

**COMMONWEALTH OF MASSACHUSETTS
SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY**

SJ No. _____

Essex Superior Court Docket No. 2677CV00812

STATE BALLOT LAW COMMISSION

Petitioner,

v.

MICHAEL WALSH

Respondent.

**EMERGENCY PETITION OF STATE BALLOT LAW COMMISSION
UNDER G.L. c. 211, § 3 TO VACATE SUPERIOR COURT ORDER AND
JUDGMENT**

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The public welfare demands that elections be protected from fraud. If and when those interests conflict, troublesome problems may arise, but presumably the public welfare must be held paramount.

Swift v. Registrars of Voters of Quincy, 281 Mass. 271, 276–77 (1932) (Rugg, C.J.).

I. Introduction

The State Ballot Law Commission (the “Commission”) seeks emergency relief from this Court. In under four days’ time, the Secretary of the Commonwealth must begin the process of printing ballots for the September primaries in order to meet a deadline established by federal law. EXHIBIT 1 (letter from counsel for the Secretary to the Superior Court). If this Court does not take action before that time, a candidate for Attorney General will appear on the Republican Party state primary ballot based on what the Superior Court judge concluded was “overwhelming evidence in the record of signature fraud.” Decision at 13.

II. Overview of State Ballot Law

The Secretary of the Commonwealth (the “Secretary”) is responsible for, among many other duties, the printing of ballots for state elections, including primary elections. *See* G.L. c. 53, § 32; G.L. c. 54, § 40. A candidate who wishes to appear on a ballot must submit a certain number of certified signatures of voters to the Secretary by a date certain before the election. The number of signatures varies depending on the office. For statewide offices such as Lieutenant-Governor,

the number is 10,000. G.L. c. 53, § 44.

In order to submit signatures, a candidate must first request (sometimes colloquially referred to as “pull”) nomination papers from the Secretary. *See* G.L. c. 53, §§ 17, 47. Each individual nomination sheet allows has space for up to twenty-four registered voters to sign and provide their address. *See, e.g.,* EXHIBIT 2 (nomination sheets).¹

Once signatures are gathered, they are submitted to municipal officials for certification. *See* G.L. c. 53, § 46. Accordingly, only voters from the same city or town may sign a particular nomination sheet. *See* G.L. c. 53, § 7. For each signature and address on a nomination sheet, municipal officials compare the voter lists they maintain to the entry on the sheet. *Id.*; 950 CMR 55.03. If there is a match to the name and address of a registered voter, the local officials certify the signature.² *Id.* While municipal officials are not required to certify signatures that are so illegible that they cannot be read, they are not empowered to reject voter signatures for indicia of fraud or otherwise conduct any investigation. 950 CMR

¹ Bates numbers in the bottom right corner of exhibits beginning with R.A. refer to their numbering in the record of the Commission’s proceedings filed with the Superior Court. The Commission will file a copy of the record in this Court as soon as possible.

² Local officials do not certify signatures if the voter has already signed a different sheet for the same candidate or if the voter is enrolled in a political party other than that of the candidate. *See* EXHIBIT 2 (instructions to local officials at bottom of signature sheets).

55.03(1)(c); 950 CMR 55.03(2)(b). Their limited task is to compare names and addresses on nomination sheets to voter lists.

Following certification by local officials, candidates are responsible for filing nomination papers with the Secretary. *See* G.L. c. 53, § 48. The Secretary is also not empowered to reject voter signatures for indicia of fraud or otherwise conduct any investigation: his task is to add up the number of certified signatures and determine whether that number is equal to, greater than or less than the required number—in this case, 10,000. G.L. c. 53, § 44.

The sole entity with authority to investigate whether signatures are genuine is the Commission. More specifically, the Commission “may investigate upon objection made in accordance with the provisions of this chapter the legality, validity, completeness and accuracy of all nomination papers and actions required by law to give candidates access to a state ballot.” G.L. c. 55B, § 4. The Commission’s powers include the authority to “summon witnesses, administer oaths, and require the production of books, records and papers at a hearing before it upon any matter within its jurisdiction.” *Id.*

Adjudicatory hearings before the Commission are governed by regulations: 950 CMR 59.00. “[T]he Commission need not observe the rules of evidence observed by courts.” 950 CMR 59.05(1)(g)2. Rather, “[e]vidence may be admitted and given probative effect only if it is the kind of evidence on which

reasonable persons are accustomed to rely in the conduct of serious affairs.” 950 CMR 59.05(1)(g)2.a. With respect to motions, “evidence may consist of facts which are presented orally by sworn testimony, supported by allowable affidavits, or which appear in records, files, depositions, or answers to interrogatories.” 950 CMR 59.03(2)(a)3.

The Commission’s enabling statute explicitly provides that review of the Commission’s decisions is governed by Chapter 30A. *See* G.L. c. 55B, § 4.

III. Procedural Background

Michael Walsh is a candidate for Attorney General, running as a Republican. Walsh timely submitted over 10,000 certified signatures on nomination papers to the Secretary. The Commission received a single timely objection with respect to Walsh’s name appearing on the ballot, filed by Adam Roof. Roof’s objection alleged, *inter alia*, that a number of Walsh’s certified signatures were forgeries.

On June 26, 2026, the deadline established under state law, the Commission issued a decision on Roof’s objection, as well as a second decision on a pair of parallel objections Roof and a third individual filed with respect to the nomination papers submitted by Anne Manning-Martin, a candidate for Lieutenant Governor also running as a Republican. The Commission found that a paid signature gatherer, Joseph Bronske (“Bronske”), who was working on behalf of Walsh, Manning-Martin and other candidates, engaged in a systematic—although

ultimately obvious and easily detected—fraud. EXHIBIT 3 (Walsh Decision) (hereinafter “SBLC Decision”); EXHIBIT 4 (Manning-Martin Decision). Rather than gather signatures of voters, Bronske forged the signatures of registered voters in the Towns of Scituate and Weymouth on nomination papers in the same order for multiple candidates, apparently working off of a list or lists of voters he received from the Massachusetts Republican Party.

The evidence of fraud is overwhelming. It includes the nomination papers themselves, a cursory examination of which shows multiple signatures in the same hand. EXHIBIT 2 (sample papers from Walsh). The fraud was so obvious that one candidate for statewide office chose not to submit the forged papers to the Secretary of State. SBLC Decision at 11. The Commission heard testimony from multiple witnesses that hundreds of certified signatures purportedly gathered from voters in Weymouth and submitted by Walsh to the Secretary were in the exact order they appeared on other candidate’s nomination papers or in a voter list Bronske obtained from the Republican Party. SBLC Decision at 15–17. When questioned about his activities in the Manning-Martin matter, Bronske asserted his right against self-incrimination. EXHIBIT 4 at 19. Bronske was not called as a witness or deposed in the Walsh matter.

The Commission determined that all of the signatures that appeared on nomination sheets from Weymouth in the order they appear in the list provided to

Bronske were, more likely than not, forgeries. Accordingly, they disqualified these signatures. SBLC Decision at 11. The Commission also disqualified 241 signatures on nomination sheets from Scituate submitted by Walsh that are: (1) clearly all written by the same person; and (2) inconsistent with exemplars of the voters' signatures obtained from the Town of Scituate. SBLC Decision at 14.

Once these signatures were disqualified, Walsh no longer had over 10,000 genuine certified signatures and was therefore ineligible to appear on the Republican Party primary ballot. *See* G. L. c. 53, § 44. Walsh remained eligible to continue to run for office via sticker or write-in campaign. *See* G. L. c. 53, §§ 3, 35A, 40. *See also* G. L. c. 50, § 2.

