

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
NO: SJ-2026-0297

ANNE MANNING-MARTIN

vs.

STATE BALLOT LAW COMMISSION

MEMORANDUM OF DECISION AND JUDGMENT

This matter came before the court, Gaziano, J., on Anne Manning-Martin's petition for emergency relief pursuant to G. L. c. 211, § 3. The petitioner seeks relief from an order of the Essex County Superior Court, entered on July 10, 2026, denying, in part, her motion for judgment on the pleadings, and allowing, in part, a cross-motion for judgment on the pleadings filed by the State Ballot Law Commission (SBLC). For the reasons discussed below, the petitioner has not demonstrated that she is entitled to relief and the petition is therefore denied.

Background. This matter arises from proceedings before the SBLC concerning the petitioner's nomination papers for the Office of Lieutenant Governor on the Republican Party primary ballot. After two individuals submitted objections to the petitioner's nomination papers, the SBLC conducted an evidentiary hearing on the matter, and subsequently issued a decision invalidating 1,279 fraudulent signatures within the

nomination papers. Because this determination rendered Manning-Martin unable to meet the 10,000-signature threshold necessary to qualify, the SBLC further ordered that her name not be printed on the ballot. In another decision issued the same date concerning Michael Walsh, a candidate for the Republican Party primary race for the Office of Attorney General, the SBLC similarly found that Walsh's nomination papers contained fraudulent signatures that prevented him from meeting the necessary number of signatures to appear on the ballot.

Both the petitioner, as well as Walsh, filed complaints in the Superior Court, seeking judicial review of the SBLC's decision pursuant to G. L. c. 30A and G. L. c. 55, § 4. A judge in the Superior Court conducted a joint, two-day hearing on both matters, and ultimately concluded that the individual who filed the objection in Walsh's case, as well as one of the objections in the petitioner's case, had failed to comply with the mailing and notice provisions set forth in G. L. c. 55B, § 5, ninth par., thereby invalidating those objections under the plain language of the statute. The judge further determined, however, that the other objection to the petitioner's nomination papers, filed by Objector Shawn Oliver, complied with this requirement and thus had not been invalidated. The judge went on to affirm the decision of the SBLC insofar as it sustained this latter objection, concluding that the SBLC's determination as to the

existence of fraudulent signatures was supported by substantial evidence and was not legally erroneous, arbitrary, capricious, or an abuse of discretion.

Thereafter, Manning-Martin filed this petition under G. L. c. 211, § 3, seeking relief from the Superior Court judge's order. For the reasons that follow, I affirm the judge's decision.¹

Standard of review. Relevant here, a decision of an administrative agency may be reversed where it is based on an error of law, arbitrary or capricious, an abuse of discretion, or unsupported by substantial evidence. See G. L. c. 30A, § 14 (7). Substantial evidence is defined as "such evidence as a reasonable mind might accept as adequate to support a conclusion." G. L. c. 30A, § 1. In assessing an agency's decision, "[c]ourts must defer to [the] administrative agency's fact-finding role, including its right to draw reasonable inferences from the facts found." Smith College v. Massachusetts Comm'n Against Discrimination, 376 Mass. 221, 224

¹ It is undisputed that any final determination concerning the names to be printed on the Republican primary ballot must be made no later than July 14, 2026, in order to ensure compliance with Federal deadlines for absentee ballots. See 52 U.S.C. § 20302(a)(8)(A) (ballots must be transmitted to military and overseas voters no later than forty-five days in advance of election). Given the extremely time-sensitive nature of this matter, as well as the legal questions raised, I exercise my discretion to reach the merits of the petition.

(1978). At the same time, "conclusions of law to be drawn from those facts are subject to independent judicial review."

Capezzuto v. State Ballot Law Comm'n, 407 Mass. 949, 952 (1990).

Discussion. As an initial matter, Manning-Martin argues that the SBLC did not have jurisdiction to rule on the merits of Oliver's objection because (1) it was not timely mailed (i.e., by June 6, 2026) via certified mail; and (2) Oliver did not timely provide her with sufficient information to identify the signatures being challenged, as required by 950 Code Mass. Regs. § 59.04(1)(f). I address each contention in turn.

With respect to the petitioner's first assertion, she argues both that the SBLC "failed to make a finding that [the objection] was mailed timely," and that the SBLC's finding of transmission via certified mail was "against the weight of the evidence." To be sure, and as the Superior Court judge observed below, the SBLC does not explicitly state in its decision whether it found that Oliver's mailing was timely. The SBLC did, however, state that it found that Oliver mailed his objection "by registered or certified mail return receipt requested as set out in [G. L. c. 55B, § 5, ninth par.]," which requires that the objection be mailed to the candidate the day after it is filed. Given the SBLC's finding that Oliver complied with the requirements of G. L. c. 55B, § 5, ninth par., the SBLC appears to have implicitly found that his transmission

was timely.

