

No.25A_____

In the
Supreme Court of the United States

MICHAEL C. WALSH

Applicant,

v.

MASSACHUSETTS STATE BALLOT LAW COMMISSION, SECRETARY
WILLIAM GALVIN, AND ADAM ROOF.

Respondents.

On Emergency Application to the Supreme Judicial Court of Suffolk County

EMERGENCY APPLICATION FOR STAY

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PARTIES TO THE PROCEEDING

The Applicant is Michael C. Walsh. Applicant is the Petitioner before the Supreme Judicial Court for Suffolk County.

Respondents Adam Roof, Secretary William F. Galvin, and the Massachusetts State Ballot Law Commission are Respondents before the Supreme Judicial Court for Suffolk County.

Before, at the State Ballot Law Commission, Adam Roof was the Objector and the Respondent was Michael C. Walsh.¹

PROCEEDINGS BELOW

- *Roof v. Walsh*, State Ballot Law Commission Docket no. 26-04 (6/3/2026)
- *Walsh v. State Ballot Law Commission, et al*, SJ-2026-0255 (6/18/2026 Supreme Judicial Court for Suffolk County.)

¹ The Appendix is consecutively paginated with this filing. Citations will be in the form of (p23).

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DECISIONS BELOW

Applicant seeks an immediate stay of the June 26, 2026 decision of the Massachusetts State Ballot Law Commission, (p23-41) and of the proceedings before the Massachusetts Supreme Judicial Court of Suffolk County which linger on. (p20,21-22). The Decision of the Massachusetts State Ballot Law Commission is reproduced below. (p23-41). The docket of the Massachusetts Supreme Judicial Court for Suffolk County and its order giving an extension of time are also attached. (p20,21-22).

JURISDICTION

The Supreme Court of the United States has statutory jurisdiction to review final decision of a state's highest court, where a question is present of Federal law or under the Constitution. 28 U.S.C. §1257(a). This Court also has broad authority for extraordinary occasions under the All Writs Act. 28 U.S.C. §1651(a). This Court's case law on applications for extraordinary relief, indicate that when serious First Amendment harms are present, and the State Courts do not provide timely relief, the case may be treated as a final judgment. This point is argued below

STATEMENT OF THE CASE

This application arises from a cross-party objection to the nomination of the Applicant to run for Attorney General in Massachusetts as a Republican, by the Executive Director of the Massachusetts Democratic Party. (p24,52-54). Pursuant to the rule of the State Republican party, the Applicant sought and received the unanimous endorsement of the State GOP convention on April 25, 2026, in Worcester, Massachusetts. After filing more than the necessary 10,000 signatures to qualify for the ballot, the Applicant's nomination

papers were challenged alleging that the signatures were forged or fraudulent. (p52-55). The Objection was brought by Mr. Adam Roof, the Executive Director of the State Democratic Party, on June 3, 2026. (p52-55). The Massachusetts Democratic Party simultaneously issued a press release decrying Applicant and another Republican candidate for allegedly filing forged signatures.

The Objection was brought to the Massachusetts State Ballot Law Commission, constituted under G. L. c. 55B s. 1. The Commission consists of 5 gubernatorial appointees and is chaired by a retired judge, but all members are removable at will by the Governor. Id.

The Applicant moved to dismiss the objection for lack of standing on June 10, 2026. (p47-1). Walsh's motion cited (p46) to Madden v. Secretary of the Commonwealth, 153 N.E.2d 321; 337 Mass. 758, 759 (1958) ("But there has been no case holding that a member of one political party has standing to enforce our election statutes in such a way as to challenge the action of members of another political party in making a party nomination."). Walsh also argued that the state law, G. L. c. 55B, which allows any voter to challenge a nomination, still excluded Mr. Roof since as a registered Democrat he cannot vote in the Republican Primary election on September 1. (p48-49). Walsh also argued that any construction of G. L. c. 55B which allowed a challenge to one party's nomination by another political party would violate the constitutional freedom of association under the First Amendment of the Constitution of the United States, citing to cases also advanced here. (p49). That motion was summarily denied, without explanation, by the Hon. Ernest Saranson (ret.) the Chairman of the Massachusetts State Ballot Law Commission. (p42). Applicant

preserved the objection despite being put to trial before the Commission, which took evidence.

On June 18, 2026, the Applicant filed a petition for extraordinary relief, seeking prohibition, certiorari, mandamus, and declaratory relief. (p21,56-67). At the same time an emergency motion for judgment or in the alternative temporary relief was filed. (p21,68-89). The jurisdictional issue presented here (standing) was presented amongst other jurisdictional issues. (p75-79). The case was docketed in the Supreme Judicial Court for Suffolk County (the Single Justice) as SJ-2026-0255. (p21). Over objection, the Commission proceeded to the merits. First hearing motions on June 16, scheduling on June 22, and testimony on June 23, before finally ruling in an omnibus decision on Friday June 26, 2026. (p25,23). A copy of the decision is appended. (p23-41).

In the meantime, the Single Justice apparently sought responses to the petition, for Friday June 26th. (p21,92). Respondent Roof responded with a short 2 page response notably not addressing any of the merits and lacking any serious citation to law or cases. (p90-91). On the afternoon of Friday June 26th, Attorney Michelle Tassinari, counsel for the State's Election Division under Respondent Secretary Galvin, wrote a two page letter. (p92-93). Atty Tassinari argued for an extension until July 2nd to respond. Id. She put forth two notable contentions, firstly that as the Applicant was a candidate for Attorney General, that office was conflicted out requiring the appointment of special counsel. Id. Secondly she argued that because of regular avenues of appeal, under G. L. c. 55B, the extraordinary petition to the Single Justice would be moot by then. Id. The Secretary and Commission openly admitted to intending to wait out the extraordinary petition, despite the compressed

schedule of ballot access litigation. Id. On Monday, June 29th, the Single Justice granted the extension to July 2, but noted that no further extensions would be granted. (p21).

REASONS FOR GRANTING THE APPLICATION

I. The Court has jurisdiction to grant relief where State apparatus inflicts irreparable harms

Exercises of jurisdiction by this Court, especially by a Single Justice thereof, are extraordinary. The Court takes a “pragmatic” approach to when the decision of a state court is final for purposes of this Court’s jurisdiction. Barr v. General Council of United Methodist Church, 439 U.S. 1369, 1371-1372 (1978) (Rehnquist, J. in chambers) (noting that a personal jurisdiction ruling in California, requiring a litigant to forfeit the merits of the claim to preserve the jurisdictional objection, would be suitably final for purposes of Supreme Court Jurisdiction). Intervention in state court proceedings is only granted on a showing of compelling necessity. Id.

Justice Marshall, in chambers, noted that the special status of the First Amendment may require relief. He noted that where state courts cannot or will not provide timely and effective relief before penalties are applied, the Supreme Court of the United States may be justified in acting:

However, this Court has shown a special solicitude for applicants who seek stays of actions threatening a significant impairment of First Amendment interests. The inability of an applicant to obtain timely substantive review by state courts of a serious First Amendment issue, prior to incurring substantial coercive penalties, may justify a determination that the applicant has satisfied the jurisdictional requirements of 28

U.S.C. § 2101(f). Even though this application does not involve a direct prior restraint.

New York Times Co. v. Jascaveich, 439 U.S. 1331, 1333-1334 (1978) (Marshall, J. in chambers). Justice Marshall also noted that Justice White had, for similar reasons, reached the merits of the stay application in the same case. New York Times Co. v. Jascaveich, 439 U.S. 1317 (1978) (White, J. in chambers). Justice Marshall also noted an earlier in chambers opinion from Justice Blackmun:

When a reasonable time in which to review the restraint has passed, as here, we may properly regard the state court as having finally decided that the restraint should remain in effect during the period of delay. I therefore conclude that I have jurisdiction to act upon that state-court decision

Nebraska Press Association v. Stuart, 423 U.S. 1327, 1330 (1975) (Blackmun, J. in chambers). Sounding a similar theme to Justice Marshall, Justice Blackmun noted that First Amendment freedoms are particularly precious and that each day passing is an irreparable harm. Id., at 1329.

II. The State Republican Party has First Amendment Associational Freedoms to control its nomination process, without state-sponsored interference by the opposing party.

The Massachusetts Ballot Objection Law, G. L. c. 55B §5, cannot constitutionally be applied, in this case, and interpreted to allow an officer of the Democratic Party to challenge Republican Nomination process. (p54,25).

a. The State's Cross-Party Objection Regime Severely Burdens the Republican Party's First Amendment Right To Choose Its Own Nominee

The application presents a straightforward First Amendment injury. The Massachusetts State Ballot Law Commission has permitted officers of the Democratic Party to invoke a ballot-objection statute to displace, delay, or cloud the Republican Party's chosen nomination. (p25,54). That is not ordinary ballot administration. It is state-enabled rival-party interference in the core associational function of a political party—selecting the standard-bearer through whom the party speaks to voters. (p25,54).

The Constitution protects “the freedom to join together in furtherance of common political beliefs,” and that protection is at its zenith when a political party determines the identity of its nominee. In Democratic Party of United States v. Wisconsin ex rel. La Follette, 450 U.S. 107 (1981), this Court held that a State may not override a national party's rules governing participation in the selection of delegates. “The right to associate with the political party of one's choice is an integral part of this basic constitutional freedom.” Kusper v. Pontikes, 414 U.S. 51, 57 (1973).

The right to associate also necessarily includes the right not to associate. Hurley v. Irish Gay and Lesbian Association, 515 U.S. 557 (1995) (it would violate right to associate to use public accommodation statute to force a parade permit applicant to include groups of whom it disapproves to march, as a condition of the permit). Dilution of a political party's message and control of its own affairs is a real fear. LaFollette, 450 U.S. at 116-117. The freedom to associate “for the common advancement of political beliefs...necessarily presupposes the freedom to identify the people who constitute the association, and to limit the association to those people only.” LaFollette, 450 U.S. at 122 (cleaned up).

Here the State Ballot Law Commissions decision stands contrary to the well known freedom of a party to control its own nomination process. “On several occasions this Court has recognized that the inclusion of person unaffiliated with a political party may seriously distort its collective decisions—and that political parties may accordingly protect themselves ‘from intrusion by those with adverse political principles.’” LaFollette, 450 U.S. at 122, *quoting Ray v. Blair*, 343 U.S. 214, 221-222 (1952).

In Republican Party of State of Conn. v. Tashjian, 770 F.2d 265 (2d Cir. 1985), *aff’d*, 479 U.S. 208 (1986), the courts recognized that a State burdens associational rights when it prevents a party from structuring participation in its own nomination process. This Court wrote “The Party’s determination of the boundaries of its own association, and of the structure which best allows it to pursue its political goals, is protected by the Constitution.” *Id.* 479 U.S. at 224. Highlighting this important freedom, the Tashjian court emphasized that nominee selection is when the constitutional protection is at its zenith, “the crucial juncture at which the appeal to common principles may be translated into concerted action, and hence to political power in the community.” 479 U.S. at 216. *See Also id.* at 235-236 (Scalia, J. dissenting) (“The ability of the members of the Republican Party to select their own candidate — unquestionably implicates an associational freedom”).

And in California Democratic Party v. Jones, 530 U.S. 567 (2000), this Court invalidated a system that forced parties to allow outsiders to participate in choosing their nominees, because compelled association in the nomination process changes the party’s message and candidate selection. “What we have not held, however, is that the processes by which political parties select their nominees are...wholly public affairs that States may

freely regulate. To the contrary, we have continually stressed that when States regulate parties' internal processes they must act within limits imposed by the Constitution." Id. At

573. The Jones court could not have been more explicit:

In no area is the political association's right to exclude more important than in the process of selecting its nominee. That process often determines the party's positions on the most significant public policy issues of the day, and even when those positions are predetermined it is the nominee who becomes the party's ambassador to the general electorate in winning it over to the party's views.

Id. At 575.

Those principles control here. A rival party's officers have no associational stake in the Republican Party's nomination. Their asserted interest is not to participate in Republican association, but to defeat or destabilize it. By interpreting the objection statute to confer standing on Democratic Party officers to challenge a Republican nomination, the State Ballot Law Commission transformed a ballot-integrity mechanism into a weapon for partisan intrusion. (p25). That construction burdens the Republican Party in precisely the way the First Amendment forbids: it subjects the party's internal choice of nominee to adversarial control by political opponents. (p54).

Moreover, the other political party took wicked advantage. Through discovery and testimony, they mined into how the Republican Party keeps its internal voter data. (p31). Mr. Roof's attorney took testimony from the Mass. GOP political director, Mr. Aidan Carey. Id. Mr. Roof also attacked Republican officials, with state compelled process. Mr. Roof even recruited testimony from a disappointed and unsuccessful Republican candidate, both against her rival for office and against others. (p32-34). Evidently "the prospect of having a party's nominee determined by adherents of an opposing party is far from remote—indeed,

it is a clear and present danger.” Jones, “But a single election in which the party nominee is selected by nonparty members could be enough to destroy the party.” Jones, at 579.

This is not a case about neutral enforcement of mechanical ballot rules by election officials. Nor is it a case brought by Republican voters, Republican candidates, or Republican party members claiming that the party violated its own rules. (p54). The objector is an officer of the opposing party. Id. His claimed standing rests only on competitive political injury—the desire to alter the lineup facing their party in the election. That interest is constitutionally insufficient to justify state-facilitated interference with the Republican Party’s associational autonomy.

b. The State Cannot Justify Rival-Party Standing as a Neutral Election Regulation

States have authority to regulate elections, but that authority is not a license to restructure political association. Under the Anderson-Burdick framework, courts weigh the character and magnitude of the burden against the State’s asserted interests. See Anderson v. Celebrezze, 460 U.S. 780 (1983); Burdick v. Takushi, 504 U.S. 428 (1992). When the burden falls on a party’s selection of its nominee, this Court’s party-association cases require especially careful scrutiny.

Massachusetts may claim an interest in orderly ballots and lawful nominations. But that interest is fully served by election officials, affected candidates, voters with a legally cognizable stake, and members of the party whose nomination is at issue. It does not require granting officers of the opposing party a roving commission to police Republican nominations. (p54,25). A State may enforce neutral ballot qualifications, it may not deputize

partisan rivals to intrude into the opposing party's nomination process where the legislature has not clearly required that result and the Constitution counsels against it. (p25,54,43-44).

The Commission's contrary interpretation is especially untenable because any ambiguity in a ballot-objection statute must be resolved to avoid serious constitutional doubt. (p25,44). If the statute can be read to limit objections to persons with a genuine stake in the nomination or ballot papers—rather than rival-party officers seeking tactical advantage—then that narrower construction is required. (p43-44). The State's broader construction imposes a severe associational burden without a necessary, narrowly tailored justification. (p25).

Nor does Madden v. Secretary of the Commonwealth, 337 Mass. 758, 153 N.E.2d 321 (Mass. 1958), support the decision below. Madden merely assumed, without deciding, that a cross-party candidate could challenge another party's nomination procedures. In doing so, it expressly said that **no case had ever allowed such**. There is no compelling state interest capable of overriding federal First Amendment rights. Treating that assumption as a rule of cross-party standing magnifies the constitutional problem: it allows political adversaries to entangle the State in deciding whether a party's internal nomination will be permitted to proceed.

c. The Delay Below Independently Warrants Emergency Relief

The constitutional injury is compounded by timing. Ballot disputes are uniquely time-sensitive. Once ballots are printed, mailed, or relied upon by voters, the injury to associational rights cannot be fully repaired. Delay also operates as a merits determination: every day the rival-party objection remains unresolved or effective, the Republican Party's

nominee is forced to campaign under a cloud, the party's message is diluted, and voters are deprived of certainty about the party's chosen representative.