The Commission found that Roof sent his objection to Walsh by the statutory deadline, but by regular, rather than certified, mail. SBLC Decision at 3. The Commission further found that Roof timely provided Walsh with a copy of his objection by email and that Walsh also received copies of the objection from the Commission itself. *See* Walsh Decision at 3–4; EXHIBIT 5 (email).

Walsh timely sought judicial review under Chapter 30A (Superior Court No. 2677CV812).³ Walsh filed a motion for judgment on the pleadings. Pursuant to

³ Walsh also, prematurely, filed an action in this Court (No. SJ-2026-0255) seeking to stop the Commission's proceeding before it had completed. After it issued its decision, the Commission sought transfer of both Superior Court matters to this Court. Manning-Martin objected. Walsh took no position. The

Superior Court Standing Order 1-96, which governs challenges to administrative agency proceedings, the Commission answered by filing a certified copy of the record and opposed the motion for judgment on the pleadings. The Commission's response is deemed a cross-motion for judgment on the pleadings under the Standing Order. The Superior Court scheduled a motion hearing that began on July 8, 2026 and concluded on July 9, 2026.

IV. The Superior Court Decision

On the afternoon of July 10, 2026, the Superior Court issued its decision and judgment entered that same day. *See Addendum*. The Superior Court reversed the Commission's decision on purely jurisdictional grounds but did so while expressly confirming the substantive correctness of the Commission's underlying fraud determination. Decision at 2, 13.

The Court held that Roof's objection was invalid because he failed to strictly comply with the certified mail service requirement of G. L. c. 55B, § 5, Ninth. Decision at 10. Because the Court viewed that statutory requirement as mandatory and non-waivable, it concluded that it lacked discretion to excuse the defect, even absent prejudice. Decision at 11. But the Court was equally clear that the jurisdictional defect was the only obstacle to enforcing the Commission's decision.

Court (Wolohojian, J.) denied the motion to transfer, citing the plaintiffs' right to choose the forum in which they challenged the Commission's decisions and then dismissed Walsh's case. Judgment entered on July 3, 2026.

It expressly acknowledged the “overwhelming evidence in the record of signature fraud.” Decision at 13.

That evidence included forensic opinion testimony that hundreds of signatures across multiple towns were written by a single hand or were otherwise non-genuine, together with lay testimony showing that signatures on Walsh’s nomination papers followed the suspicious sequencing of an electronic voter-list spreadsheet and matched patterns found on papers submitted by other candidates who used the same signature gatherer. Decision at 5–7.

Despite this “overwhelming evidence . . . of signature fraud,” the Court felt “constrained” to rule the Commission lacked jurisdiction to hear the Roof Objection.

Footnote 8 is of particular relevance to this Petition. There, the Court addressed the merits “in case it becomes relevant on appeal” and concluded that:

[T]he Commission’s decision to invalidate 1,207 of Walsh’s nomination signatures [was] supported by substantial evidence; and, [was] absent error of law, arbitrariness, capriciousness, and abuse of discretion.”

That finding is significant. If the Commission’s decision is not invalidated for Roof’s failure to comply precisely with statutory notice provisions, there is no merits-based impediment to reinstating the Commission’s order disqualifying Walsh’s name from appearing on the ballot.

V. **This Extraordinary Case Justifies This Court Granting Extraordinary Relief**

Relief under G. L. c. 211, § 3, is warranted where, as here, the Petitioner presents a substantial claim and where ordinary appellate review would not provide an effective remedy. This Court has the power of “general superintendence of all courts of inferior jurisdiction to correct and prevent errors and abuses therein if no other remedy is expressly provided.” G. L. c. 211, § 3. Although relief under G. L. c. 211, § 3, is extraordinary, it is available where a petitioner demonstrates both “a substantial claim of violation of [the petitioner’s] substantive rights” and an “error that cannot be remedied under the ordinary review process” (citations omitted). *Dunbrack v. Commonwealth*, 398 Mass. 502, 504 (1986). Here, of course, it is not so much the Commission’s rights but rather the public’s substantive rights to a fair election, free from fraud. *See* Decl. of Rights Arts. VIII, IX.

As laid out in the materials provided to the Superior Court by the Secretary of the Commonwealth, a final decision in this matter is needed by July 14, 2026. *See* EXHIBIT 1. Federal law requires ballots to be transmitted to military and overseas voters no later than forty-five days before the election. That date is July 18, 2026. Given the complexities of producing ballots as laid out in the Secretary’s submission, the names that will appear on the ballot must be known by July 14, 2026.

This compressed deadline is an unfortunate feature of the intersection between state and federal law. Massachusetts election law places time limits on when nomination papers must be turned in to the Secretary (June 2, 2026 for statewide offices); when objections must be filed (June 5, 2026); when the Commission must issue its decisions (June 26, 2026); and when those decisions must be appealed, if at all (July 1, 2026).⁴ The parties and the Superior Court worked tirelessly to resolve these cases as expeditiously as possible. But there are only so many days between July 1 and July 14.

The baseline rule, of course, is that trial court decisions are subject to the ordinary appellate process. *See, e.g., Votta v. Police Dep't of Billerica*, 444 Mass. 1001, 1001 (2005) (“superintendence power . . . is . . . not as a substitute for the normal appellate process or merely to provide an additional layer of appellate review after the normal process has run its course”). That process: filing a notice of appeal, transmission of the record from the Superior Court to the Appeals Court, docketing of the appeal, filing briefs, argument,⁵ a decision and then possible further appellate review by this Court cannot be completed by July 14, 2026. The regular appeals process is, in these circumstances, a remedy in name only: it

⁴ These dates shift from election to election. These are the dates applicable to this fall’s election.

⁵ The Appeals Court typically hears arguments only during scheduled sittings from September through June.

would come too late to prevent the injury, too late to preserve the status quo, and too late to protect the substantive rights at stake.⁶

This Court has recognized that the relevant inquiry is not whether some theoretical method of later review exists, but whether that review would be *effective*. See *Doe v. Doe*, 399 Mass. 1006, 1006 (1987) (permitting G. L. c. 211, § 3, review in a child-custody dispute despite an alternative appellate route); *Costarelli v. Commonwealth*, 374 Mass. 677, 680 (1978) (exercising superintendence powers to review a double jeopardy claim notwithstanding the availability of appeal after a second trial). Because a remedy is not effective if, by the time it is available, the *status quo* (in this case, the Commission’s decision) cannot be restored, see *Elder v. Commonwealth*, 385 Mass. 128, 132 (1982), quoting *Costarelli, supra* at 680, the availability of an appeal does not end the analysis. Where delay itself would cause the loss of the rights at issue, ordinary appellate review is inadequate, and this Court’s superintendence power is properly invoked. See *Costarelli, supra* at 680 (explaining that the constitutional protection against being twice placed in jeopardy “would be seriously weakened if appellate review of a claim of double jeopardy were delayed until after a second trial”).

⁶ A stay pending appeal would not be effective or desirable in a case such as this, where the Secretary needs to know which names to place on the ballot by July 14.

The Petitioner therefore does not seek extraordinary relief simply to obtain *faster* review. Instead, it seeks G. L. c. 211, § 3, relief because, without this Court's immediate intervention, there will not be *any* review. An ordinary appellate process will not resolve itself until after the rights at stake have been lost. At that point, no later appeal could restore the Commission's decisions in time to make a difference. At worst, the case would be deemed moot, and the issue would evade any appellate review. At best, the ordinary appellate process would provide only a retrospective ruling after the election process has moved forward and the practical relief sought by this petition is no longer available. These are precisely the circumstances in which G. L. c. 211, § 3, relief is appropriate.

The Commission recognizes that the relief it seeks is extraordinary. But this is an extraordinary case. As this Court wrote:

The purity and freedom of elections is fundamental in a republican form of government. Scarcely anything can be conceived more vital to the public welfare than free and honest elections.

