

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

SJ No. _____

Essex Superior Court Docket No. 2677CV00822

ANNE MANNING-MARTIN

Petitioner,

v.

STATE BALLOT LAW COMMISSION

Respondent.

EMERGENCY PETITION OF ANNE MANNING-MARTING UNDER G.L. c. 211, § 3
TO VACATE SUPERIOR COURT ORDER AND JUDGMENT

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Dated: July 13, 2026

NOW COMES Anne Manning-Martin, Petitioner and submits her Reply to the State Ballot Law Commission's ("SBLC") Opposition to her Motion for Judgment on the Pleadings regarding the SBLC's June 26, 2026 decision that Petitioner Anne Manning-Martin's name be excluded as a candidate for the Republican Primary for Lt. Governor on the ground that she failed to garner 10,000 certified voter signatures, disallowing 1,279 of the 10,692 she had timely submitted to the Secretary of State's Office. See M.G.L. c. 53, § 44 (2024 ed.); Commission's Decision, at 20. As a result, there will be no contest in the Republican Primary for Lt. Governor because Objector Shawn Oliver will be the voters' only choice. By their June 26, 2026 Decision, the SBLC disenfranchised more than 10,000 voters who signed Petitioner's nomination papers.

To uphold the SBLC's decision, the SBLC asks this Court to:

- ignore every decision the SBLC has ever made;
- ignore the evidence;
- consider evidence that was never introduced; and
- rely on conjecture from unreliable sources, including newspapers.

Consider this: if the evidence of forged signatures is so "overwhelming" as the SBLC claims, why is the record devoid of any evidence of forgery?

When it comes to questioned signatures, the benefit of the doubt is in favor of validity. McCarthy v. Secretary of the Commonwealth, 371 Mass. 667 (1977)(citing legislative intent of G.L.c. 53, § 7). The Commission has applied standards analogous to those used by the courts, given the nature of Commission proceedings. Lam v. Conner, S.B.L.C. 90-7 (June 20, 1990). 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 v. Sec'y of the

Commonwealth, 371 Mass. at 684.

When it comes to questioned signatures, the benefit of the doubt is in favor of validity. McCarthy v. Secretary of the Commonwealth, 371 Mass. 667 (1977)(citing legislative intent of G.L.c. 53, § 7). 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 v. Sec'y of the Commonwealth, 371 Mass. at 684.

On June 26, 2026, the State Ballot Law Commission (the "SBLC") ruled that Petitioner Anne Manning-Martin's name be excluded as a candidate for the Republican Primary for Lt. Governor on the ground that she failed to garner 10,000 certified voter signatures, disallowing 1,279 of the 10,692 she had timely submitted to the Secretary of State's Office. See M.G.L. c. 53, § 44 (2024 ed.); Atty. Commission's Decision, at 20. As a result, there will be no contest in the Republican Primary for Lt. Governor because Objector Shawn Oliver will be the voters' only choice. By their June 26, 2026 Decision the SBLC disenfranchised more than 10,000 voters who signed Petitioner's nomination papers.

To qualify to have her name printed on the ballot, she must have filed 10,000 certified signatures with the Office of Secretary of the Commonwealth by 5:00 p.m. on June 2, 2026. Petitioner filed 10,692 certified signatures with the Office of Secretary of the Commonwealth by 5:00 p.m. on June 2, 2026 as well as all of the other required paperwork.

As is set forth below, the SBLC's decision should be overturned because it violated her constitutional right to ballot access, had no jurisdiction over the matters, it made errors of law, it failed to require live testimony of witnesses disavowing their signatures, it relied on information that was outside of the record, it ignored evidence, it improperly allowed documents and testimony into

evidence, it interfered with Petitioner's ability to defend herself, its decision was not based on substantial evidence, was not in conformity with the law, it improperly took judicial notice, it drew improper inferences, misinterpreted the facts and the law, and ruled in the Objectors' favor despite their failure to prove their cases with substantial evidence and to meet their burden by preponderance of the evidence.

In ruling in the Objectors' favor, the SBLC abandoned every standard set for adjudicatory agencies: it failed to follow the law; it replaced the Objectors' legally insufficient case with their own legally insufficient case, by relying on information that wasn't in evidence, taking improper judicial notice, and drawing improper inferences. The SBLC was self-aware, however, as illustrated by its footnote that they were limiting their departures from the law to this case. Commission's Decision, at 4, n.1.

I. Introduction

Anne Manning-Martin, Republican Candidate for Lt. Governor, seeks emergency relief from this Court. In a few days, the Secretary of the Commonwealth must begin the process of printing ballots for the September primaries in order to meet a deadline established by federal law. If this Court does not take action before that time, Anne Manning-Martin's name will not appear on the Republican Party state primary ballot despite having met all of the statutory requirements.

The Secretary of the Commonwealth (the "Secretary") is responsible for, among many other duties, the printing of ballots for state elections, including primary elections. *See* G.L. c. 53, § 32; G.L. c. 54, § 40. A candidate who wishes to appear on a ballot must submit a certain number of certified signatures of voters to the Secretary by a date certain before the election. For Lt. Governor, the number is 10,000. G.L. c. 53, § 44. Manning-Martin garnered 10,692 certified signatures.

Following certification by local officials, candidates are responsible for filing nomination papers with the Secretary. *See* G.L. c. 53, § 48. The entity with authority to investigate whether signatures are genuine is the State Ballot Law Commission. More specifically, the Commission “may investigate upon objection made in accordance with the provisions of this chapter the legality, validity, completeness and accuracy of all nomination papers and actions required by law to give candidates access to a state ballot.” G.L. c. 55B, § 4.

Adjudicatory hearings before the Commission are governed by regulations: 950 CMR 59.00. “Evidence may be admitted and given probative effect only if it is the kind of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs.” 950 CMR 59.05(1)(g)2.a.

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

II. The Commission’s Decision.

1. On Friday, June 5, 2026, Objector SHAWN OLIVER filed a timely Objection under M.G.L. c. 55B, §5, that is, a signature challenge action to Petitioner’s nomination papers, with the SBLC.

2. The envelope containing Oliver’s objection contained no US postmark indicating the date it was mailed, and the SBLC made no finding that Oliver mailed the Objection to the Petitioner by June 6. Commission’s Decision at 3.

3. The SBLC found that Oliver mailed the Petitioner his Objection by certified mail based on the return of a “green card” return receipt dated June 15 but did not find that it had been mailed by June 6 by certified mail. Commission’s Decision at 3 and 4.

4. Instead, the SBLC found that the Petitioner was not prejudiced because Manning-Martin received the Objection in a timely manner. Commission’s Decision at 3 and 4, and n.1.

5. The front of the envelope containing Oliver's Objection shows that it has no mailing address and no USPS postmark. Nor does it disclose indicia that it was mailed by certified mail or even processed by the post office.

6. The back of the envelope shows an UNPROCESSED Certified Mail Receipt, PS Form 3800, affixed thereto, which shows no proof of payment for postage or certified mail, no "Sent to" address, no postmark and no USPS cancellation mark. Also affixed to the back of the envelope is affixed the Certified Mail bar code with the USPS tracking number of 9589 0710 5270 2944 5180 82. Id. The white form indicates that the envelope may be tracked by the tracking number at USPS.com.