This Court has repeatedly recognized that late judicial intervention in election rules can produce voter confusion and administrative disruption. See Purcell v. Gonzalez, 549 U.S. 1 (2006). That principle supports relief here, not denial. The disruption is not caused by the Republican Party seeking emergency review; it is caused by the State's decision to entertain an objection by officers of the opposing party and by the ensuing delay in resolving that intrusion. Emergency relief would restore the status quo that the Constitution protects: the Republican Party's ability to associate around and present its own nominee without rival-party interference.

With a state primary election date of September 1, 2026, in Massachusetts, this problem is urgent. The State Court's granting of a delay to the State Ballot Law Commission, with the express intention of running out the clock is offensive. (p20,21,92-93). The problem is also urgent. The federal laws dealing with absentee voting by military members and overseas citizens, the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA) and the Military and Overseas Voter Empowerment Act (MOVE) of 2009, require that ballots be mailed out 45 days in advance of the election. It is possible to get a waiver of the 45 day deadline, and Massachusetts has in the past, but it is unclear if such a waiver will be granted this year, or has even been sought. Absent a waiver, the ballots must be mailed out by July 18, 2026. They must also be printed before then.

The traditional stay factors also favor relief. See Nken v. Holder, 556 U.S. 418 (2009). Applicants are likely to succeed because the State has burdened core First Amendment

associational rights without a sufficient justification. The injury is irreparable because compelled interference with political association and loss of ballot certainty cannot be remedied after the election. “The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” Elrod v. Burns, 427 U.S. 347, 373 (196) (plurality opinion). The balance of equities favors the party whose nomination has been challenged by political opponents, not the opponents seeking tactical leverage. And the public interest is served by elections in which parties—not rival party officers acting through state process—choose their nominees.

d. This Court Should Enjoin Enforcement of the Commission’s Cross-Party Standing Ruling and Require the Nomination To Proceed Without Rival-Party Objection

The question is not whether Massachusetts may maintain orderly ballot procedures. It may. The question is whether Massachusetts may interpret those procedures to let officers of the Democratic Party challenge the Republican Party’s nomination and thereby insert partisan opponents into the party’s core associational decision. The First Amendment answers no.

This Court should grant emergency relief, stay the effect of the Commission’s ruling and any state-court judgment allowing the cross-party objection to proceed, and direct that the Republican nomination be treated as valid unless challenged by a party with constitutionally adequate standing and a legally cognizable stake in the Republican nomination itself.

Conclusion

Applicant respectfully requests that the Justice of this Court enter an immediate stay of the ruling of the State Ballot Law Commission and any other State proceeding which allows cross-party ballot objections, pending a certiorari petition to be filed urgently with this Court, within one week.

Dated: June 30,2026

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Attorney for Michael C. Walsh

APPENDIX

Appendix Table of Contents

Massachusetts Supreme Judicial Court of Suffolk County Order

Docket of Massachusetts Supreme Judicial Court of Suffolk County

Final Decision of the Massachusetts State Ballot Law Commission

Objection by Mr. Roof

Motion to Dismiss for Standing

Motion Denied by State Ballot Law Commission

Walsh Petition to Supreme Judicial Court for Suffolk County

Walsh Motion for Emergency Relief

Roof Response to Emergency Motion

State Ballot Law Commission/Secretary Response to Emergency Motion

Order of the Massachusetts Supreme Judicial Court for Suffolk County

06/29/2026 #8 ORDER ALLOWING REQUEST FOR EXTENSION TO RESPOND: "This matter came before the Court (Wolohojian, J.) on the petitioner's "Emergency Petition for Relief under G.L. c. 211, § 3, and in the Nature of Prohibition, Certiorari, and Mandamus, and for Declaratory Relief," and "Emergency Motion for Immediate Judgment or, in the alternative, Temporary Relief," filed on June 18, 2026. The Court requested that the respondents file an expedited response to the petitioner's papers by Friday, June 26, 2026.

The respondent Adam Roof filed a response letter on June 26th, requesting dismissal of the petitioner's papers. The respondents, the State Ballot Law Commission and William Galvin, in his official capacity as the Secretary of the Commonwealth, jointly filed a letter on June 26th, requesting an extension to July 2, 2026, to file its response. Upon consideration of the parties' papers filed to date in this matter, it is ORDERED that the extension request of the State Ballot Law Commission and William Galvin, in his official capacity as the Secretary of the Commonwealth, is ALLOWED. The Court advises that no further extensions should be anticipated." (Wolohojian, J.)

SUPREME JUDICIAL COURT
for Suffolk County
Case Docket

MICHAEL WALSH v. STATE BALLOT LAW COMMISSION, ADAM ROOF,
AND SECRETARY WILLIAM GALVIN IN HIS OFFICIAL CAPACITY
SJ-2026-0255

CASE HEADER

Case Status	Under advisement
Status Date	06/26/2026
Nature	Superintendence c 211 s 3
Entry Date	06/18/2026
Sub-Nature	Ballot Initiative
Single Justice	Wolohojian, J.
TC Ruling	
TC Ruling Date	
SJ Ruling	
TC Number	STATE BALLOT LAW COMMISSION; SBLC 26-04
Pet Role Below	
Full Ct Number	
Lower Court	
Lower Ct Judge	

INVOLVED PARTY

Michael Walsh
Plaintiff

State Ballot Law Commission
Defendant

Adam Roof
Defendant

Secretary William Galvin
Defendant

ATTORNEY APPEARANCE

[Michael Walsh, Esquire](#)

[John J. Corrigan, Esquire](#)

DOCKET ENTRIES

Entry Date	Paper	Entry Text
06/18/2026		Case entered.
06/18/2026		Filing fee paid. (\$315)
06/18/2026		New E-Filed Case Cover Sheet filed.
06/18/2026	#1	Emergency Petition for Relief under G.L.c. 211, sec. 3 and in the Nature of Prohibition, Certiorari, and Mandamus, and for Declaratory Relief, filed by Atty. Michael Walsh.
06/18/2026		Under advisement. (Wolohojian, J.).
06/18/2026	#2	Emergency MOTION for Immediate Judgment or, in the Alternative, Temporary Relief with Certificate of Service filed by Atty. Michael Walsh. (SEE PAPER #8)
06/18/2026	#3	Certificate of Service for Paper #'s 1-2 filed by Atty. Michael Walsh.
06/23/2026	#4	Status Report with Certificate of Service and attachments filed by Atty. Michael Walsh.
06/24/2026	#5	Second Status Report with Certificate of Service filed by Atty. Michael Walsh.
06/26/2026	#6	Response of Adam Roof, objector in SBLC Docket No. 26-04 to Walsh Filing in Above Case with Certificate of Service filed by Atty. John Corrigan.
06/26/2026	#7	Letter in Response to Amy Stewart, Assistant Clerk from Atty. Michelle Tassinari.

- 06/29/2026 #8 ORDER ALLOWING REQUEST FOR EXTENSION TO RESPOND: "This matter came before the Court (Wolohojian, J.) on the petitioner's "Emergency Petition for Relief under G.L. c. 211, § 3, and in the Nature of Prohibition, Certiorari, and Mandamus, and for Declaratory Relief," and "Emergency Motion for Immediate Judgment or, in the alternative, Temporary Relief," filed on June 18, 2026. The Court requested that the respondents file an expedited response to the petitioner's papers by Friday, June 26, 2026.
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- 06/29/2026 #9 eNotice to Counsel and Parties Re: Paper #8 filed.
- 06/29/2026 #10 Third Status Report with Certificate of Service and attachments filed by Atty. Michael Walsh.

As of 06/29/2026 12:25pm

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

STATE BALLOT LAW COMMISSION
Docket No. 26-04

_____)
ADAM ROOF,)
Objector)
)
v.)
)
MICHAEL WALSH,)
Respondent)
_____)

DECISION

For the reasons stated in the attached Statement of Reasons, the Objection of Adam Roof is SUSTAINED on the merits and the Respondent's name shall not be printed on the Republican State Primary ballot.

STATE BALLOT LAW COMMISSION

The Office of the Commission is:

State Ballot Law Commission
c/o Elections Division
Office of the State Secretary
One Ashburton Place, Room 1705
Boston, Massachusetts 02108

617-727-2828



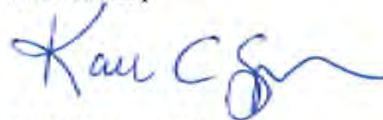
Hon. Ernest L. Sarason, Jr. (Ret.), Chair



Joseph Eisenstadt, Esq.



Jed Nosal, Esq.



Kaitlyn Sprague, Esq.

Dated: June 26, 2026

IMPORTANT:

Judicial review of this decision may be sought by civil action under G. L. c. 30A, § 14, within 5 days after receipt of this notice.

ELECTIONS DIVISION
2026 JUN 26 PM 04:53

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

STATE BALLOT LAW COMMISSION
Docket No. 26-04

ADAM ROOF,)
 Objector)
 v.)
 MICHAEL WALSH,)
 Respondent)

STATEMENT OF REASONS

I. INTRODUCTION

The Respondent, Michael Walsh, is a Republican candidate for Attorney General. He timely filed nomination papers with the Secretary of the Commonwealth containing a total of 10,677 certified signatures. To qualify as a candidate for Attorney General, the Respondent needed at least 10,000 certified signatures. Thereafter, an objection was filed with the State Ballot Law Commission challenging the validity of certain signatures appearing on the Respondent’s nomination papers.

The State Ballot Law Commission (Commission) has jurisdiction to determine whether he satisfies these criteria pursuant to General Laws chapter 55B, section 4.

II. OBJECTION

On June 3, 2026, an objection was filed challenging some of the Respondent’s signatures appearing on his nomination papers as being written in the same hand, not signed in person by the voter, signed by people who were not registered voters, signed by people who, although registered, were not eligible to be registered, non-genuine, fraudulently obtained and certified twice. The Objector must prove that 678 signatures filed with the Secretary of the Commonwealth are invalid. If proven, the Respondent would have an insufficient number of signatures to appear on the ballot.

III. PRELIMINARY PROCEDURAL MATTERS

On June 16, 2026, a hearing was noticed by the Commission in order to consider preliminary matters. The Commission considered several preliminary matters before hearing the Objection itself, which was continued on June 22, 2026 and June 23, 2026.

A. Respondent's Motion to Dismiss for Lack of Standing

The Respondent filed a Motion to Dismiss on the grounds that the Objector lacks standing. As a basis for this Motion, the Respondent argues that because the Objector is registered in the Democratic Party, he is not eligible to vote in the Republican Primary and since the outcome of the objection does not affect him or his choice for office, he has no standing.

In his Motion, the Respondent cites two cases in which the voter enrollment certificate of the objector was determined invalid for not specifying the objector was of the same party of the sought nomination. Madden v. Secretary, 337 Mass. 758 (1958); Kelley v. State Ballot Law Commission, 316 Mass. 512 (1944). However, the Respondent acknowledges the case law is from a prior version of the statute. As the current language of section 5 of chapter 55B of the General Laws does not specifically require an objector be registered in the same party of the respondent or not enrolled in any party, the Commission **DENIED** the Respondent's Motion to Dismiss on June 10, 2026

B. Respondent's Motions to Dismiss for Lack of Certified Mail

The Respondent filed a Motion to Dismiss the Objection based on the grounds that the Objector failed to mail a copy of his Objection by registered or certified mail, return receipt requested, as set out in G.L. c 55B, § 5 paragraph 9. This paragraph states, in part, that failure to do so shall invalidate any objection filed with the Commission. The Commission's regulations provide that "[n]ot later than the day after the objection is filed the objector shall mail a copy of the

objection to the respondent by registered or certified mail return receipt requested.” 950 CMR 59.02(4)(a).

The Objector acknowledged that the Objection was not sent by registered or certified mail, return receipt requested. The Objector presented an affidavit from an agent of the Objector, John Alexander Bausch, indicating that this agent was tasked with the responsibility to mail the Objection first class certified with a return receipt requested. Mr. Bausch’s affidavit indicates that he went to a United States Postal Service office and left the Objection with a postal clerk requesting that the Objection be mailed first class certified with a return receipt requested.¹ Mr. Bausch left the office without confirmation that the Objection was properly mailed. In the Respondent’s Motion to Dismiss, the Respondent acknowledged receiving the Objection via email and regular first class mail.

Accordingly, the Commission finds that the Objection was not mailed by registered or certified mail return receipt requested as set out in section 5 of chapter 55B of the General Laws, paragraph 9 and 950 CMR 59.02(4)(a). However, the Commission declines to grant the Motion to Dismiss based on a failure to meet the statutorily prescribed mailing requirement where actual, timely receipt of the Objection occurred, and no prejudice was demonstrated by the Respondent.²

The Commission is statutorily charged with the responsibility, as gatekeeper of ballot access, to ensure that access to the ballot is gained in a manner and process consistent with the overall statutory and constitutional standards and requirements relating to election laws and access to the ballot.

Consistent with this charge, the Commission further finds that the lack of a certified mailing

¹ The Respondent further argues that that Objector lied on the certificate of service by signing under the penalty of perjury that a copy of the Objection had been sent via certified mail. The Commission finds that the Objector intended and attempted to send via certified mail and therefore rejects this argument.

² The Commission stresses that its determination with regard to this portion of its Decision is based solely on the individual facts particular to this case. This determination is by no means intended to abrogate the statutory and regulatory notice requirements relating to the filing of objections.

had no adverse consequences whatsoever relating to the Respondent's defense of the claims made in the Objections at issue. The Respondent received a copy of the Objection via e-mail from the Objector on June 4, 2026, a day after it was filed with the Commission but a day before the deadline to file an objection. The Respondent also received the Objection from the Secretary of the Commonwealth via e-mail on June 3, 2026, the same afternoon as it was filed. Hence, the electronic notice of the Objection was received well in advance of when the Objection would have been received if only sent by certified or registered mail.

There is no claim that the Respondent was prejudiced in any way by the Objector's careless mailing. The Respondent argues that solely because of this mailing misstep, automatic dismissal is required under G.L. c 55B, § 5 paragraph 9 (and 950 CMR 59.02(4)(a) based on Section 5) which states, in part, "failure to do so [mail by registered or certified mail] shall invalidate any objections filed with the Commission."

As noted, Respondent does not and cannot claim that the lack of proper certified mailing created prejudice or other harm to him. Instead, it is a literal application of the specific wording of the statute upon which Respondent relies-- that mailings not made by certified mail "shall" invalidate the objection. It is the Respondent's position that this language is mandatory and requires an automatic dismissal of the Objection. The Commission does not agree first based on the well-recognized ability of agencies of the Commonwealth to excuse prescriptive service requirements where actual, timely service is proved. Cinder Prods. Corp. v. Schena Const. Co., 22 Mass. App. Ct. 927, 928 (1986). And, second, within the arguably heightened standards of ensuring the integrity of elections and access to the ballot, the Commission 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. Swift v. Board of Registrars of Voters of Quincy, 281 Mass. 271, 276 (1932). "The word 'shall' as used in statutes, although in its common

meaning mandatory, is not infrequently construed as permissive or directory in order to effectuate a legislative purpose.” Swift at 276.

The 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. “It is an aid to interpretation to establish tests by which to measure legislative intent. But all such tests must yield to the underlying aim of all statutory interpretation which is to discern the legislative intent disclosed by the enactment as an entirety in light of its dominant purpose and to declare its appropriate application to particular facts. 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. The right to vote is a precious personal prerogative to be sedulously guarded.” Arts. 4, 7, 8, 9 of the Declaration of Rights. “The public welfare demands that elections be protected from fraud.” Swift at 276 and 277.