Ashley v. Wait, 228 Mass. 63, 74 (1917).

Nothing less is at stake here, and this Court should exercise its authority to ensure that free and honest elections are not undermined by a technicality. If the Commonwealth is unable to prevent fraud from infecting the electoral process, public confidence in elections—and in government itself—will be severely undermined.

VI. The Merits: The Superior Court Erred in Determining That the Commission Lacked Jurisdiction to Hear Roof's Objection.

The outcome of this case is determined by the following single question of law. This is a pure question of law that this Court reviews de novo. *See Berry v. Commonwealth*, 497 Mass. 261, 264 (2026). The answer determines the impact of the Commission's findings that over a thousand signatures on nomination papers for a candidate for Attorney General were forged by a paid signature gatherer who has asserted his Fifth Amendment rights against self-incrimination on this topic. If the Superior Court's answer stands, then the candidate's name will appear on this fall's Republican State Primary ballot as a result of fraud.

The question is:

Where Walsh received timely and adequate notice of Roof's objection and suffered no prejudice, whether Roof's delivery of his objection to Walsh by regular mail instead of certified mail deprived the Commission of jurisdiction to determine that Walsh's nomination papers contained obviously forged signatures?

The Superior Court answered this question "yes." This Court's decision in *Swift v. Board of Registrars of Voters of Quincy*, 281 Mass. 271, 276 (1932), is directly on point. And the answer under *Swift* is "no."

The statute at issue provides:

Anyone filing an objection under this section shall not later than the day after which it is filed, mail by registered or certified mail, return receipt requested, a copy of such objection as filed with the commission to the candidate against whose nomination papers, initiative and referendum petition or primary nomination, such

objection is made. Failure to do so shall invalidate any objection filed with the commission.

G. L. c. 55B, § 5.

Swift dealt with analogous provisions of the election laws in 1932 that, like Section 5, both repeatedly used the word “shall” and specified the consequences of failing to comply with those “shalls”: “no ballot shall be counted.” In particular, the statutes provided:

Ballot boxes shall * * * contain mechanical devices for receiving, registering and cancelling every ballot deposited therein.

G. L. c. 54, § 33 (as quoted in *Swift*)

If the use of a state ballot box is required, no ballot shall be counted unless it has been deposited in and cancelled by such ballot box

G. L. c. 54, § 106 (as quoted in *Swift*).

In 1932, state ballot boxes were designed to automatically “cancel” ballots by imprinting a stamp on the back of the ballot upon insertion with information about the city, ward and precinct where the ballot was cast. *See Swift*, 281 Mass. at 272. Apparently due to a lack of ink, “an appreciable number” of ballots in Quincy were not cancelled. *See id.* at 273. Despite section 106’s command that “no ballot shall be counted unless it has been deposited in and cancelled by such ballot box,” the Court held that uncanceled ballots should still be counted because there was substantial compliance with the substance of the election laws, even if the precise procedure was not observed.

The *Swift* Court identified the governing principle: “The regnant design of all election laws is to provide expeditious and convenient means for expression of the will of the voters free from fraud.” *Id.* at 276. It further stated, in language particularly important for this case: “[t]he public welfare demands that elections be protected from fraud. If and when those interests conflict, troublesome problems may arise, but presumably the public welfare must be held paramount.” *Id.* at 276–77.

“Whether an election statute couched in positive words of command is to be construed as intended to invalidate ballots actually cast under all the sanctions of the law must be determined from a broad view of the end and aim of elections and election law rather than from resort to strict logomachy and syntax.” *Id.* “Shall”—a positive word of command—must therefore be interpreted in a manner that allows for an election “free from fraud.” Requiring dismissal of a meritorious fraud objection based on a technical mailing defect—where actual notice was achieved more quickly than certified mail would have provided—would contravene the fundamental purpose of election law.

This Court applied *Swift* in *Abbene v. Board of Election Comm’rs of Revere*, 348 Mass. 247, 250 (1964), in reading another election statute that used the word “shall” to be directory rather than mandatory. That statute required that “election officials ‘shall . . . enclose all protested ballots in a separate envelope, seal the

envelope with a seal provided therefor and certify upon the envelope that it contains all ballots that have been protested' (certification provision)." *Abbene*, *supra* at 249–250, quoting G. L. c. 54, § 135. The Court held that "while there was a failure to comply strictly with the certification provision of the statute, there was nonetheless such a substantial compliance" that uncertified ballots could be considered. With respect to the argument that "shall" is mandatory, the Court responded as follows:

It has been argued that the use of the word 'shall' in the statute imposes the requirement of strict compliance with the prescribed formalities. In this instance we hold that there was sufficient compliance with the statute. We are much persuaded by the observation of Judge Learned Hand that 'it is one of the surest indexes of a mature and developed jurisprudence not to make a fortress out of the dictionary; but to remember that statutes always have some purpose or object to accomplish, whose sympathetic and imaginative discovery is the surest guide to their meaning.'

Id. at 250–251.

Swift, *Abbene* and other decisions of this Court interpreting election laws have a common thread. When a failure to comply with a statute undermines the purpose of that statutory requirement, this Court takes action to enforce the statute. When a failure to comply with a statute goes to a procedural or technical requirement and there is no prejudice, this Court excuses that failure in order to ensure that the will of the voters is carried out, "free from fraud." Substance matters. Technicalities in the absence of prejudice do not.

There is no reason that *Swift* should not apply in the context of certified or registered mail requirements as well. In 1961—years before Section 5 was enacted—this Court established that statutory registered mail requirements could be satisfied by actual, timely notice combined with proof of delivery. In *Sevigny v. Dowd*, 343 Mass. 160, 161 (1961), the Court construed another statute’s requirement that notice be sent by registered mail. Despite the text of the statute, the Court held that use of regular mail was sufficient to achieve the purpose of the statute when the notice was actually sent and received in advance of the deadline. Recognizing “a difference between substance and form,” the Court reasoned that “the notice was to be written and not oral in order to eliminate subordinate issues as to proving contents of the notice” and “[t]he prescribing of registered mail, with its return receipt feature, was to facilitate proof.” *Id.* *Sevigny* has been applied in other contexts, and there is no reason it should not be applied in the context of election law in view of *Swift* and *Abbene*. See *Cinder Prods. Corp. v. Schena Constr. Co.*, 22 Mass. App. Ct. 927, 928 (1986) (excusing lack of compliance with statutory notice requirement specifying certified mail where actual, timely service was proved); *Bastianelli v. Nat’l Union Fire Ins. Co.*, 36 Mass. App. Ct. 367 (1994) (same); *Gerson Realty Inc. v. Casaly*, 2 Mass. App. Ct. 875, 875 (1974) (following *Sevigny* in holding that a lease provision requiring registered mail could

be satisfied by other means “where the fact and timeliness of delivery are admitted”).

The Superior Court distinguished *Swift, Cinder Products* and the other cases relied on by the Commission because it viewed section 5’s requirement as jurisdictional. But this is a distinction without a difference. Massachusetts courts have repeatedly rejected the proposition that any defect in complying with statutory notice requirements deprives an administrative agency of jurisdiction. *Allegaert v. Harbor View Hotel Owner LLC*, 100 Mass. App. Ct. 483, 489–90 (2021) catalogues the cases and states the principle: “Defects in notice that cause no prejudice do not require a new hearing.” *Id.* at 490; *see Chiuccariello v. Building Comm’rs of Boston*, 29 Mass. App. Ct. 482, 488 (1990) (“Successful attack on a board’s decision, in the face of actual notice but in the absence of statutorily required notice, should be restricted to circumstances where prejudice is demonstrated.”).