7. Utilizing the U.S. Post Office website, the tracking number was entered into the search engine.

8. The U.S. Post Office tracking search engine revealed for this tracking number that:

"Tracking Not Available

Tracking is not available for this item. This may be because the tracking number is invalid; USPS has not yet received payment; USPS has not yet received the item; the item does not include tracking; or other reasons."

9. On June 11, 2026, Shawn Oliver served a coded list of Specific Objections, that did not contain the names of any of the people whose signatures were being challenged, claiming more than 1,500 of the signatures appearing on the Petitioner's nomination papers were forged, and did not serve the enumerated pages to which the coded list referred until after 5:00 p.m.

10. By the end of the hearing, Oliver reduced the number of signatures he was challenging to 711 from the Town of Weymouth.

11. Oliver conceded that the remaining 739 voter signatures from Weymouth were valid.

12. Oliver did not introduce live testimony from even a single voter who disavowed the signatures that were attributed to them on Petitioner's nomination papers.

13. Oliver did not introduce voter signature cards against which the signatures on

Petitioner's nomination papers could be compared.

14. Oliver's handwriting expert's testimony and report were rejected by the Commission. Commission's Decision at 12-13.

15. Aidan Carey, Political Director of the Massachusetts GOP, testified that the Massachusetts GOP maintains a database, called "Numinar," containing the names and addresses of Republican and unenrolled voters registered in Massachusetts. This list is available to authorized individuals and groups to assist them with, among other matters, identifying voters to support their candidates and collecting signatures for nomination papers. Commission's Decision at 9.

16. The Commission noted that the "Numinar list" was never introduced into evidence. Commission's Decision. It likewise was never marked for identification nor produced at the hearing.

17. Evidence was introduced that the nomination papers for signature collection were circulating as early as February of 2026, months before the Numinar list was created. Transcript.

18. Evidence was also introduced through testimony of both Aidan Carey and Marc Steffen that prior to being downloaded on April 30, 2026, if a Numinar list existed, it could have been reordered in the order of Petitioner's pre-existing filled-out nomination papers and then downloaded into an Excel spreadsheet in the exact order of Petitioner's nomination papers. Transcript.

19. Evidence was introduced through Aiden Carey, Marc Steffen, their expert Howard Hubschman, and a volunteer signature gatherer that it is common for signature gatherers to collect signatures for more than one candidate at the same time and that the signatures on their sets of nomination papers would be in the same order. Transcript.

20. Testimony was also given that from at least two of the above that they witnessed signature gatherers gathering signatures for more than one candidate at the Republican convention

and at other events where registered voters would line up and sign one candidate's papers after the other in a row, resulting their signatures to be in the same order. Transcript.

21. The SBLC found that on or about April 30, 2026, a list containing voter names for the town of Weymouth was exported by Joseph Bronske. On or about May 15, 2026, Mr. Bronske's credentials were terminated. Commissioner's Decision at 9-10.

22. The SBLC stated that Anne Brensley did not turn in enough signatures to have her name placed on the ballot for the Republican nomination for Lieutenant Governor, and that she testified that she engaged the services of Joseph Bronske to collect signatures on her nomination papers in connection with her candidacy. The SBLC found that the MassGOP sent an electronic copy of the Weymouth voter list that Bronske had downloaded to Brensley who compared it to the signatures appearing on her Weymouth nomination papers that Bronske had collected and found that the names on her nomination papers to be in the same order as they appeared in the spreadsheet of voter names that the MassGOP had sent her and conceded that the electronic list was not in evidence. The SBLC noted that Brensley concluded that the signatures were forged. Commission's Decision at 10-11 and 17-18.

23. The SBLC noted that Brensley knew that Mr. Bronske was circulating nomination papers for other Republican candidates, including the Petitioner. Commission's Decision at 10-11 and 17-18.

24. Harold Hubschman of SignatureDrive.com testified as an expert witness in signature gathering and submitted a written report. Commission's Decision. Mr. Hubschman testified that he was not being paid for his testimony and had received no promise of payment or future work in connection with this proceeding. Commissioner's Decision at 15-16. Mr. Hubschman had already been paid \$65,000 to gather signatures for Oliver and at the time he took the stand he was owed another \$100,000 to \$125,000 for the services he rendered. Transcript.

25. The SBLC credited Mr. Hubschman's testimony accepted his report into evidence and noted that Mr. Hubschman testified that he was provided with the "same" Numinar list, even though it had not come into evidence, which he compared to the names on the Petitioner's nomination papers and to nomination papers submitted by Michael Walsh, Republican candidate for Attorney General. Commissioner's Decision at 16 and n. 6.

26. Michael Walsh's papers were not in evidence, but the SBLC took judicial notice of them, Commissioner's Decision at 12. without prior notice to the parties, which is legal error. .

27. The SBLC found that even though the Numinar list of Weymouth voters used in Mr. Hubschman's report is not in evidence, the same "Numinar list" was used as a basis for his analysis and conclusions. Commissioner's Decision at 16 n. 6.

28. The SBLC adopted Hubschman's conclusions there 657 certified signatures on 29 of Petitioner's Weymouth nomination papers are in the identical order to 29 corresponding Pages of Michael Walsh's. Commissioner's Decision at 12. The SBLC adopted Mr. Hubschman's conclusion that these signatures are likely fraudulent because they were in the same order. Id.

29. The SBLC adopted Mr. Hubschman's numbers and did not deduct from these numbers the signatures that both Roof and Oliver agreed were valid. The 29 Pages that Hubschman identified as invalid contained 634¹ signatures that Oliver had admitted were valid. The remaining pages that Hubschman said were identical to the Numinar list not in evidence contained 622 signatures that Oliver already admitted were valid. Commissioner's Decision at 12at 12.

30. Likewise, the Commission noted Mr. Hubschman's conclusion that there are 622 additional certified Weymouth signatures on Petitioner's nomination papers that are in the exact order as they appear in the Numinar list, which was not in evidence. The SBLC noted Mr.

¹ Hubschman made a math error here due to a double count of page 27, as detailed below. He also improperly included 38 signatures that had already been marked as invalid by the city and town clerks, bringing the true number to 596.

Hubschman’s conclusion that these signatures are likely fraudulent because of the order they are in. Commissioner’s Decision at 12.

31. Based solely on the testimony of Brensley and Hubschman about the order of their observations of Numinar list, but not the list itself, and order of the signatures on Walsh’s and Petitioner’s signatures, the SBLC invalidated a total of 1,279 of Petitioner’s 10,692 signatures—657 because they were in the same order as Mr. Walsh’s nomination papers from Weymouth and an additional 622 signatures from Weymouth because they are in the same order as the mysterious Numinar list, reducing Petitioner’s signatures to 9,413 remaining valid signatures, below the 10,000 requirement. The SBLC did not invalidate signatures from any other city or town. Commissioner’s Decision at 15-20.

32. The SBLC upheld both Objections and ordered that Anne Manning-Martin’s name not be printed on the ballot for the Republican Primary. Commissioner’s Decision at 20.

III. The Superior Court Decision

At the end of the day on Friday July 10, 2026, the Superior Court issued its judgment, but did not issue its memorandum of decisions, indicating it would do so on Monday, July 13. *See* Addendum. The Superior Court upheld the Commission’s decision on the jurisdictional question, and presumably also on substantive grounds, affirming the Commission’s decision to strike 1277 of Manning-Martin’s certified signatures on the grounds that they were forged.