The Objector concedes and the record demonstrates that the Objection was not filed as prescribed in the statute. At the same time, the record before the Commission pertaining to the Motion to Dismiss shows that the Objection was received by the Respondent in a timely manner, if not timelier than had only the statutorily prescribed process been followed. The “proof of service” that certified or registered mail is intended to provide was met here but through multiple other means. Cinder Prods. Corp. v. Schena Const. Co., 22 Mass. App. Ct. 927, 928 (1986); Mullane v. Central Hanover Bank & Trust Co., 339 U.S. 306 (1950). Receipt of the Objection is not in question, and the Respondent has not demonstrated prejudice even considering the parameters of the truncated Objection process where timely notice remains paramount. Further, the Commission’s recognition of service in the instant case in a form different from the statutory prescribed process is also consistent with the Commission’s authority to interpret the requirements governing Objections, including the treatment of the term “shall” as permissive, in a manner

consistent with the legislative purpose of the Commission as recognized by the courts “to provide expeditious and convenient means for expression of the will of the voters free from fraud.” Swift at 277. The Commission may only investigate allegations regarding the legality, completeness and accuracy of nomination papers upon the presentation of an Objection. Accordingly, the Commission will not dismiss an objection where it was properly and timely filed with this body and actual, timely service was effectuated to the Respondent without prejudice.

Respondent’s Motion to Dismiss for lack of certified mailing is **DENIED**.

C. **Respondent’s Motion to Dismiss for Failure to Timely File and Disclose the List of Challenged Signatures**

The Respondent filed a third Motion to Dismiss based on the grounds that the Objector failed to file and deliver a detailed list of all challenged signatures “showing” the page and line where each signature is located “[n]ot later than the third weekday before the date of the hearing,” which, in this case, was by June 11, 2026. Respondent objected on the grounds that the list was received via e-mail from the Objector after 5:00 p.m. on June 11, 2026 and suggests that it was not timely filed with the Commission. The record shows that the list was timely filed by hand with the Commission before 5:00 p.m. on June 11, 2026. Further, the Respondent argues that the list received was insufficient as it did not include a “key to the page numbers,” and that the Objector did not provide copies of the nomination papers on which the challenged signatures appeared.

The Commission’s regulations, 950 CMR 59.04(1)(f), state in pertinent part:

“Not later than the third weekday before the date of the hearing contained in the Secretary’s notice, the objector shall file and cause to be delivered to the respondent 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.”

The Commission’s cases require automatic dismissal, or in this case, exclusion of signatures not supplied in a timely fashion, since the failure to supply such information “affects” the

respondent’s “substantial rights” to prepare his case. Pieroni v. Garron, SBLC 98-6 (June 18, 1998); Schmidt v. Onessimo, SBLC 86-2 at 2 (June 16, 1986); Harvey v. Turo, SBLC 82-3 (June 10, 1982). The Commission requires strict adherence to its notice and its discovery regulations. Hurst v. O’Connor, SBLC 98-2 (remand decision, June 26, 1998) (signatures raised at hearing, where objector failed to include signatures in Objector’s List of Challenged Signatures were not properly before the Commission). The Commission has long held that compliance with the 950 CMR 59.04(1)(f) is mandatory.

The Commission finds that the Objector timely filed and caused to be delivered their lists of challenged signatures showing the page and line where they appear on the nomination papers filed with the Secretary, with the stated reason why the signatures were being challenged.

The Respondent claims the filed list was defective on the grounds that it did not provide copies of the actual pages where the challenged names appeared or any of the actual names of the voters who were being challenged. Such disclosures are not required by the regulations.

The Commission further finds that the Objector provided the Respondent with the supplemental information—access to the specific nomination papers identified in the list—on June 12, 2026.³

Accordingly, the Commission finds that the Objectors complied with 950 CMR 59.04(1)(f). Respondent’s Motion to Dismiss for failure to timely file and disclose the list of challenged signatures is **DENIED**.

IV. HEARING

Evidence was received on Tuesday, June 23, 2026. Seven (7) witnesses testified and six (6) exhibits were received. The matter having been heard and after consideration of the pleadings, stipulations, evidence and arguments of the Parties, the Commission finds, rules and concludes as

³ The page and line of the particular challenged signature references the page as numbered the Secretary upon filing and the line number for each signature line on the nomination paper.

set forth in the following sections of this Decision.

V. FINDINGS OF FACT

The Commission finds the following facts:

1. The Respondent, Michael Walsh, is seeking the Republican nomination to the office of Attorney General.

2. To qualify to have his name printed on the ballot, he must have filed 10,000 certified signatures with the Office of Secretary of the Commonwealth by 5:00 p.m. on June 2, 2026.⁴

3. The Respondent filed 10,677 certified signatures with the Office of Secretary of the Commonwealth by 5:00 p.m. on June 2, 2026 as well as the other required paperwork.

4. On June 3, 2026, Adam Roof, a registered voter in the Commonwealth of Massachusetts, filed an objection before the State Ballot Law Commission alleging that some of signatures appearing on the Respondent's nomination papers were written by the same hand, were not legally signed in person by the voter, and some of the signatures were non-genuine and were fraudulently obtained.

5. The Respondent denied the allegations.

6. Aidan Carey, Political Director and Keeper of the Records of the Massachusetts GOP, provided the Commission with a copy of the Numinar database for the Weymouth voter list that was exported by Joseph Bronske on April 30, 2026.

7. Jennifer L. Naso, a forensic document examiner employed by Riley, Welch, LaPorte & Associates, Frankenmuth, MI, since 2011, testified as a forensic handwriting expert. She is a graduate of Yale University and has a Masters in Forensic Science from University of New Haven. Ms. Naso was previously employed as a documents analyst by the United States Secret Service

⁴ Other filing requirements included his written acceptance, an enrollment certificate, a receipt from the State Ethics Commission showing she filed a Statement of Financial Interest with that agency and a receipt from the Office of Campaign and Political Finance showing he filed a statement with that agency regarding spending limits.

from May 2006-2011. The Commission finds her qualified to testify about the matters before the Commission and allows the submission of her Report relating to her observations regarding nomination papers in this case.

8. Ms. Naso examined high resolution images of the Respondent's nomination papers. Ms. Naso concluded, based on her expert opinion, that most of the voter signatures appearing on the Respondent's nomination papers from Weymouth and Scituate were written by the same person.

9. Ms. Naso concluded that 241 certified signatures appearing on thirteen (13) of the Respondent's nomination papers from Scituate were more likely than not written by the same person.

10. Ms. Naso concluded that 690 certified signatures appearing on thirty (30) of the Respondent's nomination papers from Weymouth were more likely than not written by the same person.

11. Ms. Nason concluded that 90 certified signatures appearing on four (4) of the Respondent's nomination papers from Weymouth were more likely than not written by more than one writer, but that the signatures are non-genuine.

12. Ms. Naso further reviewed exemplars of the 780 voters identified in Findings 10 and 11 whose signatures who were certified on the Respondent's nomination papers from Weymouth and concluded that "none of the seven hundred and seventy (770) individuals whose known signatures were submitted for comparison wrote their respective signatures on the disputed petitions."

13. Ms. Naso also compared the voter names appearing on the Respondent's nomination papers from Weymouth to the list of Weymouth voter names and addresses contained in the Numinar database exported by Mr. Bronske. She observed that each of the Respondent's

nomination papers from Weymouth matched portions of the spreadsheet in the order they appear, and concluded “[t]his evidence indicates that the names and addresses on the petitions were copied from the source . . . spreadsheet in the order in which they appear.”

14. Anne Brensley, the endorsed candidate for the Republican nomination for Lieutenant Governor, testified that she engaged the services of Joseph Bronske to collect signatures on her nomination papers in connection with her candidacy for Republican nomination for Lieutenant Governor.

15. Ms. Brensley knew that Mr. Bronske was circulating nomination papers for other Republican candidates, including the Respondent.

16. Ms. Brensley later made an inquiry to the Massachusetts GOP as to whether Mr. Bronske had “run any voter list” and if so, to receive a copy of whatever he had run.

17. In response to her inquiry, Ms. Brensley received a copy of a spreadsheet from the Massachusetts GOP titled “all Weymouth voters,” which is the same list exported by Mr. Bronske.

18. Following receipt of the Weymouth voter list, Ms. Brensley compared the list to the names of voters appearing on her nomination papers that had been collected by Mr. Bronske. Ms. Brensley testified that she found the names on her nomination papers to be in the exact same order as they appeared in the spreadsheet.

19. Ms. Brensley reviewed the Respondent’s Weymouth nomination papers and observed that all the names appearing on her nomination papers and the Respondent’s nomination papers were identical to the list given to Mr. Bronske.

20. Ms. Brensley observed that, not only were the names on her nomination papers identical to the names appearing on the Bronske voters list, but the same names on her nomination papers and the Respondent’s nomination papers were in the exact same order on the numerous nomination papers submitted to the Weymouth Town Clerk.

21. Based on what Ms. Brensley discovered, which she concluded was that the signatures obtained from Mr. Bronske were forged, she did not submit any nomination papers obtained through Mr. Bronske to the Secretary of the Commonwealth. As a result, Ms. Brensley had an insufficient number of certified signatures to have her name printed on the ballot.

22. Harold Hubschman of SignatureDrive.com testified about matters relating to his experience as a signature gatherer for nomination papers and initiative petitions in Massachusetts and other states. Mr. Hubschman has been in the voter signature gathering business for over 31 years. His company has gathered millions of signatures for candidate nominating papers and initiative petitions. The Commission finds him qualified to testify about the matters before the Commission in this action.

23. Mr. Hubschman testified that he was provided with the same Numinar list, which he compared to the names on the Respondent's nomination papers. He also stated that he compared the Respondent's nomination papers with the nomination papers of Anne Manning Martin, Republican candidate for Lieutenant Governor, filed with the Secretary of the Commonwealth, which are public records that the Commission takes judicial notice.

24. Based on his review, Mr. Hubschman concluded that in the Town of Weymouth, there are 665 certified signatures on 29 pages of the Respondent's nomination papers that are in the identical order as on 29 corresponding pages of Anne Manning Martin's nomination papers, with only one deviation. Mr. Hubschman concludes the mathematical likelihood of this occurring is zero and that these signatures are likely fraudulent.

25. The Commission invalidates a total of 1,021 of the Respondent's 10,677 signatures filed with the Secretary of the Commonwealth by June 2, 2026, resulting in 9,656 remaining valid signatures.

VI. ISSUES OF LAW AND CONCLUSIONS

A. Evidentiary Standard Used by the Commission

The Commission’s findings are based on substantial evidence, which is defined as “such evidence as a reasonable mind might accept as adequate to support a conclusion.” G. L. c. 30A, § 1(6) (2024 ed.); Capezzuto v. State Ballot Law Commission, 407 Mass. 949, 952 (1990); Hershkoff v. Registrars of Voters of Worcester, 366 Mass. 570, 574 (1974); Labor Relations Commission v. University Hospital, Inc., 359 Mass. 516, 521; (1971); Almeida Bus Lines, Inc. v. Department of Public Utilities, 348 Mass. 331, 341 (1965).

In proceedings before the Commission, the objector has the burden of going forward. Hamill v. Sawyer, SBLC 90-14 (June 27, 1990). The objector must meet his burden of proof by proving his allegations by a preponderance of the evidence. DeJong v. Owens, SBLC 90-10 (June 22, 1990).

B. Scope of Commission’s Review of Challenged Signatures

Under Massachusetts General Laws, Chapter 53, section 7, “every voter signing a nomination paper shall sign in person as registered or substantially as registered” G. L. c. 53, § 7 (2024 ed.). The only exception to this requirement is that a voter who is physically disabled and therefore unable to sign may have another, in his presence, sign his name. G. L. c. 53, § 7 (2024 ed.). The local election officials are limited, in substance, to a comparison of the signature as found on the nomination papers to the names of those persons listed on the official lists of registered voters. McCarthy v. Secretary of the Commonwealth, 371 Mass. 667, 687 (1977); 950 CMR 55.03(1)-(4).

However, unlike the local registrars, the Commission has consistently applied a broad and equitable standard when considering the validity of certified signatures so as to facilitate the will of the voter whenever justice and fairness allow. Auger-Collins v. Callahan, SBLC 90-8 (June 22, 1990); Lam v. Conner, SBLC 90-7 (June 20, 1990). The Commission has applied the standards

analogous to those used by the courts given the nature of Commission proceedings. Id. Like a court, the Commission may receive extrinsic evidence, which the registrars could not, and may declare a signature certifiable in exercising its equitable powers whenever it finds that the signer is an eligible voter of the proper district. Jacobucci v. Kelley, SBLC 90-15 (June 29, 1990); Auger-Collins v. Callahan, SBLC 90-8 (June 22, 1990); Lam v. Conner, SBLC 90-7 (June 20, 1990); McCarthy, 371 Mass. at 684. This principle is bolstered by the consistent judicial policy of resolving voting disputes, where at all possible, in favor of the voter. McCavitt v. Registrars of Voters of Brockton, 385 Mass. 833, 837 (1982). Thus, a voter's signature should be counted unless there is "substantial doubt that the signer was a registered voter . . . eligible to sign a nomination petition." McCarthy, 371 Mass. at 684.

C. Objection Allegations that Certain Nomination Papers Contained Certified Names that are Non-Genuine

The Objector alleges that certain signatures appearing on the Respondent's nomination papers are non-genuine. The Commission has a longstanding practice of reviewing signatures for their authenticity based upon their own comparison of the signatures on the nomination paper or petition with the exemplars contained in the voter registration books, cards, and affidavits of voter registration or other reliable documents containing known signatures put into evidence. See Hannigan v. Board of Appeals, 328 Mass. 366, 370 (1952). While the Commission has considered the expert testimony of handwriting experts and found it helpful, the testimony of such experts is not dispositive. In this case, the Objector alleges that multiple signatures were signed by the same person or persons and that they are non-genuine.

i. Testimony of Forensic Document Examiner Jennifer Naso

The Objector retained the services of Jennifer Naso, a forensic document examiner employed by Riley, Welch, LaPorte & Associates, Frankenmuth, MI since 2011. She is a graduate

of Yale University and has a Masters in Forensic Science from University of New Haven. Ms. Naso was previously employed as a documents analyst by the United States Secret Service from May 2006-2011. The Commission finds her qualified to testify about the matters before the Commission and allows the submission of her Report relating to her observations regarding nomination papers in this case.

Ms. Naso examined high resolution images of the Respondent's nomination papers. The Commission found her qualified to testify about the matters before the Commission and allowed the submission of her Report relating to her observations regarding nomination papers in this case. Ms. Naso concluded, based on her expert opinion, that most of the voter signatures appearing on the Respondent's nomination papers from Weymouth and Scituate were written by the same person.

Ms. Naso concluded that 241 certified signatures appearing on thirteen (13) of the Respondent's nomination papers from Scituate were more likely than not written by the same person. Her conclusions were based on the pictorial similarity in the writing and the low skill level of the writing, which was consistent throughout pages numbered 1 and 3-14 by the Secretary's Elections Division, all of which were from the Town of Scituate. While the Objector also submitted exemplars for each voter as provided by the Scituate Town Clerk's Office to the Commission, Ms. Naso did not review these exemplars. The Commission, having reviewed the nomination papers, exemplars and Ms. Naso's report, agree and invalidate the 241 certified signatures appearing on the Respondent's Scituate nomination papers numbered 1 and 3-14.

Ms. Naso concluded that 690 certified signatures appearing on thirty (30) of the Respondent's nomination papers from Weymouth were more likely than not written by the same person. Her conclusions were based on the lack of variation of the stylization of the signatures, that most were hand printed names instead of signatures, the sequencing of the signatures on the papers

as well as a comparison of the exemplar voter signatures provided by the Weymouth Town Clerk's Office.⁵ Ms. Naso concluded that 90 certified signatures appearing on four (4) of the Respondent's nomination papers from Weymouth were more likely than not written by more than one writer, but that the signatures are non-genuine.

Ms. Naso further reviewed exemplars of the voters whose signatures who were certified on the Respondent's nomination papers from Weymouth and concluded that "none of the seven hundred and seventy (770) individuals whose known signatures were submitted for comparison wrote their respective signatures on the disputed petitions."

As part of her review, Ms. Naso compared the voter names appearing on the Respondent's nomination papers from Weymouth to the list of Weymouth voter names and addresses contained in the Numinar database exported by Mr. Bronske. She observed that each of the Respondent's nomination papers from Weymouth matched portions of the spreadsheet in the order they appear, and concluded "[t]his evidence indicates that the names and addresses on the petitions were copied from the source ... spreadsheet in the order in which they appear."