The Appeals Court applied this principle in *Gordon v. State Bldg. Code Appeals Bd.*, 70 Mass. App. Ct. 12, 17 (2007), a case in which notice was sent by regular mail rather than certified mail or the other service options specified in the governing regulations. “[I]t has been concluded that notice requirements are not deemed jurisdictional where the party claiming to be aggrieved by the board’s

action knew of the proceedings and was not prejudiced by whatever defect there was in the notice.”) (internal quotation marks omitted).

In these circumstances, where (1) the objector sent Respondent an emailed copy of the objection on the day it was filed; (2) the Commission itself notified the Respondent in accordance with G.L. c. 55B, § 8; and (3) the Respondent participated fully in the hearing before the Commission, there is no prejudice. *See* SBLC Decision at 3–5.

Finally, *Kelly v. State Ballot Law Commission*, 316 Mass. 512 (1944) does not command a different result. At the time of that challenge (unlike today), the statute required that objectors be in the same political party as the candidate whose nomination they were challenging. In *Kelly*, the Court held that a failure to provide the required certificate showing that the challenger was, in that case, an enrolled Democrat, required dismissal of the objection. Unlike the technical, procedural requirement to use of a particular type of mail service, party affiliation was a substantive requirement of the law at the time of *Kelly*. Failure to prove party enrollment would be like a plaintiff failing to prove an essential element of his case or failing to demonstrate standing. A close read of *Kelly* does not suggest

that there was any admissible evidence that the challenger was, in fact, an enrolled Democrat.⁷

VII. Alternatively, the Court Should the Commission’s Defense of Unclean Hands, Raised Below But Not Addressed by the Superior Court

In its opposition to Walsh’s Motion for Judgment on the Pleadings, the Commission raised the defense of unclean hands. However, the Superior Court did not address this defense. This Court should. As the Superior Court judge found, there is “overwhelming evidence in the record of signature fraud.” Decision at 13. To undersigned counsel’s knowledge, Chapter 30A review has never before been used to enable a fraudulent scheme to achieve its ends. The judiciary need not and should not engage in Chapter 30A review in these unique circumstances.

In *Jicarilla Apache Tribe v. Andrus*, 687 F.2d 1324 (10th Cir. 1982), the Tenth Circuit affirmed the trial court’s application of the unclean hands doctrine to bar an Indian tribe from pursuing claims that the Secretary of the Interior violated the National Environmental Policy Act and Administrative Procedure Act. *Id.* at 1340. The Court recognized that although the Indian Tribe sought relief under the Administrative Procedure Act—the federal equivalent to Chapter 30A—“this does

⁷ *Long v. Tierney*, SBLC No. 88-14 is also inapposite. In that case, the objection was mailed late. Late mailing goes to timely notice and adequate time to respond to an objection. Using regular mail as opposed to certified mail impacts neither. Certified mail merely establishes proof of mailing and requests confirmation of delivery.

not alter the equitable nature of the court's jurisdiction. It has been recognized that judicial review of administrative action follows equitable principles." *Id.* at 1333 n.5. Chapter 30A review incorporates the sort of flexibility that allows courts to apply equitable principles. Unlike the election laws, it uses permissive language ("may") and gives the reviewing court a broad range of options ("affirm", "set aside", "remand", "modify") to apply in view of whether the "substantial rights of any party may have been prejudiced." G.L. c. 30A, § 14(7).

It is a bedrock principle that a party may not invoke the powers of the Court to achieve the goals of a fraud. *See Fidelity Mgt. & Research. Co. v. Ostrander*, 40 Mass. App. Ct. 195, 200 (1996) ("He who comes into equity must come with clean hands."). This doctrine exists not only to protect the parties to civil litigation, but also serves to preserve the integrity of the judiciary.

Courts apply the unclean hands doctrine in cases where wrongdoing is "related directly" to the plaintiff's claims. *Scattaretico v. Puglisi*, 60 Mass. App. Ct. 138, 143 (2003). That is the case here: Walsh seeks to invoke the authority of the Judiciary to secure a place on the ballot based on over 1,000 signatures that were the product of systematic fraud. Walsh may argue that he did not personally direct the forgeries or even know about the forgeries when he submitted his nomination papers to the Secretary. This latter contention strains belief. The voter names and addresses on the Scituate papers in particular are obviously not written

by individual voters. *See* EXHIBIT 2. And Walsh admits to having personally examined his nomination papers before submitting them. *See* EXHIBIT 6 (interrogatories 8–10 with Walsh’s affirmative answer to each).

Walsh’s actual knowledge is, of course, ultimately immaterial. A principal is bound by the acts of his agent within the scope of employment, regardless of the principal’s personal knowledge. “When an agent acquires knowledge in the scope of her employment, the principal . . . is held to have constructive knowledge of that information.” *DeVaux v. American Home Assur. Co.*, 387 Mass. 814, 818 (1983). Bronske was Walsh’s agent for the purpose of collecting nomination signatures in Weymouth. *See Berry v. Commerce Ins. Co.*, 488 Mass. 633, 638 (2021) (reciting general agency law principles for imputing acts of agent to principal: “(1) whether the conduct in question is of the kind the employee is hired to perform; (2) whether it occurs within authorized time and space limits; and (3) whether it is motivated, at least in part, by a purpose to serve the employer.”) (internal quotation marks omitted). Bronske’s actions in forging those signatures—even if never explicitly authorized by Walsh—were within the scope of his duties as Walsh’s signature collector. Those actions are therefore attributed to Walsh as a matter of law.

As Chief Justice Rugg wrote in *Swift*, “[t]he public welfare demands that elections be protected from fraud.” This Court should not allow Chapter 30A to be

used to bring a fraudulent scheme to its fruition, and should decline to vacate the Commission's decision on the independent grounds of Walsh's unclean hands.

VIII. Conclusion and Request for Relief

For the foregoing reasons, this Court should vacate the decision of the Superior Court and affirm the decision of the Commission.

STATE BALLOT LAW COMMISSION

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Dated: July 10, 2026

CERTIFICATE OF SERVICE

I, Benjamin A. Goldberger, hereby certify that on this 10th day of July, 2026, a copy of the foregoing document was served via electronic mail upon counsel as follows:

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Addendum

<i>Walsh v. State Ballot Law Comm'n,</i> No. 2677CV00812 (Mass. Super Ct. July 10, 2026) (Karp, J.).....	27
Docket, <i>Walsh v. State Ballot Law Comm'n,</i> Essex Super. Ct. No. 2677CV00812	41

17

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

SUPERIOR COURT
CIVIL ACTION
NO. 2677CV0812

MICHAEL WALSH

vs.

STATE BALLOT LAW COMMISSION, ADAM ROOF and
WILLIAM GALVIN, in his capacity as SECRETARY OF STATE

**MEMORANDUM OF DECISION AND ORDER ON PLAINTIFF'S
EMERGENCY PARTIAL MOTION FOR JUDGMENT ON
THE PLEADINGS (Paper No. 9) and STATE BALLOT LAW COMMISSION'S
CROSS-MOTION FOR JUDGMENT ON THE PLEADINGS (Paper No. 11)**

This is an action for judicial review, pursuant to G.L. c. 55B, § 4, and G.L. c. 30A, § 14, brought by plaintiff Michael Walsh, who seeks the Republican nomination for Attorney General, regarding an objection filed by defendant Adam Roof to the genuineness of certain voter signatures on Walsh's nomination papers.

After an evidentiary hearing on June 23, 2026,¹ defendant State Ballot Law Commission ("SBLC") issued a decision ("Decision") on June 26, wherein it sustained Roof's objection and invalidated 1,021 of the 10,677 signatures on Walsh's nomination papers, leaving him with less than the 10,000 certified signatures required by law to appear on the Republican State Primary ballot ("Ballot"). Consequently, the SBLC ordered that Walsh's name shall not appear as a candidate on the Ballot.

