

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

Karen Armagost,)	
)	
Challenger,)	
)	Administrative Hearing
v.)	No. 00-030
)	
Spencer Hollis,)	Re: Challenge to Nomination Petition
)	
Candidate.)	
)	

MEMORANDUM OPINION AND ORDER

This matter came before the Board of Elections and Ethics on Tuesday, September 26 2000 and involved a challenge to the candidacy of Spencer Hollis, Independent candidate for the office of Ward Two Member of the District Council. The challenge was brought by Karen Armagost. Members Stephen Callas Jonda McFarlane, and Chairman Benjamin Wilson represented the Board. The Challenger appeared at the hearing pro se; however, the candidate did not appear, and the Board proceeded ex-parte.

According to the evidence presented to the Board, Candidate Hollis submitted a nominating petition containing a total of 564 signatures. The minimum signature requirement to qualify for the ballot for this office is 500 signatures of persons who are duly registered voters in Ward Two.

Challenger Armagost filed a total of 237 challenges to signatures on the nominating petition. As required by the Board's regulations, Challenger Armagost specified the alleged defects pursuant to 3 D.C.M.R. § 1706.2. Challenger Armagost alleged that Candidate Hollis had failed to file the minimum 500 valid signatures of duly registered Democratic voters in ward Four for the following reason(s):

- 1) signer not registered to vote at address listed on petition at time signed (3 D.C.M.R.

§ 1607.5(b));

- 2) the signer is not a duly registered voter (3 D.C.M.R. § 1607.5(c));
- 3) the signature is not dated (3 D.C.M.R. § 1607.5 (d));
- 4) the signer is not duly registered in the ward from which the candidate seeks election at the time the petition is signed (3 D.C.M.R. § 1607.5 (f));

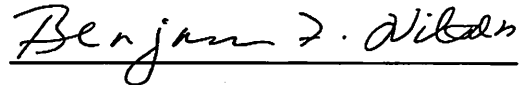
The review of the challenge conducted by the Registrar of Voters indicated that 155 of the challenges were found to be valid. This decreased the number of valid signatures obtained by Candidate Hollis to 409 registered qualified electors, which is below the minimum number required for ballot access.

Accordingly, the challenge succeeds in providing an adequate legal basis upon which to reduce the number of valid signatures obtained by Candidate Hollis below the legal minimum requirement. Consequently, the candidate does not possess an adequate number of signatures to remain eligible 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 sustains the challenge as specified herein and in accordance with the report of the Registrar of Voters. Accordingly, it is hereby

ORDERED, that Spencer Hollis be denied access to the ballot in the November 7th General Election as a candidate for the office of Ward Two Member of the District Council.

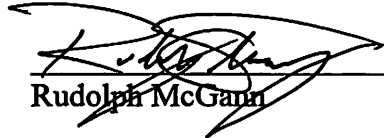
September 28, 2000



Benjamin Wilson
Chairman,
D.C. Board of Elections and Ethics

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing order was delivered via Federal Express this 28th of September, 2000 to the following parties: Spencer Hollis, 1435 Foxhall Road, NW Washington D.C. 20007; Karen Armagost, 723 Whittier Street NW Washington D.C. 20012.



Rudolph McGarr