The Commission, having reviewed the nomination papers, exemplars and Ms. Naso's report, agree and invalidates the 780 certified signatures appearing on the Respondent's Weymouth nomination papers numbered 15-49.

ii. Testimony of Signature Gathering Expert Harold Hubschman

The Objector presented testimony from a signature gathering expert, Harold Hubschman. Mr. Hubschman was provided a copy of the so called "Numinar list of Republican and unenrolled voters maintained by the Republican State Committee." He was also provided with the nomination papers the Respondent submitted to the Weymouth Town Clerk's Office and thereafter filed with the Secretary of the Commonwealth. Mr. Hubschman also reviewed digital copies of the

⁵ The sequencing of the names refers to voters who share the same address are not sequential and therefore do not logically align.

nomination papers submitted by the Republican Lieutenant Governor candidate Anne Manning Martin to the Weymouth Town Clerk's office and thereafter filed the Secretary of the Commonwealth's Office. Based on his review of both sets of nomination papers from Weymouth, he, like Ms. Naso, found twenty-nine (29) pages of the Respondent's nomination papers in the exact same order as candidate Anne Manning Martin. In addition to being identical on both sets of papers, they are listed in the same order as they appear in the Numinar database of Weymouth registered voters. The Respondent's nomination papers reviewed by Mr. Hubschman were numbered 15-49 by the Secretary of the Commonwealth's Elections Division. Based on this review, he concluded that the petitions exhibit overwhelming signs of fraud.

The Respondent provided testimony from two (2) witnesses regarding the Respondent's signature collection process. The first witness, Carol Mietzsch, testified that she worked on the Respondent's campaign and received the certified nomination papers and reviewed them only to ensure they were properly marked by the local election officials. She testified that she did not review the names or signatures on any nomination papers. The second witness was Paul Burke, who testified that he helped collect signatures for the Respondent and worked with Mr. Bronske. His testimony was not specific to the Respondent's nomination papers in question and instead more general about his experience in collecting signatures for various candidates, including Anne Manning Martin. The Commission did not find value in their testimony.

ii. Testimony of Anne Brensley

Anne Brensley is a candidate for the Republican nomination for Lieutenant Governor. Ms. Brensley received the Party's nomination at its State Convention.

Ms. Brensley testified that she engaged the services of Joseph Bronske to collect signatures on her nomination papers in connection with her candidacy for the Republican nomination for Lieutenant Governor. Ms. Brensley had begun to hear that there may be issues with signatures that

were being collected by Mr. Bronske, the individual Ms. Brensley engaged to collect her nomination paper signatures, which prompted her to make an inquiry to the Massachusetts State Republican Party as to whether Mr. Bronske had “run any voter list” and if so, to receive a copy of whatever he had run. In response to her inquiry, Ms. Brensley received a copy of a spreadsheet titled “all Weymouth voters,” which is the same list exported by Mr. Bronske on April 30, 2026. Following receipt of the Weymouth voter list, Ms. Brensley compared the list to the names of voters appearing on her nomination papers that had been collected by Mr. Bronske.

Ms. Brensley testified that she found the names on her nomination papers to be in the exact same order as they appeared in the spreadsheet. Ms. Brensley had knowledge that Mr. Bronske was circulating nomination papers for other Republican candidates, including the Respondent. Ms. Brensley testified that she reviewed the Respondent’s nomination papers and observed that many, if not all, of the names appearing on her nomination papers and the Respondent’s nomination papers were identical to list given to Mr. Bronske.

Ms. Brensley testified that not only were the names of voters on her nomination papers identical to the names appearing on the Bronske voters list, but the same names on both sets of nomination papers were written in the exact same order on the numerous nomination papers submitted to the Weymouth Town Clerk that she reviewed.

Ms. Brensley further noticed that some of the names on her nomination papers, which also appeared on the spreadsheet, were for voters whom had died before the date her nomination papers were circulated for signature collection.

Based on what Ms. Brensley discovered, she did not submit any nomination papers obtained through Mr. Bronske to the Secretary of the Commonwealth, resulting in Ms. Brensley not having a sufficient number of certified signatures to have her name printed on the ballot.

VII. CONCLUSION

The Commission, therefore, finds, rules and concludes that the Objector has met his burden of proof and the Commission sustains the Objectors' challenges to 1,021 of the Respondent's 10,677 signatures on the Respondent's nomination papers. As a result, the Respondent does not have sufficient signatures to have his name printed on the Republican Party Primary ballot and the Secretary is ordered to NOT print the Respondent's name on the primary ballot as a Republican candidate for the office of Attorney General.

Motion is DENIED.

Commonwealth of Massachusetts
State Ballot Law Commission



Hon. Ernest L. Sarason, Jr. (Ret.), Chair

Suffolk, ss.

Adam Roof

v.

Docket No.26-04

Michael Walsh

Motion to Dismiss for Lack of Standing

Now comes the Respondent, Michael Walsh, who moves to dismiss the objection pursuant to 950 CMR 59.02(2)(d). As grounds therefore, the Respondent asserts that:

Argument

I. The Objector does not have standing

According to the voter registration certificate affixed to the objection, Mr. Roof is registered to vote as a Democrat. For this reason he has no standing. He is not eligible to vote in the Republican Primary for Attorney General. The outcome of this objection does not affect him or his choice for office. Lacking a personal stake, he has no standing.

“We treat standing as an issue of subject matter jurisdiction.” Ginther v. Insur. Co., 427 Mass. 319, 322 (1998). Standing is a threshold matter, which the objector has the burden of proof. Murchison v. Bd. of Appeals of Sherborn, 485 Mas. 209, 213 (2020) (“a plaintiff ultimately bears the burden of establishing standing”). “The question of standing is one of critical significance. `From an early day it has been an established principle in this Commonwealth that only persons who have themselves suffered, or who are in danger of suffering, legal harm can compel the courts to assume the difficult and delicate duty” of

deciding a case. Tax Equity Alliance v. Commissioner of Revenue, 423 Mass. 708, 715 (1996) quoting Doe v. Governor, 381 Mass. 702, 704 (1980).

We point out that the question whether a party has standing to participate in a judicial proceeding is not simply a procedural technicality but rather involves remedial rights affecting the whole of the proceeding. Additionally, whether a party is properly before a tribunal to invoke its judicial powers affects the good order and efficiency with which the matter proceeds....The multiplicity of parties and the increased participation by persons whose rights are at best obscure will, in the absence of exact adherence to requirements as to standing, seriously erode the efficacy of the administrative process. We do not say that increased citizen participation is bad. On the contrary, such interest ensures full review of all issues. However, to preserve orderly administrative processes and judicial review thereof, a party must meet the legal requirements necessary to confer standing.

Save the Bay Inc. v. Dept. of Public Utilities, 366 Mass. 667, 672 (1975)

The SJC has long held this position interpreting election laws. **"But there has been no case holding that a member of one political party has standing to enforce our election statutes in such a way as to challenge the action of members of another political party in making a party nomination."** Madden v. Secretary, 337 Mass. 758 (1958); Kelley v. State Ballot Law Commission, 316 Mass. 512 (1944) (finding objector's voter enrollment certificate invalid for not specifying objector was of the same party as the sought nomination, under prior version of statute). See Also Slama v. Attorney General, 384 Mass. 620, 624 (1981) (applying standing analysis in election cases because "in election cases, it is neither difficult nor impossible for qualified voters to assert their claims"); Barnes v. Secretary, 348 Mass. 671,674 (1965) (plaintiffs had no standing to raise challenge to ballot question's constitutionality as their rights were not effected). The State Ballot Law Commission itself measures for standing. Dyson v. Gillett, SBLC 78-1 (10/2/78) (standing met where challenger lived in district and was registered in same party to challenge primary nomination).

Mr. Roof cannot vote in a Republican primary, he is registered as a Democrat. He is not qualified to vote in the primary election implicated, and therefore he has no personal stake or any legal interest cognizable in the outcome. Lacking standing he cannot bring this claim.

This has a great deal of support in the case law, because primary nominations are intra-party contests. Fulani v. League of Women Voters Educ. Fund, 882 F.2d 621, 629 (2nd Cir. 1989) (“Primary contests, then, are essentially intra-party competitions. Although such candidates are members of the same party, each may have a separate political agenda for the party's future, and they present themselves to those who are eligible to vote in the primary as the candidate who will best represent the party in the general election.”). See Tashjian v. Republican Party, 479 U.S. 208 (1986) (striking down state statute that sought to overrule party rule about who may vote in party primaries); California Democratic Party v Jones, 530 U.S. 567, 120 S.Ct. 2402, 147 L.Ed.2d 502 (2000) (a “nonmember's desire to participate in the party's affairs is overborne by the countervailing and legitimate right of the party to determine its own membership qualifications.”); Democratic Party of United States v. Wisconsin Follette, 450 U.S. 107, 121 (1981) (“And the freedom to associate for the common advancement of political beliefs,...necessarily presupposes the freedom to identify the people who constitute the association, and to limit the association to those people only. Any interference with the freedom of a party is simultaneously an interference with the freedom of its adherents”).

Even if the statute could be read to afford the executive director of the opposing party the right to interfere in the competing party's nomination process, such a reading would not be constitutional.

II. The Objector's Certificate is not in compliance with the Statute

G. L. c. 55B §5 requires that all objections to the Commission be accompanied by a certificate of voter registration. The statute provides a form and requires that the filer's form be "substantially as follows...". G. L. c 55B §5. 950 CMR 59.02(2) ("The objection must also be accompanied by a certificate of voter registration in substantially the form prescribed by M.G.L. c. 55B, § 5").

Kelley v. State Ballot Law Commission, 316 Mass. 512, 515 (1944) ("In the absence of a "certificate of enrolment" in conformity with the statutory requirement, the State ballot law commission had no jurisdiction to consider the objections") (under prior version of st

The certificate is not substantially in the required form. 1) The certificate omits the words "Commonwealth of Massachusetts," 2) the certificate omits Mr. Roof's ward and precinct number, 3) the certificate has a different title, 4) does not have the language "in this city [or town]." Nor are these the only defects. The certificate contains additional information which are in the statutory form.

Conclusion

The Objection must be dismissed for lack of subject-matter jurisdiction

Respectfully Submitted,

Michael Walsh
By his Attorney
/S/ Michael Walsh
Michael Walsh

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617-257-5496
Walsh.lynnfield@gmail.com

Certificate of Service

I, Michael Walsh, certify that a copy of this filing was served on Mr. Roof's Attorney and the SBLC by email and by first class mail postage prepaid on this 10th day of June, 2026.

/S/ Michael Walsh

Commonwealth of Massachusetts
State Ballot Law Commission

Suffolk, ss.

Adam Roof

v.

Docket No.26-04

Michael Walsh

Motion to Dismiss for Lack of Standing

Now comes the Respondent, Michael Walsh, who moves to dismiss the objection pursuant to 950 CMR 59.02(2)(d). As grounds therefore, the Respondent asserts that:

Argument

I. The Objector does not have standing

According to the voter registration certificate affixed to the objection, Mr. Roof is registered to vote as a Democrat. For this reason he has no standing. He is not eligible to vote in the Republican Primary for Attorney General. The outcome of this objection does not affect him or his choice for office. Lacking a personal stake, he has no standing.

“We treat standing as an issue of subject matter jurisdiction.” Ginther v. Insur. Co., 427 Mass. 319, 322 (1998). Standing is a threshold matter, which the objector has the burden of proof. Murchison v. Bd. of Appeals of Sherborn, 485 Mas. 209, 213 (2020) (“a plaintiff ultimately bears the burden of establishing standing”). “The question of standing is one of critical significance. `From an early day it has been an established principle in this Commonwealth that only persons who have themselves suffered, or who are in danger of suffering, legal harm can compel the courts to assume the difficult and delicate duty” of

deciding a case. Tax Equity Alliance v. Commissioner of Revenue, 423 Mass. 708, 715 (1996) quoting Doe v. Governor, 381 Mass. 702, 704 (1980).

We point out that the question whether a party has standing to participate in a judicial proceeding is not simply a procedural technicality but rather involves remedial rights affecting the whole of the proceeding. Additionally, whether a party is properly before a tribunal to invoke its judicial powers affects the good order and efficiency with which the matter proceeds....The multiplicity of parties and the increased participation by persons whose rights are at best obscure will, in the absence of exact adherence to requirements as to standing, seriously erode the efficacy of the administrative process. We do not say that increased citizen participation is bad. On the contrary, such interest ensures full review of all issues. However, to preserve orderly administrative processes and judicial review thereof, a party must meet the legal requirements necessary to confer standing.

Save the Bay Inc. v. Dept. of Public Utilities, 366 Mass. 667, 672 (1975)

The SJC has long held this position interpreting election laws. **"But there has been no case holding that a member of one political party has standing to enforce our election statutes in such a way as to challenge the action of members of another political party in making a party nomination."** Madden v. Secretary, 337 Mass. 758 (1958); Kelley v. State Ballot Law Commission, 316 Mass. 512 (1944) (finding objector's voter enrollment certificate invalid for not specifying objector was of the same party as the sought nomination, under prior version of statute). See Also Slama v. Attorney General, 384 Mass. 620, 624 (1981) (applying standing analysis in election cases because "in election cases, it is neither difficult nor impossible for qualified voters to assert their claims"); Barnes v. Secretary, 348 Mass. 671,674 (1965) (plaintiffs had no standing to raise challenge to ballot question's constitutionality as their rights were not effected). The State Ballot Law Commission itself measures for standing. Dyson v. Gillett, SBLC 78-1 (10/2/78) (standing met where challenger lived in district and was registered in same party to challenge primary nomination).

Mr. Roof cannot vote in a Republican primary, he is registered as a Democrat. He is not qualified to vote in the primary election implicated, and therefore he has no personal stake or any legal interest cognizable in the outcome. Lacking standing he cannot bring this claim.

This has a great deal of support in the case law, because primary nominations are intra-party contests. Fulani v. League of Women Voters Educ. Fund, 882 F.2d 621, 629 (2nd Cir. 1989) (“Primary contests, then, are essentially intra-party competitions. Although such candidates are members of the same party, each may have a separate political agenda for the party's future, and they present themselves to those who are eligible to vote in the primary as the candidate who will best represent the party in the general election.”). See Tashjian v. Republican Party, 479 U.S. 208 (1986) (striking down state statute that sought to overrule party rule about who may vote in party primaries); California Democratic Party v Jones, 530 U.S. 567, 120 S.Ct. 2402, 147 L.Ed.2d 502 (2000) (a “nonmember's desire to participate in the party's affairs is overborne by the countervailing and legitimate right of the party to determine its own membership qualifications.”); Democratic Party of United States v. Wisconsin Follette, 450 U.S. 107, 121 (1981) (“And the freedom to associate for the common advancement of political beliefs,...necessarily presupposes the freedom to identify the people who constitute the association, and to limit the association to those people only. Any interference with the freedom of a party is simultaneously an interference with the freedom of its adherents”).

Even if the statute could be read to afford the executive director of the opposing party the right to interfere in the competing party's nomination process, such a reading would not be constitutional.

II. The Objector's Certificate is not in compliance with the Statute

G. L. c. 55B §5 requires that all objections to the Commission be accompanied by a certificate of voter registration. The statute provides a form and requires that the filer's form be "substantially as follows...". G. L. c 55B §5. 950 CMR 59.02(2) ("The objection must also be accompanied by a certificate of voter registration in substantially the form prescribed by M.G.L. c. 55B, § 5").

Kelley v. State Ballot Law Commission, 316 Mass. 512, 515 (1944) ("In the absence of a "certificate of enrolment" in conformity with the statutory requirement, the State ballot law commission had no jurisdiction to consider the objections") (under prior version of st

The certificate is not substantially in the required form. 1) The certificate omits the words "Commonwealth of Massachusetts," 2) the certificate omits Mr. Roof's ward and precinct number, 3) the certificate has a different title, 4) does not have the language "in this city [or town]." Nor are these the only defects. The certificate contains additional information which are in the statutory form.

