMORANDUM OPINION AND ORDER**

**Introduction**

This matter came before the District of Columbia Board of Elections and Ethics (“the Board”) on September 30, 2010. It is a challenge to the nominating petition of Kevin Hooks (“Hooks”) as a candidate for the office of Advisory Neighborhood Commissioner, (ANC) Single Member District 8E02 filed by Sandra Seegars (“Seegars”) pursuant to D.C. Code § 1-1001.08(o)(1) (2006). Board member Charles R. Lowery, Jr. presided over the hearing. Neither the Respondent nor the Complainant appeared, and the Board accordingly proceeded ex parte.

**Background**

On August 30, 2010, Hooks submitted a Nominating Petition for the office of ANC 8E02 with forty-two (42) signatures. On September 6, 2010 the petition was posted for inspection, pursuant to D.C. Code §1-1001.08(o)(1), for a full 10-day challenge period.<sup>1</sup>

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<sup>1</sup> D.C. CODE § 1-1001.08(o)(1) (2006) states in relevant part:

On September 7, 2010, Seegars filed a challenge to the petition in which she challenged thirty-five (35) of the forty-two (42) signatures. As required by the Board's regulations, Challenger Seegars alleged the signatures were defective because: the signer was not registered to vote at address listed on petition at time signed (3 D.C.M.R. § 1607.5(b)); the signer is not duly registered in the single-member district from which the candidate seeks election at the time the petition is signed (3 D.C.M.R. § 1607.5 (f)); and the signer is not a duly registered voter (3 D.C.M.R. § 1607.5(c)).

The Registrar of Voters' ("Registrar") review of the challenges referencing the Municipal Regulations concluded that all thirty-five (35) of the challenges to Hooks's nominating petition were valid – leaving the candidate with seven (7) signatures. The minimum requirement of signatures for this office is twenty-five (25), pursuant to D.C. Code §1-309.05(b)(1)(b) (2006). Accordingly, the Registrar concluded that the Candidate had not secured enough signatures on his nominating petition for ballot access.

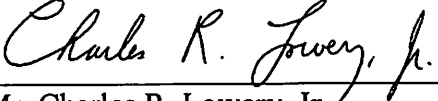
In view of the evidence presented, the Board finds that the challenge is sufficient to remove the candidate's name from the ballot. Therefore, the Board upholds the challenge as specified herein.

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The Board is authorized to accept any nominating petition for a candidate for any office as bona fide with respect to the qualifications of the signatures thereto if the original or facsimile thereof has been posted in a suitable public place for a 10-day period beginning on the third day after the filing deadline for nominating petitions for the office. Any registered qualified elector may within the 10-day period challenge the validity of any petition by written statement signed by the challenger and filed with the Board and specifying concisely the alleged defects in the petition.

**ORDERED** that candidate Kevin Hooks is denied access to appear on the ballot in the November 2, 2010 General Election for the Office of Advisory Neighborhood Commissioner Single Member District 8E02.

October 1, 2010  
Date

  
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Mr. Charles R. Lowery, Jr.  
Board Member,  
Board of Elections and Ethics