This action came before the Court on July 8 and 9 for a hearing on Plaintiff's Emergency Partial Motion For Judgment On The Pleadings (Paper No. 9) ("Motion")

¹ All events discussed herein occurred during 2026.

and State Ballot Law Commission's Cross-Motion For Judgment On The Pleadings (Paper No. 11) ("Cross-Motion").

This matter has brought this Court to the intersection of serious, credible allegations of voter signature fraud and the Rule of Law. As is fully explained below, despite substantial evidence in the record of signature fraud, the Court is constrained to rule that the SBLC lacked jurisdiction to hear Roof's objection.

Accordingly, the Court must **ALLOW** the Motion, **DENY** the Cross-Motion, **REVERSE** the Decision, and **VACATE** the SBLC's order barring Walsh's name from appearing on the Ballot.

OVERVIEW OF THE RELEVANT LEGAL FRAMEWORK

Before discussing the allegations at issue before the SBLC, the Court will briefly discuss aspects of the pertinent statutory framework.

"To appear on the ballot, candidates . . . are required by statute to, among other things, submit nomination papers containing a minimum number of certified voter signatures." Goldstein v. Sec'y of the Commonwealth, 484 Mass. 516, 518 - 519 (2020) (citing G.L. c. 53, § 44). In the case of a candidate for statewide office, like Walsh, the nomination papers must contain at least 10,000 "certified" signatures to qualify as a candidate. See G.L. c. 53, § 44 ("[i]n the case of the governor, lieutenant-governor, attorney general and United States senator, nomination papers shall be signed in the aggregate by at least ten thousand voters").

As to the requirement that the signatures must be “certified,” the SJC has explained that:

To qualify as ‘certified,’ a signature must be of a voter registered in the geographic area corresponding to the office for which the candidate is seeking nomination. . . . In addition, if the candidate is seeking the nomination of a particular political party, as is the case with [Walsh], the voter must be registered with the same party or as ‘unenrolled,’ meaning registered to vote, but with no party affiliation. . . . Accordingly, for a candidate like [Walsh], seeking the Republican Party nomination for [Attorney General], a Statewide office, signatures may be secured from voters registered anywhere in Massachusetts as either Republicans or unenrolled.

Goldstein, 484 Mass. at 519 (citing G.L. c. 53, §§ 7 and 37) (citations omitted).

Generally speaking, signatures are “certified” by local election officials, who compare the name of the signatory on the nomination papers to the municipality’s list of registered voters. See G.L. c. 53, § 46. Because signatures are certified by officials of the town in which the signatory is registered to vote, candidates collect signatures by town on separate nomination forms.

Under G.L. c. 55B, § 5, “[r]egistered voters from the district in which a candidate seeks nomination have three days from the filing deadlines with the Secretary to file objections to nomination papers with the [SBLC].” Goldstein, 484 Mass. at 521.

The SBLC, which was created by statute in 1889, McCarthy v. Sec’y of Commonwealth, 371 Mass. 667, 673 n.6 (1977), is charged with conducting an evidentiary hearing and deciding the merits of an objection. See G.L. c. 55B, §§ 4, 5.

As is discussed more fully below, upon filing an objection with the SBLC, an objector like Roof must comply with certain notice and service requirements to secure an evidentiary hearing before the SBLC regarding the merits of the objection.

BACKGROUND

The following evidence is taken from the administrative record, consisting of eleven Volumes ("Vol. 1 – 11"), containing in excess of 1,600 pages.²

Procedural Background

On June 2, Walsh, a Republican candidate for Attorney General, timely filed nomination papers with the Secretary of State ("Secretary") containing 10,677 certified voter signatures, thus exceeding the statutory requirement of 10,000 signatures to qualify as a candidate for statewide office. See G.L. c. 53, § 44.

On June 3, Roof filed an objection before the SBLC challenging the genuineness of some of the signatures on Walsh's nomination papers. In the Objection, Roof alleged that:

[N]umerous names and addresses of certified signatures were written by the same hand . . . numerous certified signatures were not signed in person by the voter . . . numerous certified signatures were signed by people who are not registered voters . . . numerous certified signatures are signed by people, although registered are not eligible to be registered . . . numerous certified signatures are non-genuine. numerous certified signatures have been fraudulently obtained. . . . numerous certified signatures are of voters who requested that their name be removed from the petition . . . numerous certified signatures were certified twice.

Objection, Administrative Record, Volume 11, pp. 1512 – 1513.

On June 16, the SBLC heard arguments on the following motions to dismiss the Objection filed by Walsh: (i) Motion to Dismiss for Lack of Standing, wherein he argued that Roof lacked standing to challenge his nomination as a Republican candidate because Roof is a registered Democratic and is, thus, not eligible to vote in the

² Additional relevant facts are discussed, *infra*, in the Discussion section.

Republican Primary; (ii) Motion to Dismiss for Lack of Certified Mail ("Mail MTD"), wherein Walsh argued that Roof failed to strictly comply with requirements set forth in G.L. c. 55B, § 5, par. 9, regarding service of the Objection on Walsh; and, (iii) Motion to Dismiss for Failure to Timely File and Disclose the List of Challenged Signatures (collectively, "MTDs"), wherein he argued that the list of signatures that Roof challenged failed to comply with certain service and content requirements. See G.L. c. 55B, § 5; 950 Code Mass. Regs. 59.04(1)(f).

The SBLC denied the MTDs and scheduled an evidentiary hearing on the Objection.

The Evidentiary Hearing Before The SBLC

On June 23, a hearing before the SBLC was held on the merits of the Objection. The SBLC heard testimony from 7 witnesses and received 6 exhibits.

Jennifer L. Naso, a forensic document examiner, who worked for five years as a document analyst for the United States Secret Service, testified. Using high-resolution images of signatures on Walsh's nomination papers and certain signature exemplars of registered voters, Naso opined, and the SBLC credited, that the following was more likely true than not true: one person wrote 241 certified signatures of Scituate voters on thirteen pages of the nomination papers;³ one person wrote 690 certified signatures of Weymouth voters on 30 pages of the nomination papers; and, more than one person wrote 90 certified signatures of Weymouth voters on four of the nomination papers that

³ Although Naso did not examine the signature exemplars for these 241 signatures, the members of the SBLC did so, and they agreed with Naso's opinion. See Decision, p. 14.

are not genuine. After comparing known signatures of hundreds of signatories on Walsh's nomination papers, Naso further opined that 770 signatures were not genuine.

Evidence was presented that Joseph Bronske, a "signature gatherer" consultant, obtained an electronic (spreadsheet) list of Republican and unenrolled Weymouth voters from the Massachusetts Republican Party, who had generated it from their "Numinar" database ("Numinar Spreadsheet").⁴

Anne Brensley, who had been the endorsed candidate for the Republican nomination for Lieutenant Governor and had retained Bronske to gather signatures, testified that she determined that the names of Weymouth voters on the nomination papers gathered by Bronske were in the exact same order as they appeared on the Numinar Spreadsheet.⁵ Brensley also found that the nomination papers she and Walsh each submitted to the Weymouth Town Clerk for certification contained the same names in the exact same order.⁶

Harold Hubschman, a longtime professional signature gatherer in Massachusetts and other states, opined that 665 certified signatures of Weymouth voters appeared on 29 pages of Walsh's nomination papers in the identical order (with one deviation) as on

⁴ As best as the Court can discern, Numinar is a software voter database platform.