Conclusion

The Objection must be dismissed for lack of subject-matter jurisdiction

Respectfully Submitted,

Michael Walsh
By his Attorney
/S/ Michael Walsh
Michael Walsh

BBO 681001
Walsh & Walsh LLP
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Lynnfield, MA 01940
617-257-5496
Walsh.lynnfield@gmail.com

Certificate of Service

I, Michael Walsh, certify that a copy of this filing was served on Mr. Roof's Attorney and the SBLC by email and by first class mail postage prepaid on this 10th day of June, 2026.

/S/ Michael Walsh

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

STATE BALLOT LAW COMMISSION
Docket No.

ADAM ROOF,

Objector,

v.

MICHAEL C. WALSH

Respondent.

OBJECTION

This Objection is brought pursuant to M.G.L. c. 55B, sec 4-10.

1. Objector Adam Roof, is a Massachusetts registered voter whose address is 40 Rutland Square, Apartment 4, Boston, MA 02178. See attached Certificate of Voter Registration
2. The Respondent is Michael C. Walsh, a registered Republican voter, whose address is 7 Townsend Road, Lynnfield, MA 01940.
3. The Respondent is a candidate for the Republican nomination to the office of Attorney General.
4. The Respondent filed Nomination Papers with the Secretary of State.
5. Upon examination of the papers the Objector contends that numerous names and addresses of certified signatures were written by the same hand.
6. Upon examination of the papers the Objector contends numerous certified signatures were not signed in person by the voter.
7. Upon examination of the papers the Objector contends numerous certified signatures were signed by people who are not registered voters.
8. Upon examination of the papers the Objector contends numerous certified signatures are signed by people, although registered are not eligible to be registered.
9. Upon examination of the papers the Objector contends numerous certified signatures are non-genuine.

10. Upon examination of the papers the Objector contends numerous certified signatures have been fraudulently obtained.
11. Upon examination of the papers the Objector contends numerous certified signatures are of voters who requested that their name be removed from the petition.
12. Upon examination of the papers the Objector contends numerous certified signatures were certified twice.
13. Upon examination of the papers the Objector contends Respondent submitted less certified signatures than Secretary calculated.
14. Objector contends that the signatures referred to in paragraphs 5-13, should be "stricken" from the Petition.
15. As a result of the striking of the names referred to in paragraphs 5-13 the Respondent does not have the minimum amount of 10,000 certified signatures that are required by law in order to obtain ballot access.

Wherefore, the Objector prays for the following relief:

1. That a hearing be scheduled before the Commission on this Objection.
2. Upon hearing the evidence presented at the hearing, the Commission shall determine that numerous signatures should stricken on the grounds presented in paragraphs 5-13 and that the Respondent does not have the minimum amount of 10,000 certified signatures that are required by law in order to obtain ballot access.
3. Upon having reviewed all of the evidence, it is requested that the Commission enter an Order to the Secretary of State that the name of the Respondent shall not be placed on the Republican Ballot for the Primary to be held on September 1, 2026.
4. And for any other relief which the Commission may deem appropriate.

Respectfully submitted by Objector this 3rd day of June, 2026.



OBJECTOR
ADAM ROOF
40 Rutland Square, Apt. 4
Boston, MA 02178



Election Department

VOTER REGISTRATION CERTIFICATE

We certify that ADAM STEPHEN ROOF
(Voter's name as registered)

is a registered voter at 40 RUTLAND SQ 4 BOSTON, MA 02118
(Voter's address including Street and number and city or town)

and is registered as a Democrat
(Voter's party or political designation)

as of the date of this certificate.

At least three registrars' names must be signed or stamped below.

Ellen E. Rooney

Michael S. Ferris

Janet C. Stovall

June 3rd 2026
(DATE)

REGISTRARS OF VOTERS OR
ELECTION COMMISSIONERS

BOSTON
(CITY OR TOWN)

CERTIFICATE OF SERVICE

I, Adam Roof, hereby certify under penalty of perjury in accordance with 950 CMR 59.02(10) that a true copy of this Objection was served upon the Respondent Michael C. Walsh via certified US Mail at Respondent's mailing address: 7 Townsend Road, Lynnfield, MA 01940. I also certify that a copy of this Objection was served on the following parties: Andrea Joy Campbell, 59 William Bradford Road, Dartmouth, MA 02747; Massachusetts Republican Party, 85 Merrimac Street, Suite 505, Boston, MA 02114; Massachusetts Democratic Party, 11 Beacon Street, Suite 410, Boston, MA 02108.



ADAM ROOF

Commonwealth Of Massachusetts
Supreme Judicial Court For Suffolk County

Suffolk, ss.

Michael Walsh

v.

Docket No. _____

State Ballot Law Commission, Adam Roof,
And Secretary William Galvin in his Official Capacity

EMERGENCY PETITION FOR RELIEF UNDER G. L. c. 211 §3
AND IN THE NATURE OF PROHIBITION, CERTIORARI,
AND MANDAMUS, AND FOR DECLARATORY RELIEF

Petitioner Michael Walsh seeks emergency relief from an ongoing proceeding before the State Ballot Law Commission that has now exceeded the lawful bounds of the Commission's statutory authority.

INTRODUCTION

This emergency petition asks the Single Justice to decide four threshold issues now and order dismissal of the objection pending before the State Ballot Law Commission.

The Commission has already exercised coercive power by compelling discovery against Walsh while refusing to decide the jurisdictional predicates of its own authority. The statutory timetable is compressed. The Commission must render a decision by next Friday or Walsh appears on the ballot by operation of law. The Commission has five short hearing sessions scheduled. There is no practical time for ordinary post-hoc correction.

The Court should not remand for further agency delay. The material facts necessary to decide the threshold issues are either admitted, established by the record, or apparent from the filings. The questions now presented are legal questions appropriate for immediate judicial resolution.

First, the objection is invalid because the Objector failed to comply with the mandatory service requirement of G.L. c. 55B, § 5. That statute required service by registered or certified mail, return receipt requested, not later than the day after filing. It expressly provides that failure to comply "shall invalidate any objection filed with the commission." The Objector has admitted that he did not serve Walsh by certified mail. That admission resolves the dispositive fact. The legal consequence is statutory invalidation. Because G.L. c. 55B, § 4 authorizes Commission action only "upon objection made in accordance with" c. 55B, an invalid objection cannot invoke the Commission's jurisdiction.

Second, the Objector lacks jurisdictional standing. He is registered as a Democrat, is upon information and belief the Executive Director of the Massachusetts Democratic Party, cannot vote in the Republican primary, and seeks to challenge the Republican nomination papers of a Republican candidate for Attorney General. Massachusetts law has not recognized a right by one party's member or officer to police another party's nomination process. The Commission should not have permitted an opposing-party executive to invoke coercive Commission process before deciding whether he has any legally cognizable interest in this Republican nomination.

Third, the Commission was required to order "automatic dismissal" of all allegations involving the validity of signatures because the Objector failed timely to file and deliver the required list of challenged signatures. 950 CMR 59.04 requires a timely list identifying the page and line of each challenged signature and the reason it is alleged to be improper. The purported list was late, delivered after business hours by email, unsupported by copies of the nomination papers, and functionally unusable. The consequence of noncompliance is automatic dismissal of the signature-validity allegations.

Fourth, the objection was not made on good grounds. The objection repeatedly represented that certain allegations were made "upon examination" of Walsh's nomination papers. The Secretary's log now shows that Roof did not personally examine the papers. Whatever his assistant may have done, the Objector did not conduct the examination represented in the objection. A ballot objection cannot be sustained where its asserted grounds are materially inaccurate at the threshold.

Each ground independently requires dismissal or bars the objection from proceeding. Together, they establish that the Commission is acting outside its jurisdiction and contrary to the strict procedural safeguards governing ballot-access objections. Immediate relief in Walsh's favor is required.

The State Ballot Law Commission has chosen to delay responding to Walsh's jurisdictional motions purposefully, in favor of the Objector Roof, despite Roof's failure to follow the law. This, and the shortened time frame and the need to immediately settle the ballot for printing, leave Walsh no choice but to seek extraordinary assistance from the Courts. The Court's intervention is necessary to protect basic ballot access rights and in the public interest.

PARTIES

1. Petitioner Michael Walsh is a candidate for Attorney General of the Commonwealth of Massachusetts.
2. Respondent State Ballot Law Commission is the statutory tribunal charged with adjudicating objections to nomination papers under G.L. c. 55B.
3. Respondent William Francis Galvin is the Secretary of the Commonwealth and is responsible for administering state election ballots, his office also serves as the Secretary of the Commission.

4. Respondent Adam Roof is the objector in the pending SBLC proceeding, docketed as SBLC 26-04.

5. Upon information and belief, Roof is registered as a Democrat and serves as Executive Director of the Massachusetts Democratic Party.

JURISDICTION

6. This Court has wide powers under the superintendence statute.

7. This Court has jurisdiction to grant relief in the nature of prohibition where a quasi-judicial body is exercising or threatening to exercise jurisdiction it does not possess.

7. This Court has jurisdiction to grant relief in the nature of certiorari under G.L. c. 249, § 4 to correct substantial errors of law in quasi-judicial proceedings where no other adequate remedy exists.

8. This Court has jurisdiction to grant relief in the nature of mandamus where a public body acts outside its lawful authority or refuses to perform a duty required by law.

9. This Court also has equitable authority to issue temporary injunctive relief to preserve the status quo and prevent ultra vires agency action.

10. Immediate relief is appropriate because Walsh challenges the Commission's power to proceed, not merely an ordinary discretionary ruling within the Commission's jurisdiction.

11. Immediate relief is also appropriate because the Commission has already exercised coercive process by compelling discovery while leaving jurisdiction unresolved.

12. There is no adequate remedy after final Commission decision because the ballot-access timetable is compressed, discovery obligations are immediate, hearings are imminent, and the Commission must issue a decision by next Friday or Walsh appears on the ballot by operation of law.

FACTUAL BACKGROUND

13. Walsh filed nomination papers for Attorney General.

14. Roof filed an objection to Walsh's nomination papers with the State Ballot Law Commission.

15. G.L. c. 55B, § 5 required Roof, not later than the day after filing the objection, to mail a copy of the objection to Walsh by registered or certified mail, return receipt requested.
16. G.L. c. 55B, § 5 states that failure to comply with that service requirement “shall invalidate any objection filed with the commission.”
17. Roof did not serve Walsh by registered or certified mail, return receipt requested.
18. Instead, Roof sent or attempted to send the objection by email and regular first-class mail.
19. Roof’s certificate of service nonetheless falsely represented that Walsh had been served by certified mail.
20. After Walsh raised the jurisdictional defect, Roof admitted that he did not serve Walsh by certified mail, but argued that regular mail and email should suffice.
21. Walsh moved to dismiss the objection for failure to comply with the mandatory service requirement of G.L. c. 55B, § 5.
22. Walsh also moved to dismiss because Roof failed timely to file and deliver a proper list of challenged signatures.
23. Under 950 CMR 59.04, the objector was required to file and deliver a list of challenged signatures not later than the third weekday before the hearing, showing the page and line where each challenged signature was located and the reason each was alleged to be improper.
24. The purported list was sent after business hours by email, without consent to email service, without copies of the nomination papers, without a usable key, and without sufficient page-and-line information to permit Walsh to identify and defend against the challenged signatures.
25. Walsh also moved to dismiss for lack of standing.
26. Roof is registered as a Democrat and cannot vote in the Republican primary for Attorney General.
27. Roof is also, upon information and belief, the Executive Director of the Massachusetts Democratic Party.
28. Walsh argued that Roof has no cognizable personal stake in the Republican nomination process and cannot invoke the Commission’s power to police the nomination papers of a candidate in an opposing party’s primary. This motion the Commission denied without argument although it was unopposed.
29. On Tuesday, 6/16, following a Commission hearing, the Commission cancelled the hearing scheduled for Wednesday and indicated that it would rule on the pending motions to dismiss before Thursday.

30. On Tuesday, 6/16, at approximately the close of business, the Secretary produced a log identifying persons who reviewed Walsh's nomination papers.
31. The log showed that, contrary to the objection's repeated assertions that the objector's claims were made "upon examination," Roof did not personally review the nomination papers.
32. Walsh moved to strike the objection on the ground that it was not based on good grounds because the objector had not personally examined the papers as represented.
33. Walsh thereafter filed a motion to dismiss on the same grounds.
34. On Wednesday afternoon, 6/17, instead of deciding the pending jurisdictional motions, the Commission granted the objector's pending discovery motions.
35. The Commission granted the objector's motion to compel Walsh to answer interrogatories.
36. Walsh had opposed that motion on the ground that jurisdictional questions must be decided first.
37. The Commission did not grant Walsh's reciprocal discovery motions, including his request for leave to serve interrogatories on the objector.
38. The Commission ruled that all other motions remain pending.
39. The Commission cancelled the Thursday, 6/18, hearing that was previously scheduled, at least as to Walsh.
40. The Commission must render a decision by next Friday, 6/26, or Walsh will appear on the ballot by operation of law.
41. The Commission has scheduled five remaining afternoon hearings of approximately four hours each, 6/22 through 6/26.
42. Unless restrained, the Commission will proceed with discovery, subpoenas, and merits hearings without first resolving whether it has jurisdiction to proceed at all.

COUNT I--RELIEF IN THE NATURE OF PROHIBITION

43. Walsh repeats and realleges the preceding paragraphs.
44. A writ of prohibition is an appropriate method of preventing a quasi-judicial body from exercising jurisdiction it does not possess, according to the case law.
45. The Commission is acting in a quasi-judicial capacity. It is adjudicating a ballot objection, ruling on motions, compelling discovery, considering subpoenas, and preparing for evidentiary hearings that may determine whether a statewide candidate appears on the ballot.

46. The Commission lacks jurisdiction to proceed unless there is a valid objection made in accordance with G.L. c. 55B.
47. There is no valid objection here.
48. G.L. c. 55B, § 5 required service by registered or certified mail, return receipt requested.
49. G.L. c. 55B, § 5 expressly provides that failure to comply “shall invalidate any objection filed with the commission.”
50. Roof admits he did not serve Walsh by certified mail.
51. The objection is therefore invalid.
52. An invalid objection cannot invoke the Commission’s jurisdiction under G.L. c. 55B, § 4.
53. The Commission’s exercise of coercive discovery power on an invalid objection is a clear transgression of its jurisdiction.
54. Relief in the nature of prohibition is necessary to prevent the Commission from proceeding to discovery, subpoenas, and merits hearings where it lacks jurisdiction to make any decision at all.

COUNT II--CERTIORARI — AGENCY ACTION IN EXCESS OF JURISDICTION

55. Walsh repeats and realleges the preceding paragraphs.
56. The Commission’s order compelling discovery before resolving jurisdiction was a substantial error of law.
57. The Commission is a statutory tribunal and possesses only the powers conferred by statute.
58. G.L. c. 55B, § 4 authorizes Commission investigation only “upon objection made in accordance with the provisions of this chapter.”
59. G.L. c. 55B, § 5 establishes a mandatory service requirement and a mandatory consequence for failure to comply.
60. Because Roof did not comply with § 5, the objection was invalidated by statute.
61. The Commission therefore lacks a valid jurisdictional predicate.
62. By compelling discovery anyway, the Commission exercised authority it has not established and does not possess.
63. Certiorari relief is necessary to correct this substantial error of law.

COUNT III--MANDAMUS — JURISDICTION MUST BE DECIDED FIRST

64. Walsh repeats and realleges the preceding paragraphs.

65. Jurisdiction is a threshold issue.

66. A tribunal must determine its jurisdiction before exercising coercive process or imposing litigation burdens on the parties.