IV. Extraordinary Relief is Justified

Relief under G. L. c. 211, § 3, is warranted where, as here, the Petitioner presents a substantial claim and where ordinary appellate review would not provide an effective remedy. This Court has the power of “general superintendence of all courts of inferior jurisdiction to correct and prevent errors and abuses therein if no other remedy is expressly provided.” G. L. c. 211, § 3.

Although relief under G. L. c. 211, § 3, is extraordinary, it is available where a petitioner demonstrates both “a substantial claim of violation of [the petitioner’s] substantive rights” and an “error that cannot be remedied under the ordinary review process” (citations omitted). Dunbrack v. Commonwealth, 398 Mass. 502, 504 (1986). The rights at stake in this case are not only those of the Petitioner’s to ballot access, but also those of the thousands of voters, whose signatures are valid, whose voices are being extinguished by having a minority of signatures being invalidated as a result of legal errors.

A final decision in this matter is needed by July 14, 2026 unless the Commonwealth seeks an extension under the UOCAVA Act. 52 U.S.C. § 20302(g). Federal law requires ballots to be transmitted to military and overseas voters no later than forty-five days before the election. That date is July 18, 2026. Given the complexities of producing ballots as laid out in the Secretary’s submission, the names that will appear on the ballot must be known by July 14, 2026. Petition seeks an order from this Court ordering the Commonwealth to seek a hardship waiver under 52 U.S.C. § 20302(g) which is justified because a ballot dispute is one of the articulated hardship reasons written into the statute. 52 U.S.C. § 20302 (2)(B)(ii).²

The appeals process, in the usual course, cannot be completed by July 14, 2026.

The relevant inquiry is not whether some theoretical method of later review exists, but whether that review would be effective. See Doe v. Doe, 399 Mass. 1006, 1006 (1987). Where delay itself would cause the loss of the rights at issue, such as Manning-Martin’s right to run for office, ordinary appellate review is inadequate, and this Court’s superintendence power is properly invoked.

Manning-Marting seeks G. L. c. 211, § 3, relief because, without this Court’s immediate

² While the federal statute indicates that the 45-day deadline and the waiver therefrom apply to elections for federal office, a federal office includes Congress, which is on the ballot every even-numbered year, like this one. See 52 USC § 20310(3).

intervention, there will not be any review.

V. **The Superior Court made the same legal errors the Commission made by affirming its decision to remove Manning-Marting's name from the ballot.**

The outcome of this case is determined by this Court's consideration of a few points of law. The Court reviews questions of law *de novo*. See Berry v. Commonwealth, 497 Mass. 261, 264 (2026). The answers to these legal questions determine whether over 10,000 voters' signatures should be ignored and Manning-Martin's name should be removed from the ballot, she being their choice for Lt. Governor, or whether their signatures should be honored and Manning-Martin's name remains on the primary ballot.

1. **The Commission had no jurisdiction because (a) the Objection was not mailed by June 6 by certified mail and (b) the list of Specific Objections was inadequate and untimely.**

(a) Oliver failed to mail his Objection by certified mail to Petitioner by June 6 depriving the SBLC of jurisdiction.

The SBLC has no authority to remove Petitioner's name from the ballot because the SBLC had no jurisdiction where Oliver failed to timely serve his Objection by certified mail upon Petitioner—failure to timely serve by certified mail is jurisdictional, not optional and not subject to liberal interpretation. The SBLC's enacting statute is M.G.L. c. 55B. Under M.G.L. c. 55B, §5,

[a]nyone 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 . . . such objection is made. **Failure to do so shall invalidate any objection filed with the commission.**

(emphasis added); 950 CMR 59.02(4)(a).

Failure to serve the Objection by certified mail by the day after the Objection is filed is not merely a technicality—it deprives the SBLC of jurisdiction. See Long v. McCormack, SBLC 88-13 (June 21, 1988) (holding that improper service deprived SBLC of jurisdiction); Long v. Tierney, SBLC 88-14 (June 21, 1988)(same). The SBLC's statutory and procedural notice requirements are

“mandatory” and failure to comply are fatal to the Objection requiring dismissal. Chafee v. Trump, SBLC 24-01 (January 22, 2024).

Because the Objectors’ rights are created by statute, the statute alone determines the procedural requirements necessary to effect the Objection. See Town of Falmouth v. Civil Service Commission, 64 Mass. App. Ct. 606 (2005); Assessors of Boston v. Suffolk Law Sch., 295 Mass. 489, 492 (1936); Old Colony R.R. v. Assessors of Quincy, 305 Mass. 509, 511-512 (1940). M.G.L. c. 55B creates the Objector’s rights, when.

a remedy has been created by statute and the time within which it must be pursued is one of the prescribed conditions under which it can be availed of, the [SBLC] has no jurisdiction to entertain proceedings for relief begun at a later time.

See Cheney v. Assessors of Dover, 205 Mass. 501, 503 (1910). “If the requirements of the statute are not specifically followed, the aggrieved person loses the benefit of the remedy.” Town of Falmouth, 64 Mass. App. Ct. 606. The date of mailing is the controlling date because “the explicit language of such legislative intent” is in the statutory language. Id.; see Assessors of Salem v. State Tax Comm’n., 371 Mass. 410, 412 (1976); Tilcon Mass., Inc. v. Commissioner of Rev., 30 Mass. App. Ct. 264, 269 (1991). G.L. c. 55B, § 5 contains the specific requirement that an action before the SBLC can only take place if the Petitioner is served with the Objection by certified mail by the day after the Objector files his Objection.

Oliver did not comply with the jurisdictional requirement to mail his Objection by certified mail to Petitioner by June 6. Oliver did not mail his Objection by certified mail--unsuccessful attempt to do so resulted in him not being able to prove the objection by June 6, by certified mail or otherwise.

The SBLC exceeds its authority and commits legal error in taking jurisdiction over these Objections when it has none. The SBLC reasoned that it has the power to make procedural rules to conduct its mandate and manage its proceedings. Court’s considering this reasoning reject it

because the agency's organic statute that gives the agency the right to make rules doesn't give it the right to expand its jurisdiction, for:

the promulgation of rules applicable to proceedings for which the commission has already properly taken jurisdiction, rather than as authorizing rules for determining when the commission takes jurisdiction. In the absence of statutory authorization, the commission through its . . . hearing rules cannot modify the statutorily prescribed time limits

Town of Falmouth, 64 Mass. App. Ct. 606, citing Curley v. Lynn, 408 Mass. 39, 41-42 (1990). “The determination of the commission’s jurisdiction is left exclusively to the statute.” Id., see Assessors of Marlborough v. Commissioner of Rev., 383 Mass. 876 (1981); Tilcon Mass., Inc. v. Commissioner of Rev., 30 Mass. App. Ct. at 269.

The SBLC’s reliance on Swift v. Board of Registrars of Voters of Quincy, 281 Mass. 271, 276 (1932) to justify its expansion of its own jurisdiction is misplaced. Swift had nothing to do with an agency’s power to expand its own jurisdiction despite contrary statutory language. However, Swift is instructive on this point: that the SBLC should not interpret election laws in such a way as to disenfranchise voters. But that is exactly what the SBLC is doing: by allowing Oliver and Roof to proceed with their Objections despite their acts depriving the SBLC of jurisdiction they are disenfranchising 10,692 Massachusetts voters of their right to sign nomination papers to put their choice of candidate on the primary election ballot so that they can then vote for her.