⁵ A thumb drive containing the Numinar Spreadsheet in its electronic form was admitted into evidence at the SBLC hearing as Exhibit 2A. However, the thumb drive is not included in the administrative record filed with the court. The absence of this evidence in the record is immaterial to the Court's analysis.

⁶ Brensley testified that she refused to submit any nomination papers containing signatures gathered by Bronske and, as a result, she failed to meet the threshold number of certified signatures to have her name included on the Ballot.

29 pages of the nomination papers of Anne Manning-Martin, a candidate for Lieutenant Governor, that had also been gathered by Bronske.

The Decision

On June 26, the SBLC issued the Decision wherein it sustained the Objection and invalidated 1,021 signatures on Walsh's nomination papers, consisting of 241 certified signatures of Scituate voters and 780 certified signatures of Weymouth voters, leaving Walsh with less than the 10,000 required certified signatures. Consequently, the SBLC ordered that Walsh's name shall not appear as a candidate on the Ballot.

The SBLC ruled that Roof met his burden to show that the invalidated signatures failed to comply with Massachusetts law, which requires, with one exception not at issue here, that "[e]very voter signing a nomination paper shall **sign in person as registered or substantially as registered**, and shall state the address where he or she is currently registered." G.L. c. 53, § 7 (emphasis added); see Decision, p. 12 at § B.

DISCUSSION

I. THE LEGAL FRAMEWORK FOR THE REVIEWING COURT

According to G.L. c. 55B, § 4, appeals of decisions of the SBLC are governed by G.L. c. 30A.

Pursuant to G.L. c. 30A, § 14(7), this Court may reverse, remand, or modify an agency decision only if the decision is "based on an error of law, unsupported by substantial evidence, unwarranted by facts found on the record as submitted, arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with law." Mass. Inst. of Tech. v. Dep't of Pub. Utils., 425 Mass. 856, 868 (1997). "The court shall make

[its decision] upon consideration of the entire record, or such portions of the record as may be cited by the parties." G.L. c. 30A, § 14(7), par. 2.

"As the party challenging an agency decision under G.L. c. 30A, § 14, [Walsh] has the burden of proof to demonstrate the invalidity of the administrative determination.'" Brockton Redevelopment Auth. v. Exec. Office of Hous. & Livable Cmty., 105 Mass. App. Ct. 691, 695 (2025).

The Court is required to give "due weight to the experience, technical competence, and specialized knowledge of the agency, as well as to the discretionary authority conferred upon it." G.L. c. 30A, § 14(7). Nevertheless, "[the] approach 'is one of deference and restraint, but not abdication.'" Brockton Redevelopment Auth., 105 Mass. App. Ct. at 695.

II. THE SBLC LACKED JURISDICTION TO HEAR THE OBJECTION BECAUSE ROOF FAILED TO STRICTLY COMPLY WITH THE SERVICE REQUIREMENTS OF G.L. c. 55B, § 5, par. 9

During the hearing before the SBLC on the Mail MTD, Walsh argued that the Objections must be dismissed because Roof failed to comply with the mailing requirement in G.L. c. 55B, § 5, par. 9 ("Paragraph 9"), and that without such compliance, the SBLC lacked jurisdiction to hear the Objection.

Paragraph 9 states as follows:

Anyone filing an objection under this section **shall not later than the day after which it is filed, mail by registered or certified mail, return receipt requested**, a copy of such objection as filed with the commission to the candidate against whose nomination papers, initiative and referendum petition or primary nomination, such objection is made. **Failure to do so shall invalidate any objection filed with the commission.**

G.L. c. 55B, § 5, par. 9 (emphasis added).

Thus, Paragraph 9 has two components: a method component, i.e., that the method of service must be by registered or certified mail with a request for a return receipt;⁷ and, a timing component, i.e., that the certified mail must be mailed by the end of the day following the filing of the objection with the SBLC.

There is no dispute that Roof failed to comply with the method component of Paragraph 9. See Decision, p. 3. The SBLC nevertheless denied Walsh's request to dismiss the Objection, finding that the failure did not prejudice Walsh because he (admittedly) received the Objection via email and regular mail. See Decision, p. 3.

While acknowledging that Paragraph 9 uses mandatory language, see Uglietta v. City Clerk of Somerville, 32 Mass. App. Ct. 742, 744 (1992) (stating that "the general rule [is] that the statutory use of the word 'shall' is to be given a mandatory meaning"), expressly stating that the objector "**shall**" comply with it and that the "[f]ailure to do so **shall** invalidate any objection filed with the commission," the SBLC ruled that Paragraph 9 did not require the dismissal of the Objection because Walsh suffered no prejudice from the violation. The SBLC based this ruling on two legal propositions.

First, citing the case of Cinder Prods. Corp. v. Schena Const. Co., 22 Mass. App. Ct. 927, 928 (1986), the SBLC reasoned that, notwithstanding the mandatory language in Paragraph 9, they had the authority to accept the Objection based on "the well-recognized ability of agencies of the Commonwealth to excuse prescriptive service requirements where actual, timely service is proved." Decision, p.4.

⁷ For sake of simplicity, the Court will refer to the requirement that the Objection must be mailed by registered or certified mail, return receipt requested, simply as "certified mail."

Second, citing Swift v. Board of Registrars of Voters of Quincy, 281 Mass. 271, 276 (1932), the SBLC ruled that it “has authority to interpret its enabling statute, including the treatment of mandatory, statutory requirements, in a manner that does not contravene the legislative purposes of the election laws.” Decision, p. 4. The SBLC further stated that “[t]he word ‘shall’ is used throughout the election laws, but it must be interpreted in a manner that facilitates the legislative intent and purpose of the laws, to have free and fair elections, that are also free from fraud.” Id. at p. 5.

It is this Court’s view that the SBLC’s reasoning is misplaced and that the SBLC erred as a matter of law by failing to dismiss the Objection.

The second sentence of Paragraph 9 clearly states that the “[f]ailure to [comply with the mailing requirements] **shall** invalidate any objection filed with the commission.” Thus, based on the express language of the second sentence in Paragraph 9, Roof’s failure to strictly comply with the certified mail requirement invalidated the Roof Objection by operation of law and stripped the SBLC of jurisdiction to hear the Roof Objection. This is supported by prior decisions of the SBLC.

For example, in Long v. Tierney, SBLC No. 88-14, applying a previous version of Paragraph 9 containing the exact same language, the SBLC stated the following:

This provision is mandatory. The courts and this Commission have consistently held that similar provisions of G.L. ch. 55B, §5 (and its pre-1977 predecessor, G.L. ch. 53, §26) are jurisdictional, and that failure to comply strictly requires dismissal.

...

[I]t is clear that the objector did not comply with the statute, because he did not [timely] mail a copy of the objection to the respondent Therefore, **we must dismiss the objection for lack of jurisdiction.**

Id. at 2-3 (emphasis added).

In Kelly v. State Ballot Law Commission, 316 Mass. 512 (1944), cited by the SBLC in Long v. Tierney, the SJC addressed whether the SBLC had jurisdiction to hear an objection to nomination papers in light of the following (since repealed) statute:

"No such objection **shall** be considered by the boards . . . unless there is filed with such board a certificate of enrolment issued by the board of registrars of voters, or the clerk of the same, where the person filing the objections resides, stating that he is an enrolled voter of the party whose nomination is sought."

Id. at 514 (quoting G.L. c. 53, § 26).

Attempting to comply with the statute, the objector filed a document that showed that he was a registered voter in a particular ward and precinct of Boston, but it failed to state that "he [wa]s an enrolled voter of the party whose . . . nomination is sought." Id.