67. Walsh squarely raised jurisdictional objections, including invalid service, failure timely to file and deliver a proper challenged-signature list, and lack of standing.

68. The Commission initially recognized that those questions were threshold matters by cancelling a hearing and stating that it would rule on the pending motions to dismiss.

69. The Commission then failed to decide the motions and instead compelled Walsh to answer interrogatories. The Commission has twice postponed ruling on the jurisdictional motions, despite having heard oral argument on Tuesday, when Walsh's counsel appeared, ready for trial, and argued the motions in line with the regulations.

70. The Commission's clerk was also asked by email, within moments of the informal notice of the objection, not to schedule the hearing for 6/16-6/18 because Walsh originally intended to proceed pro se, but had a standing court commitment in Florida. The Commission, on notice of Walsh's scheduling issue, opted to schedule the first hearing days precise while Walsh was out of state, causing a great deal of hassle and consternation.

70. The Commission also did not act, in a timely fashion, on Walsh's motion for a more definite statement. Walsh was compelled to attempt to answer a very vague and uncertain objection, due to the Commission's scheduled timetable, yet the Commission saw fit to cancel hearings and order one-sided discovery, rather than address the jurisdictional issues.

70. The Commission thereby exercised jurisdiction before deciding whether jurisdiction existed.

71. The Commission has a clear legal duty to decide jurisdiction before proceeding further.

72. Relief in the nature of mandamus is appropriate to require the Commission to decide the pending jurisdictional motions before enforcing discovery, issuing subpoenas, or conducting merits hearings.

COUNT IV--DECLARATORY AND INJUNCTIVE RELIEF — INVALID SERVICE INVALIDATED THE OBJECTION

73. Walsh repeats and realleges the preceding paragraphs.

74. An actual controversy exists concerning whether Roof's failure to comply with G.L. c. 55B, § 5 invalidated the objection.

75. The statute is mandatory.
76. The service method is mandatory.
77. The consequence is mandatory.
78. The Legislature did not provide that actual notice, email, regular mail, or lack of prejudice may cure failure to serve by registered or certified mail, return receipt requested.
79. Roof's objection is invalid as a matter of law.
80. Walsh is likely to succeed on the merits of his challenge to the Commission's jurisdiction.
81. Walsh will suffer irreparable harm absent emergency relief because the Commission's proceeding will impose immediate discovery burdens, potential subpoenas, and compressed merits hearings on an invalid objection while impairing Walsh's ballot access and campaign activity.
82. The balance of harms favors Walsh because the objector has no legitimate interest in prosecuting an invalid objection, while Walsh has a substantial interest in avoiding unauthorized ballot-access litigation.
83. The public interest favors strict compliance with the election statutes and regulations governing ballot access.
84. The public interest is not served by allowing a statutory tribunal to proceed on an objection that the statute declares invalid.

COUNT V--THE CHALLENGED-SIGNATURE LIST WAS UNTIMELY AND INSUFFICIENT

85. Walsh repeats and realleges the preceding paragraphs.
86. 950 CMR 59.04 requires an objector to file and deliver a list of challenged signatures not later than the third weekday before the hearing.
87. The list must identify the page and line of each challenged signature and state the reason each is alleged to be improper.
88. This requirement protects the respondent's substantial right to prepare a defense in a compressed ballot-access proceeding.
89. Roof did not timely file and deliver a usable list.

90. Roof did not, in accordance with the regulatory requirement, deliver the list to Walsh in a timely fashion. Instead he mailed it, late, missing the fact that the regulations require **delivery** not service.

90. The purported list was sent after business hours, by email, without consent to email service.

91. The purported list lacked a usable key and did not provide Walsh with an adequate way to identify the challenged signatures.

92. The objector did not provide copies of the challenged nomination papers.

93. The list therefore did not provide Walsh with the notice and preparation time required by the regulation.

94. The Commission should have dismissed the allegations involving signature validity rather than compelling discovery.

COUNT VI—THE OBJECTOR LACKS STANDING

95. Walsh repeats and realleges the preceding paragraphs.

96. Standing is a threshold jurisdictional requirement.

97. Roof is registered as a Democrat.

98. Roof is, upon information and belief, the Executive Director of the Massachusetts Democratic Party.

99. Walsh is a Republican candidate for Attorney General.

100. Roof cannot vote in the Republican primary for Attorney General. He is not therefore a “voter” as to the Republican Nomination

101. Roof is not a Republican voter, Republican candidate, Republican party officer, or participant in the Republican primary process.

102. Roof’s asserted interest is, at most, the generalized political interest of an opposing-party operative in the identity of the Republican nominee.

103. Massachusetts law has not recognized such an interest as sufficient to permit one party’s member or officer to challenge another party’s nomination process.

104. The Commission therefore should have resolved Walsh’s standing objection before allowing Roof to use Commission process to compel discovery from Walsh.

105. By granting the objector's discovery motions while leaving standing unresolved, the Commission allowed an objector of disputed standing to exercise the coercive process of the Commission before determining whether he may invoke that process at all.

COUNT VII--DUE PROCESS AND UNEQUAL PROCEDURAL TREATMENT

106. Walsh repeats and realleges the preceding paragraphs.

107. Ballot-objection proceedings operate on unusually compressed timelines.

108. The strict statutory and regulatory rules governing objections are designed to protect both the public interest in lawful elections and the candidate's right to prepare a defense.

109. The objector failed timely to deliver a usable list of challenged signatures.

110. The Commission nevertheless granted the objector's discovery motions.

111. The Commission compelled Walsh to answer interrogatories.

112. The Commission did not grant Walsh's reciprocal request for interrogatories.

113. The Commission left Walsh's pending jurisdictional and threshold motions unresolved.

114. This asymmetrical process is particularly prejudicial in a proceeding that must be completed by next Friday.

115. The Commission may not allow the objector to use discovery to repair an invalid or defective objection after the statutory deadlines have passed.

116. Nor may the Commission impose one-sided discovery burdens before resolving whether it has jurisdiction to proceed.

COUNT VIII—THE OBJECTION WAS NOT BASED ON GOOD GROUNDS

117. Walsh repeats and realleges the preceding paragraphs.

118. The objection repeatedly asserts that certain grounds were based "upon examination" of Walsh's nomination papers.

119. The Secretary's access log shows that Roof did not personally examine the nomination papers.

120. Although another person associated with the objector may have reviewed papers, Roof himself did not conduct the examination represented in the objection.

121. The objection therefore rests on a materially inaccurate premise.

122. In the context of the Commission's compressed schedule and strict procedural rules, an objection not personally grounded in the objector's examination, despite representing otherwise, cannot satisfy the requirement that objections be made on good grounds.

123. The Commission should have resolved this threshold challenge before granting discovery or requiring Walsh to answer interrogatories.

REQUEST FOR RELIEF

WHEREFORE, Petitioner Michael Walsh respectfully requests that the Single Justice:

A. Declare that Objector Adam Roof failed to comply with the mandatory service requirement of G.L. c. 55B, § 5 because he did not serve Walsh by registered or certified mail, return receipt requested;

B. Declare that Roof's failure to comply with G.L. c. 55B, § 5 invalidated the objection filed with the State Ballot Law Commission;

C. Declare that an objection invalidated under G.L. c. 55B, § 5 is not an objection made in accordance with c. 55B and therefore cannot invoke the Commission's authority under G.L. c. 55B, § 4;

D. Issue relief in the nature of prohibition barring the State Ballot Law Commission from conducting further proceedings on Roof's invalid objection;

E. Order the State Ballot Law Commission to dismiss Roof's objection;

F. Declare that Roof lacks standing to challenge Walsh's Republican nomination papers because Roof is registered as a Democrat, cannot vote in the Republican primary, and asserts no legally cognizable interest distinct from partisan opposition to the Republican candidate;

G. Declare that the Commission lacks jurisdiction to proceed on an objection filed by an objector without standing;

H. Declare that the Objector failed timely to file and deliver a proper list of challenged signatures under 950 CMR 59.04;

I. Order automatic dismissal of all allegations involving the validity of signatures for failure to timely file and deliver the required challenged-signature list;

J. Declare that the objection was not made on good grounds where it represented that allegations were made "upon examination" of Walsh's nomination papers, but the Secretary's review log shows that Roof did not personally examine the papers;

K. Vacate the Commission's order compelling Walsh to answer interrogatories;

L. Vacate or quash any subpoenas or discovery orders issued in SBLC 26-04;

M. Order the Secretary of the Commonwealth not to remove Walsh from the ballot, or otherwise alter Walsh's ballot status, based on Roof's invalid objection;

N. Grant such other relief as justice requires.

Respectfully Submitted,
/S/ Michael Walsh
Michael Walsh
BBO 681001
Walsh & Walsh LLP
PO Box 9
Lynnfield, MA 01940
617-257-5496
Walsh.lynnfield@gmail.com

Commonwealth of Massachusetts
Supreme Judicial Court for Suffolk County

Suffolk, ss.

Michael Walsh

SJ-2026-0255

v.

State Ballot Law Commission, et al

EMERGENCY MOTION FOR IMMEDIATE JUDGMENT OR,
IN THE ALTERNATIVE, TEMPORARY RELIEF

Background

Up through June 1, 2026, Michael Walsh filed nomination papers for the Office of Attorney General, to run in the Republican primary. His papers contained roughly 10,723 certified signatures. On June 3, 2026, Mr. Adam Roof filed an objection to the nomination papers alleging deficiencies in the signatures.¹

The objection triggered a compressed ballot-access proceeding. The Commission must issue a decision by the statutory deadline or Walsh appears on the ballot by operation of law. The Commission has scheduled multiple remaining afternoon hearing sessions in an effort to complete the matter before that deadline.

Walsh filed several threshold motions to dismiss. First, Walsh moved to dismiss because Roof failed to comply with the mandatory service requirement of G.L. c. 55B, § 5. That statute requires an objector, not later than the day after filing the objection, to mail a copy of the objection to the challenged candidate by registered or certified mail, return receipt requested. The statute further provides that “[f]ailure to do so shall invalidate any objection filed with the commission.”

Roof did not serve Walsh by registered or certified mail, return receipt requested. Instead, Roof served or attempted to serve Walsh by email and regular first-class mail. Roof’s certificate

¹ Mr. Roof is believed to be the professional Executive Director of the Massachusetts Democratic Party.

of service represented that Walsh had been served by certified mail, but Roof later admitted that certified mail was not used.² Thus, on the service issue, the material fact necessary to decide the threshold jurisdictional question is admitted.

Walsh also moved to dismiss for lack of standing. Roof is registered as a Democrat and, upon information and belief, is the Executive Director of the Massachusetts Democratic Party. Walsh is a Republican candidate for Attorney General, and Roof seeks to challenge Walsh's Republican nomination papers. Roof cannot vote in the Republican primary and has no legally cognizable interest in the Republican nomination process distinct from partisan opposition to Walsh.

Walsh further moved to dismiss the signature-validity allegations because Roof failed timely to file and deliver the challenged-signature list required by 950 CMR 59.04. The purported list was delivered after business hours, by email, without consent to email service, without copies of the challenged nomination papers, without a usable key, and without adequate page-and-line identification sufficient to allow Walsh to prepare his defense.

After those motions were pending, the Secretary produced a log identifying persons who reviewed Walsh's nomination papers. The log showed that Roof did not personally examine Walsh's nomination papers. Walsh therefore moved to strike the objection and moved to dismiss on the ground that the objection was not made on good grounds, because several allegations were represented as made "upon examination" even though Roof himself did not examine the papers.

Argument

I. Immediate judicial relief is available because the Commission is acting beyond its jurisdiction and has already exercised coercive power—the Saint Luke's Exception

² Mr. Roof's submission, at the order of the Commission, revealed that Mr. Roof's assistant, the Deputy Political Director of the Massachusetts Democratic Party, Alex Barusch took the items to the post office.

Immediate judicial relief is available because this case falls within the settled Massachusetts exception permitting court intervention where an administrative or quasi-judicial body is proceeding beyond the scope of its authority. Walsh does not seek ordinary interlocutory review of an evidentiary ruling or discretionary scheduling order. He seeks relief from a statutory tribunal that has already exercised coercive power in a proceeding where the jurisdictional predicate is invalid on admitted facts.

The governing principle is longstanding. In St. Luke's Hospital v. Labor Relations Commission, 320 Mass. 467 (1946), the Supreme Judicial Court recognized that judicial interference with pending administrative proceedings will be rare, but may be necessary where “the board is dealing with a matter that is clearly beyond the scope of its authority.” In that circumstance, a party “may challenge the jurisdiction of the board by invoking the aid of the courts and need not wait until the board has made a final order.” *Id.*

Hathaway Bakeries v. Labor Relations Commission, 316 Mass. 136 (1944), states the same rule in terms of prohibition. A writ of prohibition lies to restrain a court or quasi-judicial body from acting outside its jurisdiction where there is no other adequate remedy. Its function is not to correct ordinary error by a tribunal that has jurisdiction, but to prevent a tribunal from proceeding where it has “no power to make any decision” at all. *Id.* The Commission here is acting in a quasi-judicial capacity. It is adjudicating a ballot objection, ruling on motions, compelling discovery, authorizing third-party discovery, and preparing for evidentiary hearings that may determine whether a statewide candidate appears on the ballot.

Massachusetts Bay Transportation Authority v. Labor Relations Commission, 356 Mass. 563 (1970), confirms that prohibition is an appropriate method of preventing a quasi-judicial body from exercising jurisdiction it does not possess, and of determining whether jurisdiction exists.

Ciszewski v. Industrial Accident Board, 367 Mass. 135 (1975), likewise confirms that exhaustion is not required where administrative remedies would be inadequate or futile, especially where no agency fact-finding is required and the controversy concerns the agency's authority under its enabling statute. Lahey Clinic Foundation, Inc. v. Health Facilities Appeals Board, 376 Mass. 359 (1978), recognizes the same exception for cases where an administrative board is dealing with a matter clearly beyond the scope of its authority, and further recognizes that equitable relief may be available where an agency is acting in violation of law and irreparable injury is threatened.

This case fits those authorities. The Commission is a statutory tribunal. It has no general power to investigate nomination papers unless its statutory jurisdiction has been invoked. G.L. c. 55B, § 4 authorizes Commission action only “upon objection made in accordance with the provisions of this chapter.” The objection here was not made in accordance with c. 55B because the Objector failed to comply with the mandatory service requirement of G.L. c. 55B, § 5. Section 5 required the Objector to mail a copy of the objection to Walsh by registered or certified mail, return receipt requested, not later than the day after filing. It then provides that “**[f]ailure to do so shall invalidate any objection filed with the commission.**”

The Objector has admitted the necessary factual predicate: he did not serve Walsh by certified mail. The remaining issue is purely legal. If § 5 means what it says, the objection is invalid. And if the objection is invalid, there is no objection “made in accordance with” c. 55B sufficient to invoke the Commission's jurisdiction under § 4. No further agency fact-finding is required to decide that question.

Nor is Walsh required to wait for a final Commission decision. The Commission has already gone beyond merely considering whether it has jurisdiction. It has exercised jurisdiction. After Walsh raised jurisdictional challenges and opposed discovery on the ground that jurisdiction

must be decided first, the Commission compelled Walsh to answer interrogatories and granted discovery in favor of the Objector, including third-party discovery. At the same time, it left Walsh's jurisdictional motions unresolved.

That action creates present and irreparable harm. A discovery order is coercive process. It imposes legal obligations, compels participation, and allows the Objector to use Commission power against Walsh before the Commission has determined whether the Objector filed a valid objection or has standing to proceed. In a compressed ballot-access proceeding, that harm cannot be remedied adequately after final decision. The Commission must decide by next Friday or Walsh appears on the ballot by operation of law. The Commission has scheduled five short hearing sessions. Discovery, subpoenas, and merits preparation are immediate. By the time ordinary review could occur, the statutory protection against invalid objections would have been lost.