Oliver failed to supply any objective proof that he mailed the Objections by June 6, namely the filled-out white proof of mailing with a timely cancellation mark from the post office and the tracking information tied to a twenty two-digit USPS certified mail tracking number showing that that the envelope in question was mailed certified and when it was mailed. See e.g., Desh, Inc. v. Commissioner of Revenue, 104 Mass. App. Ct. 1111 (2024) (laying out the indicia for certified mail and the evidentiary force thereof).

Rather than dismiss his Objection, the SBLC ruled that timely service by certified mail was

not required because Petitioner received the Objection in a timely manner. This is a clear error of law—the SBLC was deprived of jurisdiction, and the Objection must be dismissed. As a matter of law, the issue is not when the Objection was received, it only matters when the Objection was mailed by certified mail, and only if it is proven that it was mailed on time that the SBLC’s jurisdiction is triggered. This is not merely a service issue which can be cleared up by actual notice so long as there is no prejudice—this is a jurisdictional issue, and the SBLC has no power to change its own jurisdiction.

The SBLC deemed Oliver’s mailing as having been mailed certified but failed to make a finding that it was mailed timely. The SBLC’s finding regarding Oliver’s manner of mailing is against the weight of the evidence and was legal error. As important though, is that there was no finding that he mailed the Objection by June 6 and there was no proof of mailing by June 6 as none of the materials submitted by Oliver were postmarked by June 6, other than by private postage meter which is not a substitute for a USPS postmark. The only postmark on any of the materials Oliver submitted was on the green card, which shows a mailing date of June 13, a full week too late. Regarding the timing of service, the SBLC only found that, based on the Objector’s law firm’s secretary’s affidavit, the Objection was dropped in a bin in the law office mail room. No finding was made as to when.

The Affidavit, meant to support Objector’s contention that he mailed the Objection by certified mail actually proves that he didn’t. The case law in this area is very clear: private metered postage is not proof of date of mailing. Town of Rockland v. Civil Service Commission, 99 Mass. App. Ct. 1127 (2021). The Town of Rockland court emphasized that under Massachusetts Standard Adjudicatory Rules of Practice and Procedure (801 CMR § 1.01(4)(b)), a document is only legally “deemed filed on the date of the postmark.” As of December 24, 2025, the USPS amended its Domestic Mail Manual (Section 608.11)(1.1.3, 1.1.4) to clarify that an official postmark now

indicates the date the mail is processed at a regional sorting hub, *not* the day it was dropped into a local mailbox. Oliver's paperwork reveals no USPS postmark, and the failure of tracking shows that it was never sent by certified mail. Visually, there is no difference between the envelope that contained Oliver's objection with one that was simply hand-delivered—there is no indication whatsoever that it actually came through the mail.

b. The SBLC has no authority to remove Petitioner's name from the ballot because it was deprived of jurisdiction when Oliver failed to timely serve adequate Specific Objections.

The SBLC has no authority to remove Petitioner's name from the ballot because it was deprived of jurisdiction when Oliver failed to timely serve his Specific Objections—failure to timely serve Specific Objections is jurisdictional.

The SBLC'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 SBLC acknowledged in its decision that its cases require automatic dismissal, or in this case, exclusion of the signature challenges not supplied in a timely fashion, since the failure to supply such information "affects" the Petitioner's "substantial rights" to prepare her 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 SBLC noted that it 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 SBLC).

The deadline is not optional. "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 Administration, Campaign Finance and Lobbying Law (5th Ed. 2020) §9.11.3, citing Hurst v. State Ballot Law Comm’n, 427 Mass. 825 (1998). “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.

The SBLC also noted that it has long held that compliance with the 950 CMR 59.04(1)(f) is mandatory. The SBLC simply ignored the requirement. The SBLC denied Petitioner’s second Motion to Dismiss for Oliver’s failure to serve 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. The list itself did not contain even one signature—it was a coded list of numbers referencing enumerated pages that Oliver did not supply until after the 5:00 p.m. deadline violating 950 CMR 59.04(1)(f). The SBLC’s decision amounted to legal error because it said that providing the signatures in question are not required in direct violation of the specific language of the regulation, which states that a list of “signatures” must be served.

An Objector must file and deliver a detailed list of signatures showing the page and line where each signature is located “[n]ot later than the third weekday before the date of the hearing.” 950 CMR 59.04(1)(f), which in this case is June 11 by 5:00 p.m. Oliver didn’t serve the required materials on time. . It is not for the Petitioner to guess what signatures Oliver is referring to, it is for Oliver to supply them.

Oliver provided his nonsensical list prior to 5:00 p.m. but did not provide the papers to which the list referred until after the 5:00 p.m. deadline. Oliver’s Objection must be dismissed for failing to provide the Specific Objections to the Petitioner by the deadline.

2. The SBLC committed legal errors when it sustained Oliver's Objection because he did not produce substantial evidence in the form of live witness testimony, the SBLC rejected its handwriting expert's opinion, and he didn't present any extrinsic evidence demonstrating that 693 signatures were invalid.

The SBLC committed legal errors when it sustained Oliver's Objection because he did not produce substantial evidence in the form of live witness testimony, the SBLC rejected his handwriting expert's opinion, and he didn't produce any extrinsic evidence demonstrating that 693 signatures were invalid. Oliver made great efforts to find live witnesses who would claim their signatures were forged as the Massachusetts Democrat Party put out social media ad campaign and website seeking people whose names were on the nomination papers to come forward. Despite his great efforts, not a single witness came forward to disavow their signature.

In proceedings before the SBLC, 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).

The SBLC's findings must be 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) (2012 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).

Oliver did not present any live testimony from witnesses disavowing their signatures. He tried to put on a handwriting expert, but the SBLC rejected her testimony outright.³

³ The handwriting expert's opinion and report did not hold up to cross examination and the Court should defer to the SBLC's decision to reject her opinion as assessing handwriting experts is within the SBLC's particular area of knowledge. See M.G.L. c. 30A § 14. ("The court shall give due weight to the experience, technical competence, and specialized knowledge of the agency, as well as

Likewise, no extrinsic evidence of forgery like voter cards or a list from which signatures were allegedly forced was adduced in evidence. There has never been a case before the SBLC where an Objection was sustained to remove a candidate from the ballot where there was no live testimony, no handwriting expert, no voter card exemplars, and no tainted list. Not one.

In fact, the case law is to the contrary. There has never been a case where an Objector was able to successfully rest on lay or expert testimony to invalidate signatures without substantial supporting evidence that would eliminate all innocent possibilities for the state of the signatures—even where the expert is a handwriting expert, which the SBLC did not rely upon here. See Buonomo v. Oneissemo, SBLC #78-P-12 1978 (July 24, 1978) (handwriting expert testimony backed up by signatures on voter cards, voter affidavits and death certificates); McKeown v. Zagar, SBLC #78-P-12 (July 24, 1978)(handwriting expert testimony backed up by live testimony); Sullivan v. McDonough, SBLC #78-P-17)(handwriting expert testimony backed up by order of signatures in same order as telephone book and elimination of any geographical explanation for the order).

The SBLC's decision must be overturned for lack of support by substantial evidence of forgery there being no live witness testimony from voters, no handwriting expert, no voter cards against which to compare signatures and no pre-existing list from which the signatures were allegedly forged.

3. The SBLC committed legal errors and abuse of discretion by basing their decision solely on two witnesses' interpretation of documents not in evidence.