The SJC held that:

In the absence of a "certificate of enrolment" in conformity with the statutory requirement, the [SBLC] had no jurisdiction to consider the objections The language of the statute is clearly mandatory, prohibiting consideration of objections in the absence of a "certificate of enrolment." We cannot read into the statutory provision any exception on the ground of the probable purpose of the Legislature in enacting it. The statutory prohibition is stated in clear language and must be regarded as expressing the legislative intention.

Id. at 515 – 516.

Like the SJC in Kelly, this Court cannot ignore the clear language of the second sentence of Paragraph 9, which "must be regarded as expressing the legislative intention" to invalidate objections filed by objectors who fail to strictly comply with the certified mail requirement, simply because Walsh suffered no prejudice and the failure may be viewed as nothing more than "careless mailing." Decision, p. 4. See Hurst v. State Ballot Law Comm'n, 427 Mass. 825, 827 (1998) ("Hurst I") (holding that signers' addition of a preprinted box, hand stamp, and highlighting of parts of referendum

petition violated requirement in G.L. c. 53, § 22A, that petition be an “exact copy” of the official form petition); cf. Capezzuto v. State Ballot Law, 407 Mass. 949, 956 - 957 (1990) (acknowledging proposition “that ‘exceedingly technical’ arguments should not be permitted to block access to the ballot,” but rejecting argument that “constitutional infirmity” at issue, failure of some signors of initiative petition to see full text of proposed law, was “mere technicality”).

The SBLC’s reliance on Cinder Prods. Corp. and Swift is misplaced. At issue in Cinder Prods. Corp. was the certified mail notice requirement of G.L. c. 149, § 29, which permitted subcontractors on public works projects to seek payment from general contractor’s payment bond. 22 Mass. App. Ct. at 929. Unlike the instant case, the statutory language at issue was not jurisdictional in nature.

In Swift, the SJC was confronted with extraordinary circumstances that are not present here. At issue were ballots cast in Quincy for Lieutenant Governor where the mechanical ballot box failed to “cancel” votes as they were cast (by stamping the name of the city, and the ward and precinct number in which the ballot is cast). 281 Mass. at 272. The statute at issue stated, in pertinent part, that “[i]f the use of a State ballot box is required, no ballot **shall** be counted unless it has been deposited in and cancelled by such ballot box” Id. at 275 (quoting G.L. c. 54, § 106) (emphasis added).

In Swift, “[t]he question to be decided [by the SJC] [wa]s whether . . . uncanceled ballots . . . [actually] cast must be rejected and not counted” solely due to the mechanical failure. Id. Recognizing that “[t]he right to vote is a sacred privilege guaranteed by the Constitution,” id. at 277, the SJC held that, despite the mandatory language in the statute, the uncanceled ballots had to be counted. In so holding, the

SJC stated that “the word ‘shall’ in the election laws has not been given such imperative effect as to circumvent the intent of a voter casting a ballot expressive of his purpose in accordance with the provisions of law.” Id. at 280. Unlike the instant case, “[t]o refuse to count the uncanceled ballots would lead to gross injustice to the voters who cast those ballots and which without the fault of any person were not cancelled because of some slip in a mechanism. It would thwart and not secure true expression of the will of the voters.” Id. at 281.

At bottom, recognizing that “[t]he right to seek elected office . . . is a fundamental constitutional right in Massachusetts,” Goldstein, 484 Mass. at 523, and despite overwhelming evidence in the record of signature fraud, the Court is constrained to rule that the SBLC lacked jurisdiction to hear the Roof Objection.⁸

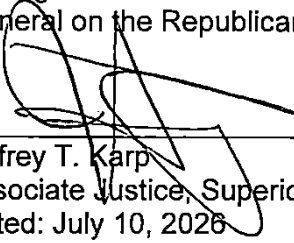
Accordingly, the Motion must be **ALLOWED** and the Cross-Motion must be **DENIED**.

⁸ In case it becomes relevant on appeal, the Court states the following. The Court has reviewed the administrative record and rules that the SBLC’s decision to invalidate 1,207 of Walsh’s nomination signatures is supported by substantial evidence; and, is absent error of law, arbitrariness, capriciousness, and abuse of discretion.

ORDER

For the above reasons, it is **HEREBY ORDERED** that:

1. The Plaintiff's Emergency Partial Motion For Judgment On The Pleadings (Paper No. 9) is **ALLOWED**.
2. The State Ballot Law Commission's Cross-Motion For Judgment On The Pleadings (Paper No. 11) is **DENIED**.
3. The decision of the State Ballot Law Commission, dated June 26, 2026, sustaining the Objection of Adam Roof is **REVERSED** and the Commission's Order barring Michael Walsh's name from appearing as a candidate for the office of Attorney General on the Republican State Primary ballot is **VACATED**.



Jeffrey T. Karp
Associate Justice, Superior Court
Dated: July 10, 2026

2677CV00812 Walsh, Michael vs. Roof, Adam et al

- Case Type:
- Administrative Civil Actions
- Case Status:
- Open
- File Date
- 06/30/2026
- DCM Track:
- A - Average
- Initiating Action:
- Appeal from Administrative Agency G.L. c. 30A
- Status Date:
- 06/30/2026
- Case Judge:
-
- Next Event:
-

All Information **Party** **Event** **Tickler** **Docket** **Disposition**

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[More Party Information](#)**Events**

Date	Session	Location	Type	Event Judge	Result
07/08/2026 02:00 PM	Criminal (Lawrence)	LAWRENCE-3rd FL, CR 4 (SC)	Motion Hearing	Karp, Hon. Jeffrey	Held as Scheduled
07/09/2026 02:00 PM	Criminal (Lawrence)	LAWRENCE-3rd FL, CR 4 (SC)	Motion Hearing	Karp, Hon. Jeffrey	Held - Under advisement

Ticklers

Tickler	Start Date	Due Date	Days Due	Completed Date
Service	06/30/2026	09/28/2026	90	
Answer	06/30/2026	10/28/2026	120	
Rule 12/19/20 Served By	06/30/2026	10/28/2026	120	
Rule 12/19/20 Filed By	06/30/2026	11/27/2026	150	
Rule 12/19/20 Heard By	06/30/2026	12/28/2026	181	
Rule 15 Served By	06/30/2026	08/24/2027	420	
Rule 15 Filed By	06/30/2026	09/23/2027	450	
Rule 15 Heard By	06/30/2026	09/23/2027	450	

<u>Tickler</u>	<u>Start Date</u>	<u>Due Date</u>	<u>Days Due</u>	<u>Completed Date</u>
Discovery	06/30/2026	06/19/2028	720	
Rule 56 Served By	06/30/2026	07/19/2028	750	
Rule 56 Filed By	06/30/2026	08/18/2028	780	
Final Pre-Trial Conference	06/30/2026	12/18/2028	902	
Judgment	06/30/2026	06/29/2029	1095	
Under Advisement	07/09/2026	08/08/2026	30	07/10/2026