This is therefore not a case about exhaustion or administrative autonomy. It is a case about jurisdiction. The Court need not supervise the Commission's discretion. It need only enforce the statutory limits on the Commission's power. Where the admitted facts establish the service defect, and where the statute supplies the consequence of invalidation, the Court may decide the issue now.

Immediate judicial relief is available and necessary. The Single Justice should exercise jurisdiction, declare the objection invalid, prohibit further Commission proceedings on the objection, vacate the discovery orders entered without a valid jurisdictional predicate, and order dismissal.

II. The objection is invalid and the Commission lacks jurisdiction because the Objector admittedly failed to serve Walsh by registered or certified mail, return receipt requested, as required by G.L. c. 55B, § 5.

The Commission lacks jurisdiction because the Objector failed to comply with the mandatory service requirement of G.L. c. 55B, § 5. That statute does not merely require some form of notice. It requires a specific method of service, within a specific time, and supplies a specific consequence for noncompliance.

The statute 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 (emphasis added).

The Commission's regulation repeats the same requirement: "Not later than the day after an objection is filed, the objector shall mail a copy of the objection to the respondent by registered or certified mail, return receipt requested." 950 CMR 59.02(4)(a).

The Objector did not comply. Walsh moved to dismiss on this ground, showing that the Objector served, at most, by email and regular first-class mail, not by registered or certified mail, return receipt requested. The motion further stated that the Objector's certificate of service represented certified-mail service even though the actual mailing was regular first-class mail. The Objector has since admitted the decisive fact: he did not serve Walsh by certified mail.³

³ After the motion to dismiss had been pending before the Commission for some days, the Commission ordered a response on or about June 11, 2025 by 5PM. The response from the Objector disclose an affidavit from Mr. Alex Baurusch who said he went to the postal counter, asked some unknown unnamed postal employee to send all the notices by certified mail, but that they did not do so. Contrary to the defective certificate of service which states that all other notices (to AG Andrea Campbell, and the MassDems and MassGOP) were going regular first class mail and the notice to Walsh was going certified mail return receipt. Mr. Baurusch also averred that he had never sent mail by certified mail before. The remaining portions of the response argued that email service should qualify, despite the express text of the statute. The Objector also argued that the old 1977 statute should be interpreted in light of the modern conveniences of email and the internet.

That admission ends the matter. The remaining question is one of law: whether email and regular mail may substitute for the method the Legislature required where the statute expressly states that failure to comply “shall invalidate” the objection. They may not.

The statutory text is mandatory in three separate respects. First, the objector “shall” mail the objection to the candidate not later than the day after filing. Second, the objector must use “registered or certified mail, return receipt requested.” Third, failure to comply “shall invalidate” the objection. The Legislature therefore specified both the required act and the consequence of failure.⁴

The Court must apply that consequence as written. The Legislature did not say that failure to use certified or registered mail invalidates the objection only if the candidate proves prejudice. It did not say actual notice is enough. It did not say email is sufficient. It did not permit regular first-class mail. It chose a specific method designed to create a reliable, neutral record of timely service in a compressed ballot-access proceeding.

The Commission cannot rewrite that statutory command into a harmless-error rule. When the Legislature specifies a service requirement and then specifies the consequence for noncompliance, neither the Commission nor the Objector may substitute a different rule. The service requirement is not a technicality. It is a statutory condition for maintaining an objection that can threaten a candidate’s place on the ballot.

Nor can the Objector’s claim of actual notice cure the defect. Actual notice and statutory service are not the same thing. Actual notice may explain why Walsh learned of the attempted objection, but it does not transform an invalid objection into a valid one. The Commission’s

⁴ The Respondent also contended below, as he does here, that the Commission has always treated this as jurisdictional. The statute and regulation also require the Secretary and Commission to separately notify the candidate, but the requirement that the Objector provide service in a particular manner and that it is jurisdictional, is not superfluous.

authority depends on a valid objection made in accordance with c. 55B, not on whether the candidate happened to receive informal notice by some other means.

That point is reinforced by G.L. c. 55B, § 4. The Commission may investigate nomination papers only “upon objection made in accordance with the provisions of this chapter.” An objection invalidated by § 5 is not an objection made in accordance with the chapter. It is a legal nullity for purposes of invoking the Commission’s adjudicatory power.

The Commission’s own precedent treats statutory service defects as jurisdictional. Walsh’s motion cited Long v. McCormack, S.B.L.C. 88-13, and Long v. Tierney, S.B.L.C. 88-14, for the proposition that improper mailing deprived the Commission of jurisdiction, as well as Chafee v. Trump, S.B.L.C. 24-01, which recognized that failure to comply with mandatory statutory and procedural notice requirements subjects objections to dismissal.

The result is straightforward. The Objector did not serve Walsh by registered or certified mail, return receipt requested. Section 5 says failure to do so invalidates the objection. Section 4 allows the Commission to proceed only upon an objection made in accordance with c. 55B. Therefore, the Commission lacks jurisdiction.

Because the necessary factual predicate is admitted, no remand or further agency fact-finding is needed. The Single Justice should declare the objection invalid, prohibit further Commission proceedings on that objection, vacate discovery orders entered without a valid jurisdictional predicate, and order dismissal.

III. The objection must be dismissed because the Objector lacks standing to challenge the Republican nomination process.

The objection must also be dismissed because the Objector lacks standing to challenge Walsh’s Republican nomination papers. Standing is jurisdictional. A party who lacks a cognizable

legal interest cannot invoke the adjudicatory power of the Commission. Walsh made a motion below to this effect and the Commission, without any filed opposition, summarily denied it.

The Objector is registered as a Democrat, according to the voter registration certificate he obtained and filed. He is, upon information and belief, the Executive Director of the Massachusetts Democratic Party. Walsh is a Republican candidate for Attorney General. The challenged nomination papers concern Walsh's access to the Republican primary ballot. The Objector cannot vote in that Republican primary. He is not a Republican voter, Republican candidate, Republican committee, Republican party officer, or participant in the Republican nomination process.

His asserted interest is therefore not a legal interest in the Republican nomination process. It is, at most, the political interest of an opposing-party operative in disqualifying a Republican candidate.

That is not standing.

Massachusetts standing doctrine requires a legally cognizable stake, not a generalized political interest. "We treat standing as an issue of subject matter jurisdiction." Ginther v. Commissioner of Insur., 427 Mass. 319, 322 (1998). Standing is a threshold matter, which the objector has the burden of proof. Murchison v. Bd. of Appeals of Sherborn, 485 Mas. 209, 213 (2020) ("a plaintiff ultimately bears the burden of establishing standing"). The Objector has not carried that burden.

The SJC's election-law decisions confirm the point. In Madden v. Secretary of the Commonwealth, 337 Mass. 758 (1958), the Court stated that **"there has been no case holding that a member of one political party has standing to enforce our election statutes in such a way as to challenge the action of members of another political party in making a party nomination."** (emphasis added). That observation is directly applicable here. Roof is not

attempting to vindicate his own right to vote in a primary. He is attempting to challenge the nomination papers of a candidate in another party's primary.

Kelley v. State Ballot Law Commission, 316 Mass. 512 (1944), reinforces the jurisdictional nature of party-status requirements in ballot objections. There, the Court held that the absence of a proper certificate of party enrollment deprived the Commission of jurisdiction to consider objections under the then-applicable statutory scheme. The decision confirms that party status is not an incidental fact in primary-nomination objections. It is jurisdictional to the Commission's authority. *See Also* Slama v. Attorney General, 384 Mass. 620, 624 (1981) (applying standing analysis in election cases because "in election cases, it is neither difficult nor impossible for qualified voters to assert their claims"); Barnes v. Secretary, 348 Mass. 671,674 (1965) (plaintiffs had no standing to raise challenge to ballot question's constitutionality as their rights were not effected).

The Commission's own precedent follows the same line. In Dyson v. Gillett, SBLC 78-1, the Commission found standing where the challenger lived in the district and was registered in the same party as the challenged primary nomination. That case is important because it shows the relevant limiting principle. Same-party standing is one thing. Rival-party intervention in another party's nomination process is another.

This case is the opposite of Dyson. Roof is not a voter in the Republican primary. He is not a member of the party whose nomination process is being challenged. He is the executive director of the opposing political party. His interest is not participation in the Republican nomination process but partisan advantage in the general election.

Allowing such an objection would undermine the structure of party nominations. Primary nominations are intra-party processes. The voters eligible to participate in a party primary, the

candidates seeking that party's nomination, and the party's own associational interests are directly affected by who appears on that primary ballot. A rival-party official has no comparable participatory right. To the contrary, permitting an opposing-party executive to invoke Commission process to challenge another party's nomination papers would allow one party to police, burden, and potentially distort the nomination process of its opponent.

This has a great deal of support in the case law, because primary nominations are intra-party contests. Fulani v. League of Women Voters Educ. Fund, 882 F.2d 621, 629 (2nd Cir. 1989) ("Primary contests, then, are essentially intra-party competitions. Although such candidates are members of the same party, each may have a separate political agenda for the party's future, and they present themselves to those who are eligible to vote in the primary as the candidate who will best represent the party in the general election."). See Tashjian v. Republican Party, 479 U.S. 208 (1986) (striking down state statute that sought to overrule party rule about who may vote in party primaries); California Democratic Party v Jones, 530 U.S. 567, 120 S.Ct. 2402, 147 L.Ed.2d 502 (2000) (a "nonmember's desire to participate in the party's affairs is overborne by the countervailing and legitimate right of the party to determine its own membership qualifications."); Democratic Party of United States v. Wisconsin Follette, 450 U.S. 107, 121 (1981) ("And the freedom to associate for the common advancement of political beliefs,...necessarily presupposes the freedom to identify the people who constitute the association, and to limit the association to those people only. Any interference with the freedom of a party is simultaneously an interference with the freedom of its adherents").

A construction of the statute allowing cross-party interference should be avoided. If G.L. c. 55B, § 5 were read to permit the executive director of the Democratic Party to challenge the Republican nomination process simply because he is a registered voter somewhere in the

Commonwealth, the statute would raise serious associational concerns. Political parties have a protected interest in determining their own nominees and in structuring their own nomination contests. A nonmember's desire to affect another party's primary is not equivalent to the rights of the party or its voters to choose their nominee.

The Objector may argue that c. 55B permits "any registered voter" of the relevant district to file an objection. But that statutory phrase cannot be read in isolation or without regard to standing. A filing prerequisite is not the same thing as a legally cognizable interest in the particular objection being brought. At minimum, where the objection concerns a party nomination, the objector must have a party nexus sufficient to show that he is protecting his own participatory rights, not merely interfering with an opposing party's candidate selection.

Roof lacks that nexus. He cannot vote in the Republican primary. He is not part of the Republican nomination process. He has identified no injury distinct from partisan opposition to Walsh. His role as Executive Director of the Massachusetts Democratic Party underscores the problem rather than curing it.

Standing is a threshold jurisdictional issue. The Commission could not properly allow Roof to use its coercive discovery process before deciding whether he had standing to invoke that process. By granting discovery in favor of an opposing-party objector while leaving standing unresolved, the Commission allowed a person of disputed jurisdictional status to exercise public power against a rival-party candidate.

The Single Justice should hold that Roof lacks standing to challenge Walsh's Republican nomination papers and order dismissal of the objection.

IV. The Commission was required to order automatic dismissal of the signature-validity allegations because the Objector failed timely to file and deliver the challenged-signature list required by 950 CMR 59.04.

Even apart from the jurisdictional service and standing defects, the Commission was required to dismiss the signature-validity allegations because the Objector failed timely to file and deliver the challenged-signature list required by 950 CMR 59.04(1)(f). The Objector's efforts were wildly insufficient and ineffective.⁵

The regulation is specific. "Not later than the third weekday before the date of the hearing," the objector must file and deliver to the respondent a list of all signatures on the nomination papers that are drawn in question by the objection. 950 CMR 59.04(1)(f). That list must show the page and line where each challenged signature is located and the reason why each signature is alleged to be improper.

This requirement is not decorative. It is the essential notice mechanism in a compressed ballot-objection proceeding. A candidate facing a signature challenge has only a few days to identify the challenged signatures, compare them against nomination papers, contact signers if necessary, review municipal certifications, prepare witnesses, and defend ballot access. The challenged-signature list is what permits that defense to occur.

"Failure to file and deliver such list will result in the Commission's automatic dismissal of any allegations involving the validity of those signatures." MCLE, *Massachusetts Election*

⁵ Pursuant to Statute and Regulation, the Secretary's Office on behalf of the Commission marked up the case for hearing on Tuesday June 16, 2026 in the afternoon. The Respondent, in his motion below, contended as he does here that the "no later than three weekdays" language is intended to guarantee a responding candidate three full weekdays to prepare a defense. Thus the list should have been filed with the Secretary and delivered (in hand or by sufficient pre-mailing actually received) to Walsh by 9AM on Thursday, June 11, 2026. The Objector's counsel emailed a list (without the key to the page numbers) about 6pm on Thursday and the certificate of service indicates that it was mailed first class mail the same day (and not received until Monday June 15th). The Commissioner's regulations, not recognizing email service despite their recent amendment in 2016, provide only for hand delivery or first class mail service (for subsequent filings). The regulation does provide that if hand delivery is made after business hours, the filing is treated as filed the next day (Friday) which all agree was too late. 950 CMR 59.02(8)(b)(2) (in a section termed "timely filing" dealing with different methods of service). When Walsh wrote to complain of this, the Objector's counsel, about noontime on Friday June 12th provided a google drive link which apparently held copies of the papers and the page number key.

Administration, Campaign Finance. And Lobbying Law (5th Ed. 2020) §9.11.3 citing Hurst v. State Ballot Law Comm'n, 427 Mass. 825 (1998).

Likewise, if the list is not sufficiently detailed or delivered timely, it calls for dismissal. “Failure to supply such information affects the respondent’s substantial rights to prepare their case...The Commission requires strict adherence to this rule, given the unusually brief procedural schedule under G.L. c. 55B, §§ 8, 9, and 10.” MCLE, *Massachusetts Election Administration, Campaign Finance. And Lobbying Law* (5th Ed. 2020) §9.11.3 citing Pieroni v. Garron, S.B.L.C. 98-6 (June 18, 1998); Schmidt v. Onessimo, S.B.L.C. 86-2, at 2 (June 16, 1986); Harvey v. Truro, S.B.L.C. 82-3 (June 10, 1982).

The Objector did not comply. Walsh’s motion to dismiss explained that the purported list was emailed after business hours, contained no usable key, did not include copies of the challenged pages, and failed to provide a practical method for identifying the signatures actually challenged. In larger communities, including Attleboro and North Attleboro, the purported challenges were scattered among hundreds of signatures, yet the list did not allow Walsh to determine which signatures were actually at issue.

A list that forces the respondent to guess is not the list required by the regulation. The rule requires page, line, and reason. It does not permit a cryptic index using unexplained internal page numbers. It does not allow an objector to shift the burden to the candidate to reconstruct the objection. And it does not allow a late, after-hours email to substitute for timely delivery of a usable list.

The timing defect independently requires dismissal. The regulation says the list must be filed and delivered “not later than” the third weekday before the hearing. That requirement exists to guarantee the respondent meaningful time to prepare. Service after business hours by email,

without consent to email service, did not provide Walsh the preparation period required by the regulation. Nor did regular mail cure the problem; the certificate of service reflected mailing, but actual delivery would occur later, after the regulatory deadline and too late to protect Walsh's preparation rights.

The consequence of this failure is "automatic dismissal" of the allegations involving the validity of signatures. "Our cases require automatic dismissal under these circumstances, since this failure obviously 'affects' the respondent's 'substantial rights' to prepare his case." Long v. McCormack, S.B.L.C. 88-13 (June 32, 1988) at 2. Walsh's motion cited the Massachusetts election-law treatise and SBLC precedent recognizing that failure to file and deliver the required list results in automatic dismissal of signature-validity allegations. The reason is obvious: failure to supply a timely and usable list affects the respondent's substantial rights to prepare a defense. In ballot-access proceedings, strict adherence is required because the schedule is unusually compressed.