So poor was Oliver's presentation, that the SBLC put together its own case for him built on information not in evidence, testimony from witnesses with axes to grind or who were indebted to the Objector, and illogical and unsubstantiated inferences. Moreover, the SBLC didn't actually find

to the discretionary authority conferred upon it.”) Holding that a handwriting expert's testimony and report are not worth considering, is well within the SBLC's authority.

that the signatures were forged, it found that two of the biased witnesses thought so and substituted their judgment for the SBLC's.

- a. **It was legal error for the SBLC to base its conclusion that the signatures were forged because they were purportedly in the same order as those on an altered electronic list not in evidence.**

The SBLC committed legal error and abuse of discretion by basing their decision on the flimsiest inference drawn therefrom—that the order of signatures determines whether the signatures themselves are forged. Never before has there been a single SBLC case where an Objection was sustained or even one signature declared invalid based solely on the order of the submitted signatures. Order is immaterial.

Oliver presented testimony, over Petitioner's objection, from a disgruntled failed candidate who opined, as a layperson, that Petitioner's Weymouth signatures were forged as well as from a signature gathering expert who Oliver owed more than \$100,000 that the Weymouth signatures were not gathered "in the field," that is, not in front of a supermarket. Sweeping specious comments from those not qualified to detect forgery are not a substitute for real and substantial evidence in the form of testimony of 693 voters who disavow the signatures or voter registration cards and certified exemplars.

The SBLC's reliance on statements from people who in turn relied on the order of signatures on a list not in evidence is clear error and an abuse of discretion. According to two witnesses' testimony, signatures had been gathered since February 2026. The electronic Numinar list that the witnesses and the SBLC relied on wasn't created, even according to their own witnesses, until at least April 30. So, their assumptions that the list was created first in order to create the signatures on nomination papers were not as likely as the nomination papers being created first and then the electronic list created afterwards.

In addition, even if it was appropriate to let the expert signature gatherer and Brensley to

testify about an electronic list that was not in evidence, it was never authenticated or even presented for identification to any witness, and it was demonstrated through Brensley's testimony that she altered the list. The electronic list, if it exists, was passed through several hands from the MassGOP through intermediaries to the Massachusetts Democrat Party to Oliver's expert signature gatherer--no chain of custody or authentication. The only portion of the purported list that actually came into evidence indicates on its face that it was altered: "Your recent changes were saved. Do you want to continue where you left off").

- b. It was legal error for the SBLC to base its conclusion that the signatures were forged because they were purportedly in the same order as Mike Walsh's nomination papers, which were also not in evidence.**

The SBLC adopted wholesale the testimony of Oliver's expert signature gatherer that, because Petitioner's signatures were in the same order as a different candidate, Mike Walsh, that the signatures were therefore forged. As discussed above, the order of signatures is immaterial. Moreover, several witnesses, including Oliver's expert himself, testified that signature gatherers gather signatures for more than one candidate and that the signatures so gathered would often be in the same order.

As with the electronic list, the SBLC relied on a witness' opinion that was drawn from documents that were not in evidence, that is Mike Walsh's nomination pages. The SBLC indicated that it took judicial notice of Mike Walsh's papers as they were on file with the Secretary of the Commonwealth and were public records.

M.G.L. c. 30A, §11(5) explicitly governs both the agency's power to take judicial notice as well as a party's right to be notified in advance:

Agencies may take notice of any fact which may be judicially noticed by the courts, and in addition, may take notice of general, technical or scientific facts within their specialized knowledge. Parties shall be notified of the material so noticed, and they shall be afforded an opportunity to contest the facts so noticed.

The SBLC sprung its judicial notice of Mike Walsh’s nomination papers in its Decision. There was no advance notice and no opportunity to cross-examine on the documents. In fact, his nomination papers were not even brought into the hearing room.

The SBLC ignored the testimony of volunteer signature collector Pamela Valentine, who testified that signatures for two different candidates are in the same order when she collects, she passes them one clipboard and then the other, it only “makes sense” that they would be in order. June 22, 2026, Transcript at 112:20 to 113:13. It ignored the testimony of campaign volunteer Marc Steffen, who testified that it is efficient for signature gatherers to collect for more than one candidate at a time and that those signatures would be in order, such as the manner in which signatures were gathered at this year’s Republican Convention. June 22, 2026 Transcript at 126:14 to 127:21; 139:12-18. The SBLC ignored the testimony of Objector’s own expert in signature gathering, Harold Hubschman, who admitted that signatures for more than one candidate can be in the same order naturally, without any fraud or forgery. June 22, 2026 Transcript at 89 2-6.

It was legal error for the Commission to base its decision on the signature gatherer’s testimony about what he observed about Walsh’s nomination papers in order to conclude that Petitioner’s signatures were in the same order and therefore, forged, because Walsh’s papers were not in evidence and the Commission did not indicate that it was taking judicial notice during the hearing at all and then ignore all of the evidence demonstrating the innocuous reasons and common occurrence of signatures being in the same order for multiple candidates.

- c. The SBLC committed an error of law when it built its own case for the Objectors by ignoring judicial admissions that 739 of the originally challenged signatures were no longer challenged and declaring them invalid based on testimony that contradicted the judicial admissions.**

The SBLC committed an error of law when it deemed signatures invalid that were not challenged by Oliver—ignoring judicial admissions that they were indeed valid and then considered evidence to contradict the admissions. Oliver initially challenged all the signatures from

Weymouth. However, by the end of its case in chief, Oliver waived his objections to 739 of them and reduced the challenged Weymouth signatures to 711.

The signatures that are no longer challenged, totaling 739 are:

Page 1, lines 2, 6-9, 11, 13, 16, 20, 21, 24	Page 16, lines 2, 4, 8, 9, 12, 15-19	Page 31, lines 1-10, 13-17, 23	Page 46, lines 1-3, 8-14, 16-19, 21-24
Page 2, lines 3, 4, 6, 11, 15, 18, 20, 21, 24	Page 17, lines 5, 8-11, 13-17, 19-21, 24	Page 32, lines 2, 3, 5, 7, 9, 11, 12, 16, 17, 20, 22, 24	Page 47, lines 1, 4, 8, 11-13, 15, 17-19, 23, 24
Page 3, lines 10, 13, 18, 20, 24	Page 18, lines 3-7, 9, 13, 14, 17, 20, 22, 24	Page 33, lines 6, 10, 11, 13, 16, 20, 21, 23	Page 48, lines 1, 5, 7, 8, 11, 14, 16-19
Page 4, lines 1-24	Page 19, lines 1, 8, 9, 12, 14, 17, 18, 23, 24	Page 34, lines 1, 2, 6, 12, 14, 16-18, 21-23	Page 49, lines 4, 7, 9, 16, 17, 20, 21
Page 5, lines 6-8, 12, 13, 17, 19, 20, 22	Page 20, lines 6, 10-12, 16, 21-23	Page 35, lines 2-4, 6, 9-11, 13-14, 17, 20, 22, 23	Page 50, lines 3-10, 13, 17, 20-22
Page 6, lines 5, 21, 22, 24	Page 21, lines 1, 4, 11, 14, 17, 19-21, 24	Page 36, lines 1, 6, 8, 12, 14, 15, 17, 18, 20, 22-24	Page 51, lines 2-4, 9-11, 21-23
Page 7, lines 2-7, 10, 13, 14, 16, 17, 19, 21-23	Page 22, lines 2, 3, 6-9, 11-13, 19, 20, 22, 24	Page 37, lines 1, 2, 5, 7, 8, 12, 15, 20-22	Page 52, lines 2, 3, 5, 10, 14, 20-23
Page 8, lines 1-24	Page 23, lines 4-8, 11, 13-15, 17, 19, 21	Page 38, lines 3, 4, 8, 10, 13-15, 17, 18, 20, 23	Page 53, lines 4, 6, 8, 12-15, 18-24
Page 9, lines 1-22	Page 24, lines 2, 7, 8, 10-16, 22, 23	Page 39, lines 2, 4-6, 8, 15, 16, 18, 19, 21, 22	Page 54, lines 7-14, 16, 17, 19, 20, 22-24
Page 10, lines 1-24	Page 25, lines 1, 2, 5, 6, 8-12, 14-16, 18, 19, 22	Page 40, lines 1, 2, 10-13, 16, 20-22	Page 55, lines 5-7, 11, 12, 14, 17, 18, 23, 24
Page 11, lines 4, 6, 7, 12-16	Page 26, lines 2-6, 8, 10, 12, 18-21, 23, 24	Page 41, lines 1, 2, 6, 8, 12, 17-20, 23, 24	Page 56, lines 3, 5, 7, 8, 11, 13, 14, 16-18, 22-24
Page 12, lines 3, 7-10, 13-14, 18-20, 22	Page 27, lines 1, 3, 4, 6-16, 18, 20, 22, 24	Page 42, lines 1, 5, 9, 11, 12, 14-16, 23, 24	Page 57, lines 1, 2, 5, 6, 10, 11, 13, 16-18, 20
Page 13, lines 1, 2, 7, 10-17, 19-22	Page 28, lines 1, 3, 5, 8, 9, 12, 15, 16, 24	Page 43, lines 1, 8-10, 16-20	Page 58, lines 2-9, 13-17, 21, 22, 24
Page 14, lines 1, 3, 5, 8-10, 12-15, 19, 22, 24	Page 29, lines 4, 9, 10, 14-19, 23, 24	Page 44, lines 1-3, 7-11, 15, 17, 24	Page 59, lines 1, 3-10, 12, 16-24
Page 15, lines 1, 2, 6-9, 11, 14, 16-18, 20, 22	Page 30, lines 5-9, 12, 15-17, 22-24	Page 45, lines 1, 3, 4, 6-8, 13, 15, 18, 21, 22, 24	Page 60, lines 1, 5, 7, 14, 17, 20, 22
			Page 61, lines 3, 8, 9, 11, 12, 14, 17-19, 22, 23

The SBLC committed an error of law when it considered evidence that contradicted Oliver's

judicial admissions regarding the validity of these 739 signatures. The judicial admissions were not only verbal, but also in exhibits they moved into evidence. Declarations during proceedings are judicial admissions and “conclusively determine an issue.” Quinn v. Mar-Lees Seafood, LLC, 69 Mass. App. Ct. 688 (2007). See Bancroft v. Cook, 264 Mass. 343 (1928); see G.L. c. 231, §87.

The SBLC had no authority to permit evidence that detracted from this statutory absolute. The SBLC’s reliance on the signature gatherer’s expert testimony to undermine, and indeed ignore, these judicial admissions that the challenges to 739 signatures were waived and thus the signatures were valid, cleared the path for the SBLC to expand the challenged signatures, ballooning it back up to 1279 which included 739 signatures that Oliver already conceded were valid.

In the category of signature pages that the expert said matched up with Mike Walsh’s pages, the expert testified that all 634 signatures were invalid on pages 3, 7, 10, 11, 12, 13, 16, 22, 23, 25, 26, 27, 29, 30, 32, 34, 38, 44, 45, 46, 47, 50, 51, 52, 54, 58, 60 and 61. But of these, Oliver had already withdrawn his challenge to and admitted that 316 were valid, accounting for the 38 additional signatures that the clerks invalidated. The SBLC made an error by adopting the expert’s testimony wholesale and should have deducted the 316 admittedly valid signatures. Even if one were to go along with the expert’s opinion, which Petitioner does not concede is correct, the most that the duplicate Walsh signature theory would yield is 316.

The SBLC repeated this error when it adopted the expert’s testimony on the signatures that matched up with the Numinar list. The expert testified that additional pages 1, 2, 5, 6, 14, 15, 17, 19, 20, 21, 24, 28, 33, 35, 36, 39, 40, 41, 42, 43, 48, 49, 53, 55, 56, 57 containing 578 signatures fell into this category. However, Oliver admitted that 247 of these were valid, leaving a balance of 331 signatures that could be counted as invalid based solely on the expert’s testimony.

Adding the signatures in the two categories challenged by the expert, only 647 could be invalidated solely by the expert’s testimony after subtracting out the signatures that Oliver admitted

were valid. 10,692 minus 647, leaves a balance of 10,045 valid signatures, exceeding the 10,000 threshold. Even if one were to credit the expert's testimony that in his opinion the signatures submitted on the identified pages are forged, which was prohibited testimony on the ultimate issue and to which the Petitioner objected, Petitioner still meets the minimum required signatures, and her name cannot be removed from the ballot. The SBLC was simply wrong in ignoring judicial admissions by adopting the expert's contrary assertions.

Allowing this evidence in caused material prejudice to Petitioner's case. Allowing the SBLC to *sua sponte* contradict the Oliver's own admissions fundamentally altered the outcome of the hearing, cheated Petitioner out of the opportunity to combat an issue that was legally settled and is an improper *ex post facto* decision that built the Oliver's cases for them.

d. It was legal error for the SBLC to draw a negative inference against Petitioner because a signature gatherer invoked the 5th Amendment at his deposition.

Based on Brensley's testimony and nothing more, the SBLC concluded that a man named Joseph Bronske collected both her signatures and Petitioner's signatures. She concluded on her own that the signatures were forged based on the order of the signatures. Because Bronske took the 5th Amendment in his deposition, the SBLC concluded that "he had something to hide." The SBLC tacitly drew this same negative inference against Petitioner, over her objection, at Oliver's request. The SBLC allowed the deposition into evidence against its own rules where the Petitioner did not agree to allow the deposition testimony in lieu of evidence, and it was hearsay because Bronske was available to testify.

The SBLC makes much of the fact that Joe Bronske, a professional signature gatherer, invoked the 5th Amendment when asked whether he forged the signatures on nomination papers. Of course he did, failed candidate Anne Brensley had already accused him of forgery and was cooperating with the authorities who were investigating him for a crime. July 22, 2026 Transcript, at 75:2 to 76:18. It was his right to protect himself—and no inference, implicit or otherwise, should

have been drawn against Petitioner for exercising his right as the threat of criminal prosecution was not imagined—it was already underway.

Moreover, the only evidence adduced at trial that Bronske had any connection to Petitioner was that failed candidate Anne Brensley compared her own nomination papers which she said were collected by Bronske to the and which were not in evidence and were not on file with the Secretary of the Commonwealth and the electronic voter list that was not in evidence to signatures on Petitioner’s nomination papers. June 22, 2026 Transcript, 61:11-15. The signature gathering expert adopted the same reasoning. That is a very thin reed upon which the SBLC grasps to draw even an implicit negative inference against Petitioner for Bronske’s invocation of the 5th amendment.