Docket Information

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
06/30/2026	Complaint for Judicial Review And Declaratory and Other Relief electronically filed.	1	
06/30/2026	Civil action cover sheet filed.	2	
06/30/2026	Case assigned to: DCM Track A - Average was added on 06/30/2026		
07/01/2026	Plaintiff Michael Walsh's EMERGENCY Motion for Speedy Trial	3	
07/01/2026	Exhibits/Appendix	4	
	Transcript of June 23rd State Ballot Law Commission Hearing		
07/01/2026	Exhibits/Appendix		
	Decision re: State Ballot Law Commission		
07/01/2026	Endorsement on Motion for a Speedy Trial (#3.0): DENIED without prejudice. This is an action for judicial review and that Plaintiff has not shown an emergency to dispense with the requirements of Superior Court Rules 9A and 9C, and Standing Order 1-96.		
07/02/2026	Attorney appearance electronically filed.		
	Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)		
07/02/2026	Attorney appearance electronically filed.		
	Applies To: Goldberger, Esq., Benjamin (Attorney) on behalf of State Ballot Law Commission (Defendant)		
07/02/2026	Attorney appearance electronically filed.		
	Applies To: Walsh, Esq., John H (Attorney) on behalf of Walsh, Michael (Plaintiff)		
07/03/2026	Defendant State Ballot Law Commission's Notice of Judgment in SJ-2026-0255	5	
07/06/2026	Plaintiff Michael Walsh's EMERGENCY Motion for A Speedy Trial	6	
07/06/2026	Plaintiff Michael Walsh's EMERGENCY Motion for consolidation	7	
07/06/2026	Plaintiff Michael Walsh's Motion of Legal Elements Short Order of Notice	8	
07/06/2026	Plaintiff Michael Walsh's EMERGENCY Motion for judgment on the pleadings MRCP 12(c) (Partial Motion)	9	
07/07/2026	Endorsement on Motion for a short order of notice (#8.0): ALLOWED Short Order of Notice to issue returnable to the Lawrence Superior Court on 7/8/26 at 2:00pm.		
07/07/2026	Summons and order of notice issued on a EMERGENCY Motion for speedy trial and motion for consolidation, returnable on 07/08/2026 02:00 PM Motion Hearing.		
07/07/2026	Endorsement on Motion for Consolidation (#7.0): DENIED without prejudice, unless and until all parties in both actions notify the Court of their agreement. The evidentiary hearings in both cases that were before the SBLC occurred on separate dates and in separate actions. Therefore, the cases will have different agency records to be reviewed under G.L. c.30A.		

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
	Judge: Karp, Hon. Jeffrey		
07/07/2026	Attorney appearance electronically filed. Applies To: Corrigan, Jr., Esq., John J (Attorney) on behalf of Roof, Adam (Defendant)		 Image
07/07/2026	Endorsement on Motion for a Speedy Trial (#6.0): Other action taken This is an action for administrative review under G.L. c. 55B and c. 30A, which is regulated by Superior Court Standing Order 1-96. As such, the plaintiff's request for a "trial" is misplaced (as is his citation to G.L. c. 231, § 59D, which, by its express terms, does not apply to actions under G.L. c. 55B). Therefore, the Court will treat this as a motion to modify the deadlines prescribed by Superior Court Standing Order 1-96, and to hold an expedited hearing on the motion(s) for judgment on the pleadings contemplated therein. The motion is ALLOWED. It is HEREBY ORDERED that: (i) Superior Court Rule 9A is waived in these proceedings; and, (ii) the deadlines set forth in Superior Court Standing Order 1-96 are waived. However, Superior Court Standing Order 1-96 shall apply in all other respects. Judge: Karp, Hon. Jeffrey		 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 1 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10	 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 2 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10.1	 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 3 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10.2	 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 4 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10.3	 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 5 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10.4	 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 6 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10.5	 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 7 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10.6	 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 8 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10.7	 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 9 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10.8	 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 10 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10.9	 Image
07/07/2026	Certification of Record State Ballot Law Commission Volume 11 of 11 Applies To: Mackey, Esq., David Stephen (Attorney) on behalf of State Ballot Law Commission (Defendant)	10.11	 Image
07/07/2026	State Ballot Law Commission's Memorandum of Law in Opposition to Petitioner's Motion for Partial Judgment on the Pleadings and Cross-Motion for Judgment on the Pleadings Pursuant to Mass. R. Civ. P. 12(c) and Standing Order 1-96	11	 Image
07/07/2026	Attorney appearance electronically filed.		 Image

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
	Applies To: Kerrigan, Esq., Michael J (Attorney) on behalf of William F. Galvin In Official Capacity As the Secretary of the Commonwealth (Defendant)		
07/07/2026	Attorney appearance electronically filed. Applies To: Donovan, III, Esq., John A (Attorney) on behalf of William F. Galvin In Official Capacity As the Secretary of the Commonwealth (Defendant)		 Image
07/07/2026	Adam Roof's Memorandum in opposition to petitioner's motion for judgment on the pleadings	12	 Image
07/07/2026	Defendant William F. Galvin In Official Capacity As the Secretary of the Commonwealth's Submission of Correspondence to Court Re: Walsh Admin Appeal	13	 Image
07/08/2026	Opposition to the Commissions Cross-Motion for Judgment on the Pleadings filed by Michael Walsh	14	 Image
07/08/2026	Event Result:: Motion Hearing scheduled on: 07/08/2026 02:00 PM Has been: Held as Scheduled Comments: FTR 2:22 - 3:58PM, Courtroom 4 Hon. Jeffrey Karp, Presiding Staff: Michael Ruane, Assistant Clerk		Image
07/09/2026	Defendant Adam Roof's Submission of Memo RE The Court's Equitable Power Under M.L. Chapter 56, Section 59	15	 Image
07/09/2026	Matter taken under advisement: Motion Hearing scheduled on: 07/09/2026 02:00 PM Has been: Held - Under advisement Comments: FTR 2:13 - 3:46PM, Courtroom 4 Hon. Jeffrey Karp, Presiding Staff: Tiffany Castillo, Assistant Clerk		
07/09/2026	List of exhibits Items Marked for Identification	16	 Image
07/10/2026	MEMORANDUM & ORDER: MEMORANDUM OF DECISION AND ORDER ON PLAINTIFF'S EMERGENCY PARTIAL MOTION FOR JUDGMENT ON THE PLEADINGS (Paper No. 9) and STATE BALLOT LAW COMMISSION'S CROSS-MOTION FOR JUDGMENT ON THE PLEADINGS (Paper No. 11) * * * ORDER For the above reasons, it is HEREBY ORDERED that: 1. The Plaintiff's Emergency Partial Motion For Judgment On The Pleadings (Paper No. 9) is ALLOWED. 2. The State Ballot Law Commission's Cross-Motion For Judgment On The Pleadings (Paper No. 11) is DENIED. 3. The decision of the State Ballot Law Commission, dated June 26, 2026, sustaining the Objection of Adam Roof is REVERSED and the Commission's Order barring Michael Walsh's name from appearing as a candidate for the office of Attorney General on the Republican State Primary ballot is VACATED. (See Paper No. 17 for full text of Order). Judge: Karp, Hon. Jeffrey	17	 Image
07/10/2026	Docket Note: Paper No. 17 emailed to counsel.		
07/10/2026	Endorsement on Motion for Judgment on the Pleadings (#9.0): ALLOWED See Order at #17. Judge: Karp, Hon. Jeffrey		 Image
07/10/2026	Endorsement on Memorandum of Law in Opposition to Petitioner's Motion for Partial Judgment on the Pleadings and Cross-Motion for Judgment on the Pleadings Pursuant to Mass. R. Civ. P. 12(c) and Standing Order 1-96 (#11.0): DENIED See Order at #17. Judge: Karp, Hon. Jeffrey		 Image

<u>Docket Date</u>	<u>Docket Text</u>	<u>File Ref Nbr.</u>	<u>Image Avail.</u>
07/10/2026	JUDGMENT on the Pleadings entered: After hearing and consideration thereof; It is ORDERED and ADJUDGED: The decision of the State Ballot Law Commission, dated June 26, 2026, sustaining the Objection of Adam Roof is hereby REVERSED and the Commission's Order barring Michael Walsh's name from appearing as a candidate for the office of Attorney General on the Republican State Primary ballot is hereby VACATED. Judge: Karp, Hon. Jeffrey	18	 Image
07/10/2026	Docket Note: Paper No. 18 emailed to counsel.		

Case Disposition

<u>Disposition</u>	<u>Date</u>	<u>Case Judge</u>
Pending		