This rule also prevents the objector from using discovery to repair a defective objection. The challenged-signature list is due before the hearing precisely so that the case can proceed on defined issues. An objector who fails timely to identify the challenged signatures cannot later cure that failure through interrogatories, subpoenas, municipal records requests, or evidentiary hearings. Discovery may test properly noticed challenges; it may not create them after the deadline.

The Commission therefore had no discretion to allow the signature-validity allegations to proceed. At minimum, even if the Court did not dismiss the entire objection on service or standing grounds, the signature-validity allegations had to be dismissed automatically because the Objector failed to comply with 950 CMR 59.04.

The Single Justice should order dismissal of all allegations involving the validity of signatures.

V. The objection must be dismissed because it was not made on good grounds: the Objector represented that allegations were made “upon examination,” but the Secretary’s log shows that he did not personally examine the nomination papers.

The objection must also be dismissed because it was not made on good grounds. The statutory objection process is not a license to file speculative allegations and then use Commission discovery to find out whether they might be true. A ballot objection must be grounded when filed.

That requirement matters especially in proceedings before the State Ballot Law Commission. Ballot objections operate on compressed statutory deadlines. They can disrupt campaigns, burden candidates, require emergency hearings, and threaten ballot access. For that reason, the statutes and regulations require objectors to proceed with specificity, timeliness, and good faith. An objection unsupported by good grounds is not a valid invocation of the Commission’s process.

Here, the objection repeatedly asserted that several grounds were made “upon examination” of Walsh’s nomination papers. That representation was material. It told the Commission, the Secretary, and Walsh that the Objector had personally reviewed the nomination papers and was asserting defects based on that examination.

The Secretary’s review log now shows otherwise. Roof did not personally examine Walsh’s nomination papers. The Objector’s assistant may have reviewed materials, but Roof did not conduct the examination that the objection represented as the basis for its allegations.

That defect is not harmless. The objection did not merely say that the Objector was informed by another person, or that allegations were made on information and belief after investigation by an agent. It affirmatively stated that the allegations were made “upon

examination.” Where the Objector did not examine the papers, the stated foundation for the objection was materially inaccurate.

The distinction is important. The Commission’s process is triggered by an objection, not by an open-ended investigation. The Objector’s grounds must exist when the objection is filed. The Objector cannot file broad accusations of fraud, non-genuine signatures, duplicate certifications, ineligible voters, and other defects while misrepresenting the basis for those accusations, and then attempt to use discovery to generate the grounds that were missing at the outset.

Nor can the Objector cure the problem by pointing to an assistant’s review after the fact. The objection was filed by Roof. The certification, responsibility, and statutory role belong to the Objector. If Roof’s allegations were based on another person’s review, the objection should have said so. Instead, the objection represented that its allegations were made “upon examination.” The Secretary’s log shows that representation was not true as to Roof.

This is particularly troubling because the allegations are serious. The objection accuses Walsh’s nomination papers of numerous defects, including non-genuine signatures and fraud-related allegations. Allegations of that nature should not be allowed to proceed unless the Objector can show that they were made on a real, contemporaneous, good-ground basis. A party should not be permitted to launch a ballot challenge through materially inaccurate assertions and then rely on Commission subpoenas, interrogatories, and third-party discovery to search for support.

The Commission’s discovery ruling compounds the problem. Instead of requiring the Objector to establish the grounds for the objection as filed, the Commission granted discovery in favor of the Objector and compelled Walsh to answer interrogatories. That permits the Objector to use Commission process to build a case that the objection did not properly ground at the outset.

The law should not allow that sequence. The objection process is not meant to be a fishing expedition. It is a statutory mechanism for resolving timely, specific, and properly grounded objections. Where the stated foundation of the objection is materially inaccurate, and where the Objector did not personally conduct the examination represented in the pleading, the objection was not made on good grounds.

The Single Justice should dismiss the objection on this ground as well.

VI. The Commission's order compelling discovery before deciding the jurisdictional issues confirms the need for immediate relief and should be vacated.

The Commission's discovery order confirms the need for immediate judicial relief. The Commission did not merely delay ruling on Walsh's jurisdictional motions. It exercised coercive power while leaving those motions unresolved.

That matters. A discovery order is not ministerial. It is an assertion of adjudicatory authority. It imposes legal obligations on a party, authorizes one side to obtain information by compulsory process, and requires participation in the tribunal's proceedings. Where jurisdiction is disputed, compelling discovery necessarily assumes the very power being challenged.

Walsh squarely raised that objection. He opposed the Objector's motion to compel on the ground that discovery was premature because jurisdictional issues had to be decided first. Walsh's opposition cited the rule that jurisdiction is a threshold matter, that subject-matter jurisdiction cannot be conferred by consent or waiver, and that a tribunal should not force a party to litigate in a forum whose power to act remains unresolved.

"The requirement that jurisdiction be established as a threshold matter "spring[s] from the nature and limits of the judicial power of the United States" and is "inflexible and without exception." Steel Co. v. Citizens for Better Environment, 523 U.S. 83, 94-95 (1998) *quoting*

Mansfield, C. & L. M. R. Co. v. Swan, 111 U. S. 379, 382 (1884). Massachusetts Courts hold likewise that jurisdictional issues come first. “Because the question of subject matter jurisdiction goes to the power of the court to hear and decide the matter, we consider that question first...” Ginther v. Commissioner of Ins., 427 Mass. 319 (1998).

The Commission nevertheless granted the Objector’s discovery motions. It compelled Walsh to answer interrogatories. It granted discovery in favor of the Objector, including discovery aimed at third parties. At the same time, it left Walsh’s jurisdictional motions unresolved and did not grant Walsh’s reciprocal request to serve interrogatories on the Objector.

"Without jurisdiction the court cannot proceed at all in any cause. Jurisdiction is power to declare the law, and when it ceases to exist, the only function remaining to the court is that of announcing the fact and dismissing the cause." Steel Co. v. Citizens for a Better Environment, 523 U.S. 83, 94 (1998), quoting Ex parte McCardle, 74 U.S. (7 Wall.) 506 (1868). If jurisdiction is lacking, orders entered without jurisdiction are void or of no effect. The tribunal should therefore avoid compelling discovery before jurisdiction is established. Fortunato (“any judgment ... would be void and have no effect”); Sullivan v. Smith, 90 Mass.App.Ct. 743 (2016) (“A judgment is void if the court from which it issues lacked jurisdiction over the parties”).

That sequence is incompatible with the jurisdiction-first rule. If the Commission lacked jurisdiction, it lacked power to compel discovery. If the objection was invalid under G.L. c. 55B, § 5, the Commission had no valid predicate to impose discovery obligations at all. And if the Objector lacked standing, he had no right to invoke Commission process against Walsh.

The order compelling discovery therefore operates as a de facto assertion of jurisdiction. The Commission may describe the motions to dismiss as still “pending,” but substance controls. By granting coercive discovery to the Objector, the Commission proceeded as though the objection

were valid enough to support the Commission's power. That is effectively a denial of the protection Walsh sought in his jurisdictional motions.

The harm is immediate. Walsh is now subject to discovery obligations in a ballot-access proceeding that may be jurisdictionally void. The Objector has received the benefit of Commission process before establishing that he filed a valid objection, timely delivered a proper challenged-signature list, or possesses standing. In a compressed election proceeding, that cannot be cured later. The statutory deadline is close, hearings are imminent, and discovery burdens will shape the merits presentation before the threshold defects are ever resolved.

The asymmetry of the Commission's ruling reinforces the prejudice. The Commission granted discovery to the Objector but did not grant Walsh's reciprocal request for interrogatories. Thus, while the Objector is permitted to use discovery to expand or support his objection, Walsh is denied reciprocal tools to test the Objector's standing, good grounds, communications, factual basis, and investigation. That is not a neutral preservation of the status quo. It is one-sided litigation power in a proceeding whose jurisdictional foundation remains disputed.

The Commission's order should be vacated. A tribunal cannot compel a party to litigate first and decide jurisdiction later. Nor can an objector use discovery to cure or supplement defects in an objection that was invalid or unsupported when filed. The proper course is dismissal of the objection on the threshold grounds already presented. At minimum, the discovery order cannot stand because it was entered before the Commission established its authority to proceed.

The Single Justice should vacate the order compelling Walsh to answer interrogatories and any related discovery or subpoena orders, and should order dismissal of the objection.

VII. The Equities and Public Interest favor immediate dismissal

The equities and public interest favor immediate dismissal. This case concerns the enforcement of mandatory ballot-objection rules enacted to protect both candidates and the public.

Walsh does not ask this Court to excuse noncompliance with the election laws. He asks the Court to enforce them. G.L. c. 55B, § 5 required the Objector to serve the objection by registered or certified mail, return receipt requested, and expressly provides that failure to do so invalidates the objection. The public interest is served when election statutes are applied as written.

The Objector has no legitimate reliance interest in prosecuting an objection that the statute declares invalid. Nor is the public harmed by requiring an objector to comply with the statutory prerequisites for invoking the Commission's jurisdiction. Those prerequisites exist because ballot challenges are serious. They can disrupt campaigns, burden candidates, and affect the voters' choices. Strict compliance protects the integrity of the process.

By contrast, Walsh faces immediate and irreparable harm if the objection proceeds. The Commission has compelled discovery, authorized discovery in favor of the Objector, left jurisdictional motions unresolved, and is operating under a compressed deadline. If the proceedings continue, Walsh will be forced to litigate ballot access under an invalid objection during the very period in which he should be campaigning. That harm cannot be adequately remedied after the Commission's statutory deadline has passed.

The public interest also favors preventing one-sided use of Commission process before jurisdiction is established. The Commission's discovery order grants the Objector the benefit of coercive process while denying Walsh reciprocal discovery and while leaving unresolved whether the Objector validly invoked the Commission's jurisdiction at all. That is not a neutral election process.

Immediate dismissal would not interfere with a valid ballot objection. It would recognize that no valid objection exists. The statutory consequence of the admitted service failure is

invalidation. Once the objection is invalid, the Commission has no jurisdictional predicate to proceed, and the equities favor bringing the matter to an end now.

Nor can the Commission preserve its jurisdictional motions in name while allowing the Objector to obtain the benefits of jurisdiction in practice. The Objector may not use discovery to cure an objection that was invalid when filed. The Commission may not use discovery to postpone deciding whether there is a valid objection at all. And the Commission may not compel Walsh to participate in a proceeding whose jurisdictional foundation remains unresolved.

For purposes of emergency relief, the Commission's discovery orders should be treated as a de facto denial of Walsh's jurisdictional motions, or at least as a de facto assertion of jurisdiction sufficient to permit immediate judicial review. The Single Justice should decide the threshold issues now and order dismissal. The Plaintiffs will shortly file a statement of facts and appendix of documents before the Commission to verify the assertions herein.

Respectfully Submitted,

Michael Walsh
BBO 681001
Walsh & Walsh LLP
PO Box 9
Lynnfield, MA 01940
617-257-5496
Walsh.lynnfield@gmail.com

Certificate of Service

I, Michael Walsh hereby certify that a copy of this was served upon the parties, Atty Corrigan and the Secretary and State Ballot Law Commission, by email and first class mail on this 18th day of June, 2026.

/S/ Michael Walsh

Commonwealth of Massachusetts

Supreme Judicial Court for Suffolk County

Suffolk, ss.

Michael Walsh

V.

SJ-2026-0248

State Ballot Law Commission, Adam Roof,
And Secretary William Galvin

**Response of Adam Roof, Objector in SBLC Docket No, 26-04
to Walsh Filing In Above Case**

Michael Walsh filed an emergency petition for relief to the Single Justice on June 18, 2026, and the Single Justice asked for responses by tomorrow, June 26.

In Walsh's words, "this emergency petition asks the Single Justice to decide four threshold issues now and order dismissal of the objection before the State Ballot Law Commission." He went on to list multiple perceived grievances in a 123-paragraph filing, and requested that this Court prevent the State Ballot Law Commission from hearing Adam Roof's challenge to the validity of his nomination papers.

The State Ballot Law Commission held its hearing in SBLC Docket No. 26-04 on June 23, and Objector Roof presented evidence that more than 1,000 of Walsh's signatures were non-genuine forgeries. The proceedings concluded after approximately 3 hours of testimony. By statute, the Commission must render its decision by tomorrow, June 26.

Objector Roof responds to the June 18 filing as follows:

1. This matter as filed will be moot as of the Commission's decision.
2. This filing was an inappropriate, premature, and untimely attempt to prevent the State Ballot Law Commission from doing its work, which must be completed in timely fashion to allow for the printing of ballots for the September 1 primary election.

3. If the State Ballot Law Commission decision is adverse to Mr. Walsh, he has appeal rights under Chapter 55B of the General Laws.
4. Even if this were a timely filing, Objector Roof should not be considered an opposing party. The State Ballot Law Commission, after it renders its decision, would be the opposing party to the party appealing the Commission's decision.

We therefore request dismissal of SJ-2026-255.

Respectfully,

ADAM ROOF, by his attorney

John J. Corrigan, Jr. /s/
BBO #554521
Corrigan Law Office
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Brookline, MA 02446
(617) 529-7776
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CERTIFICATE OF SERVICE

I hereby certify that this Response was filed on June 25, 2026 by email, and copies were sent by email to Michael C. Walsh, and Michelle Tassinari, as clerk of the State Ballot Law Commission.

John J. Corrigan, Jr. /s/



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Elections Division

June 26, 2026

Via email only: Amy.Stewart@jud.state.ma.us

Amy C. Stewart
First Assistant Clerk
Office of Clerk Allison S. Cartwright
Supreme Judicial Court for the County of Suffolk
John Adams Courthouse
1 Pemberton Square
Boston, MA 02108

RE: Walsh v. State Ballot Law Commission, et al, SJ-2026-0255

Dear Clerk Stewart,

On behalf of the State Ballot Law Commission (Commission) and William Francis Galvin, in his official capacity as the Secretary of the Commonwealth of Massachusetts, I submit this letter response to the petition filed by Michael Walsh on June 18, 2026. It is our understanding that Justice Wolohojian is seeking a response to the petition by Friday, June 26, 2026. Both the Commission and Secretary Galvin are seeking an extension to respond for the reasons set forth below.

The first issue is representation. As Mr. Walsh is a candidate for Attorney General, the Attorney General's office has identified a conflict and is unable to represent either the State Ballot Law Commission or Secretary Galvin. We are working to find counsel to be appointed as Special Assistant Attorneys General as quickly as possible, but thus far have not yet been able to do so in light of the necessary conflicts vetting process.

The second issue is regarding timing generally. The Commission has strict statutory timelines by which they must render their decisions. Under the provisions of General Laws chapter 55B, section 10, the Commission must render a decision in this matter by Friday, June 26, 2026. Mr. Walsh's Motion to Dismiss for Lack of Standing was denied on June 10, 2026. Mr. Walsh's remaining motions to dismiss were heard by the Commission at a hearing on June 16, 2026, and taken under advisement. The Commission concluded their hearings in this matter on June 23rd and will include rulings

on the motions as part of the decision that will be released on June 26th. Until the Commission's decision has issued, Mr. Walsh's action is premature.

Third, depending on the Commission's decision, this case may be moot. Further, under the provisions of General Laws chapter 55B, section 4, petitions for judicial review of decisions of the Commission shall be filed in the court within five (5) days after receipt of the notice of the final decision, which would be July 1st. Accordingly, the adversely affected party may file for judicial review, which would be a different action than this, but also rendering this action moot.

Given the above mentioned considerations, the Commission and Secretary Galvin are respectfully requesting an extension until July 2, 2026 to file a response. By that time, the Commission will have rendered a decision and an appeal, if any, will have been filed.

Thank you for your consideration in this matter. Please do not hesitate to contact me with any additional questions or concerns.

Very truly yours,



Michelle K. Tassinari
First Deputy Secretary
Director/Legal Counsel
Elections Division