4. The SBLC simply ignored the law and engaged in judicial nullification, making the case come out the way it felt it should because it felt it was justified—not because any forgery was proven.

The evidence of forgery is not “overwhelming.” It is non-existent. There is not a single case in the history of the SBLC where signatures were deemed forgeries with no live witness disavowing their own signatures, no extrinsic evidence like voter cards as exemplars, and no handwriting expert. All there is here is the order of signatures, which was explained.

What there is zero evidence of is forgery, which is what the Objector needed to prove—and he didn’t—not by substantial evidence—not by a preponderance of evidence—not by any evidence at all. The SBLC misleads the court by citing the case of Sullivan v. McDonough, SBLC Docket No. 78-P-17 (1978) as an example of when the SBLC made a determination of forgery solely on the basis of the order of the signatures. In Sullivan, the SBLC relied not only on the order of a pre-existing list, which is not present here, but also on the testimony of a handwriting expert, also not present here, who testified the signatures were forged. The list was extrinsic evidence backing up the handwriting expert. While it is true that the SBLC could have concluded the signatures were

forgeries by comparing them to authenticated voter registration cards, none were introduced into evidence—no such comparison was made.

In the case at bar, the SBLC did not rely on a handwriting expert in this case, nor did they have a list in evidence from which the signatures could have been forged, nor did they have registration cards against which they could compare the signatures. All they had were inferences drawn by others from documents not in evidence. For the SBLC to state that the same voter list that should have been introduced into evidence was introduced in a different case, take our word for it, is totally outrageous and should not be countenanced by this court. To say that Petitioner never challenged the accuracy of a list that never came into evidence is laughable—that’s the whole point, how could she?

In such a situation, for the SBLC to diminish Petitioner’s defense as one consisting of merely procedural technicalities rather than acknowledge it as one of substance, allows it to dodge the obvious injustice it visited not only upon Petitioner but also upon the more than 10,000 voters whose rights are being infringed by having their voice extinguished by this manifestly unjust decision.

The long and the short of it is this: the SBLC makes excuses Oliver. He simply failed to comply with the law regarding service of the Objection on the Petitioner by certified mail within one day of filing their Objections. He simply failed to serve his Specific Objections showing the challenged signatures by 5:00 p.m. on the third day prior to the hearing.

The other cases the SBLC cites for the proposition that the SBLC has leeway to interpret rules and the law, like Swift, has only been applied to affirm a voter’s right to vote, because all rules and laws must be interpreted in favor of the voter to validate his right to vote. See McCarthy. The leeway that the SBLC has in interpreting rules and statutes has never been exercised against the voters, to extinguish their right to vote, which is what is being done here. In exercising their discretion to interpret their jurisdiction and what the meaning of “shall” is and whether actual receipt

trumps timely service by certified mail is working against the voters who signed Petitioner's nomination papers to invalidate their signatures. In fact, every ruling in this case had the goal of invalidating signatures and voters rather than validating them. The cases were all turned on their head and are being misinterpreted to reverse engineer a non-existent forgery case.

The SBLC then asks the Court to do something that the SBLC itself did not do and never does: decide for itself without any external evidence that signatures “sure looks like forgery to me.” See e.g., Auger-Collins v. Callahan, SBLC 90-8 (6/22/1990)(external evidence to invalidate a signature must be used). A reviewing court is not empowered to make a *de novo* determination of the facts. Pyramid Co. of Hadley v. Architectural Barriers Bd., 403 Mass. 126, 130 (1988).

The case before the SBLC was all smoke and mirrors. The SBLC bought into the premise that the signatures were forged and then attempts to retrofit the evidence to support that baseless conclusion by misunderstanding whose nomination papers they are reviewing, asking the court to substitute its own judgement for that of the SBLC, and ignoring evidence from multiple people, even the Objector's own expert, that accounts for the natural occurrence of signatures being in the same order for multiple candidates.

5. The SBLC cannot escape judicial review based on the novel concept of denying same when they deem a Petitioner to have unclean hands.

In anticipation of the SBLC's lawyers' arguments to justify the decision in this case, Petitioner points out that they introduce a “novel question of law,” that is, the Petitioner has given up the right to judicial review of its decision because she has unclean hands.

The SBLC attorneys concede that Petitioner may not have known about the forgeries but holds her responsible nonetheless for the actions of her “agent” Joe Bronske. If he has unclean hands, so does she. As pointed out above, no connection was ever made between Bronske and the Petitioner other than by a failed candidate for the same position who has an axe to grind.

In Massachusetts, the right to appeal an agency's final decision is explicitly dictated by statute—specifically, the Massachusetts Administrative Procedure Act (M.G.L. c. 30A, § 14). Because a Chapter 30A petition for judicial review is a statutory right of law, rather than an independent claim for equitable relief, equitable affirmative defenses like unclean hands cannot be used by an agency to strip a court of its jurisdiction or block the case entirely.

Under Chapter 30A, Massachusetts courts are strictly confined to examining the administrative record to determine if the agency's decision was arbitrary, capricious, or lacked substantial evidence. A's unrelated "unclean" behavior outside of that record cannot thwart the legal standard. The whole point of the process before the SBLC is for Objectors to point out signatures that should not be counted because they are invalid or are forgeries. By denying judicial review to any candidate whose signatures are challenged for forgery, the entire framework of c. 30A judicial review would be rendered meaningless as there would be NO CASES coming to the courts for judicial review.

Every Defendant, or someone signing their nomination papers, in an Objection case before the SBLC is being accused of some sort of wrongdoing resulting in the invalidation of signatures. To import the unclean hands doctrine into the 30A arena when it comes to the SBLC would deny every challenged candidate the right to review the SBLC's decision because of unclean hands. The Legislature did not intend for the SBLC to go completely unchecked. If the Legislature wanted to block a candidate from judicial review for unclean hands, it would have written it into the statute.

Even the case the SBLC attorneys cite, Jicarilla Apache Tribe v. Andrus, 687 F.2d 1324 (10th Cir. 1982), of little precedential value, did not employ the doctrine of unclean hands to bar the Petitioner's case entirely, as the SBLC attorneys desire to do here. The Petitioners were still allowed to proceed against the agency where the agency made errors of its own, and that is exactly what the Petitioner alleges here.

The Petitioner must be allowed to rely on the law and on the jurisdictional statutes. Here, the SBLC engaged in judicial nullification to deny Petitioner the fair and unbiased application of the law.

Conclusion

The SBLC waives election integrity around like a talisman, cursing every candidate who tries to defend herself in this arena. To make accusations about undermining election integrity while engaging in undermining the rule of law rings hollow. In a case such as this, where the rule of law has been thwarted in order for the SBLC to achieve its end result—to remove Petitioner’s name from the ballot—the court must step in and right this situation. Ruling in Petitioner’s favor furthers, rather than undermines, election integrity. She has secured the sufficient number of valid signatures, and the voices of more than 10,000 voters should not be extinguished on the state of the record as was presented here.

The SBLC’s actions were legally unsound, unprincipled, materially prejudiced the Petitioner and disenfranchised the more than 10,000 voters who signed her nomination papers. There being no live testimony, no affidavits, no voter registration cards and no pre-existing list where the order of the signatures could ONLY be explained by fraud or forgery, OLIVER has not provided the level of substantial proof necessary to sustain his Objection—must be dismissed as a matter of law.