In any event, the record provides substantial evidence to support such a finding. The legal assistant for Oliver's attorney submitted an affidavit describing her timely mailing of the objection by certified mail, as well as a supplemental affidavit authenticating an attached copy of the "green card" the secretary received memorializing proof of delivery. Moreover, an image of the mailed envelope contained within the record appears to reflect that the postage was metered on June 5, 2026.² Although Manning-Martin asserts that the green card shows a mailing date of June 13, 2026, this date in fact appears within the section entitled, "COMPLETE THIS SECTION ON DELIVERY." And while she also argues that other evidence in the record does not definitively reflect a mailing date, Manning-Martin has failed to establish that the evidence supporting a mailing date of June 5 was not "substantial," i.e., evidence that a reasonable mind might accept as adequate to support the conclusion.

As to the petitioner's second argument, the SBLC concluded that Oliver had complied with the provision of 950 Code Mass.

² In the electronic copy of the record appendix provided to this court, the entire date is not wholly legible, but the numerals "06/05" can be made out. The SBLC also represents in its opposition to the petition that counsel for Manning-Martin conceded before the Superior Court that the metering date was, in fact, June 5, 2026.

Regs. § 59.04(1)(f), requiring that, "[n]ot later than the third weekday before the date of the hearing," the objector must provide the respondent with "a list of all signatures on the respondent's nomination paper or petition which are drawn in question by the objection, showing the page and line where each is located, and the reason why each is alleged to be improper." Indeed, it is undisputed that Oliver timely provided Manning-Martin with a list containing the page and line of each challenged signature, as well as the basis for the challenge. Nonetheless, Manning-Martin contends that the list was deficient because it failed to recite the actual name of each voter whose signature was being challenged, and Oliver did not provide Manning-Martin with a copy of the enumerated pages containing the challenged signatures until shortly after 5:00 P.M. on the date of the deadline set forth in the regulation. The above-quoted regulatory provision makes no mention of disclosing this additional information, and the SBLC's reasonably concluded that such disclosures were not required under 950 Code Mass. Regs. § 59.04(1)(f). See Hurst v. State Ballot Law Comm'n, 428 Mass. 116, 120 (1998) ("An agency's interpretation of its own regulation is entitled to 'substantial deference'" [citation omitted]).

Finally, in addition to these jurisdictional arguments, Manning-Martin challenges the merits of the SBLC's decision,

arguing that the evidence of forged signatures within her nomination papers "is non-existent." The Superior Court judge observed below, and I similarly conclude, that there is in fact "substantial, if not overwhelming, evidence" that the signatures stricken by the SBLC were not signed by the voters in question. Among the evidence supporting this determination was testimony indicating that Joseph Bronske, who had been retained to gather signatures on the petitioner's behalf, purported to collect signatures for Manning-Martin in Weymouth that mirrored the exact content and order of signatures in nomination papers for another candidate in the same race who had retained Bronske's services, Anne Brensley. The SBLC also heard evidence that 657 signatures within Manning-Martin's nomination papers mirrored the order and content of signatures in the nomination papers for Walsh, who had also hired Bronske to perform signature gathering in Weymouth.

The SBLC also heard evidence that 622 signatures within the nomination papers reflected the exact order of voter names in a large electronic spreadsheet of Weymouth voters that had been provided to Bronske. Indeed, Brensley (i.e., the other candidate for the Republican nomination for Lieutenant Governor) refused to submit any nomination papers containing signatures gathered by Bronske after observing these discrepancies, which resulted in her being unable to meet the 10,000-signature

threshold necessary to qualify for the ballot. She also testified to discovering that some of the signatures collected by Bronske corresponded to voters who had died before the date on which these voters purportedly signed the nomination papers.

In short, there was substantial evidence to support the SBLC's decision to strike 1,279 signatures within Manning-Martin's nomination papers, and the petitioner has not demonstrated that she is entitled to relief.³

Conclusion. For the aforementioned reasons, I hereby deny the emergency petition.

By the Court,

/s/ Frank M. Gaziano
Frank M. Gaziano
Associate Justice

Entered: July 14, 2026

³ The petitioner's motion for a hearing, as well as her emergency motion requesting that the court "order the Secretary of [the Commonwealth] to seek a hardship waiver under [52 U.S.C. § 20302(g)]," are hereby denied.