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 v. Secretary of the Commonwealth, 371 Mass. 667, 684 (1977). Under the facts of this case, after applying the law, and accounting for all of the errors of law, abuse of discretion, arbitrary and capricious decisions, and departures from process, it cannot be said that there was substantial doubt about even one signature challenged by Oliver.

WHEREFORE, Petitioner respectfully requests that the SBLC's decision be set aside and that her name be placed on the ballot for the Republican Primary as a candidate for Lt. Governor.

Respectfully submitted,

ANNE MANNING-MARTIN

By her attorney,

/s/ Mary-Ellen Manning

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Dated: July 13, 2026

CERTIFICATE OF SERVICE

I, Mary-Ellen Manning, hereby certify under penalty of perjury that on July 13, 2026 a true copy of the above document was served upon the following parties by e-mail by agreement:

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ADDENDUM

Manning-Martin v. State Ballot Law Commission, Add. 034
July 10, 2026 Decision, Essex Superior Court (Karp, J.)
Docket #2677CV00822

Oliver v. Anne Manning-Marting,Add. 037
July 10, 2026 Decision, Essex Superior Court (Karp, J.)
Docket #2677CV00822

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COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss.

SUPERIOR COURT
CIVIL ACTION
NO. 2677CV0822

ANNE MANNING-MARTIN

vs.

STATE BALLOT LAW COMMISSION,
SHAWN OLIVER, and ADAM ROOF

**SUMMARY DECISION AND ORDER ON PLAINTIFF'S
MOTION FOR JUDGMENT ON THE PLEADINGS (Paper No. 4)
and STATE BALLOT LAW COMMISSION'S CROSS-MOTION
FOR JUDGMENT ON THE PLEADINGS (Paper No. 9)**

Given the urgency of this matter, i.e., the official ballots must be finalized on July 14, and to allow as much time as possible for the parties to pursue an appeal, the Court issues this Summary Order with the intention of issuing a Memorandum of Decision on July 13, 2026, that will explain the Court's reasoning.

This is an action for judicial review, pursuant to G.L. c. 55B, § 4, and G.L. c. 30A, § 14, brought by plaintiff Anne Manning-Martin, who seeks the Republican nomination for Lieutenant Governor, regarding objections filed by defendants Shawn Oliver and Adam Roof to the genuineness of certain voter signatures on Manning-Martin's nomination papers.

On June 2, Manning-Martin timely filed nomination papers for the office of Lieutenant Governor with the Secretary of State ("Secretary") containing 10,662 certified voter signatures. See G.L. c. 53, § 44.

After an evidentiary hearing on June 18 and 22, 2026, defendant State Ballot Law Commission ("SBLC") issued a decision on June 26, wherein it sustained Oliver's Objection and Roof's Objection, and invalidated 1,279 of the 10,692 signatures on Manning-Martin's nomination papers, leaving her with less than the 10,000 certified signatures required by law to appear on the Republican State Primary ballot ("Ballot"). Consequently, the SBLC ordered that Manning-Martin's name shall not appear as a candidate on the Ballot.

This action came before the Court on July 8 and 9 for a hearing on Plaintiff's Motion For Judgment On The Pleadings (Paper No. 4) ("Motion") and State Ballot Law Commission's Cross-Motion For Judgment On The Pleadings (Paper No. 9) ("Cross-Motion").

DISCUSSION

For the reasons explained by the Court in Section II of the Memorandum Of Decision And Order that this Court issued today in the case of Michael Walsh v. State Ballot Law Commission, Adam Roof and William Galvin, in his capacity as Secretary Of State, No. 2677CV0812, the Court rules that the SBLC committed an error of law by failing to dismiss Roof's Objection due to Roof's failure to strictly comply with the certified mailing requirement in G.L. c. 55B, § 5, par. 9.

As fully discussed in today's decision in Walsh, the second sentence of said § 5, par. 9, clearly states that the "[f]ailure to [comply with the mailing requirements] **shall** invalidate any objection filed with the commission." Thus, based on this express language, Roof's failure to strictly comply with the certified mail requirement invalidated Roof's Objection by operation of law and stripped the SBLC of jurisdiction to hear the Roof's Objection. Therefore, the SBLC's decision to sustain Roof's Objection must be **VACATED**.

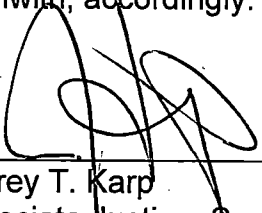
As for Oliver's Objection, the administrative record reflects that Oliver complied with the requirements of G.L. c. 55B, § 5, par. 9.

The Court has reviewed the administrative record and rules that the SBLC's decision to invalidate 1,279 signatures of the 10,692 certified signatures on Manning-Martin's nomination papers, is supported by substantial evidence; and, is absent error (other than described above) of law, arbitrariness, capriciousness, and abuse of discretion. Therefore, the SBLC's decision to sustain the Oliver Objection must be **AFFIRMED**.

ORDER

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

1. The Plaintiff's Motion For Judgment On The Pleadings (Paper No. 4) is **DENIED** as to Shawn Oliver and the State Ballot Law Commission, and **ALLOWED** as to Adam Roof.
2. The State Ballot Law Commission's Cross-Motion For Judgment On The Pleadings (Paper No. 9) is **ALLOWED** as to Shawn Oliver and the State Ballot Law Commission, and **DENIED** as to Adam Roof.
3. So much of the decision of the State Ballot Law Commission, dated June 26, 2026, sustaining the Objection of Adam Roof is **VACATED**.
4. So much of the decision of the State Ballot Law Commission, dated June 26, 2026, sustaining the Objection of Shawn Oliver is **AFFIRMED** and the Commission's Order barring Anne Manning-Martin's name from appearing as a candidate for the office of Lieutenant Governor on the Republican State Primary ballot is **AFFIRMED**.
5. Notwithstanding that the undersigned judge intends to issue a Memorandum of Decision on July 13, 2026, that will explain his reasoning, Judgment **SHALL ENTER** forthwith, accordingly.



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

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

STATE BALLOT LAW COMMISSION

Docket No. 26-03

Docket No. 26-05

ADAM ROOF,
Objector
v.
ANN MANNING MARTIN,
Respondent

SHAWN OLIVER,
Objector
v.
ANN MANNING MARTIN,
Respondent

DECISION

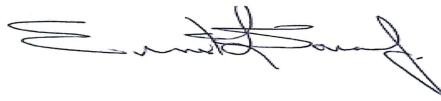
For the reasons stated in the attached Statement of Reasons, the Objections of Adam Roof and Shawn Oliver are SUSTAINED on the merits and the Respondent's name shall not be printed on the Republican State Primary ballot.

STATE BALLOT LAW COMMISSION

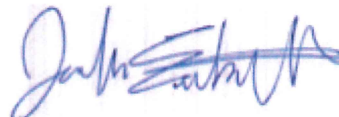
The Office of the Commission is:

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

617-727-2828



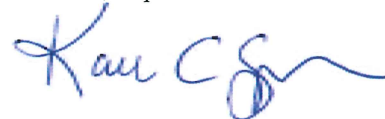
Hon. Ernest L. Sarason, Jr. (Ret.), Chair



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.

ADD 037

ELECTIONS DIVISION
2026 JUN 26 PM04:53

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

STATE BALLOT LAW COMMISSION

Docket No. 26-03

Docket No. 26-05

ADAM ROOF,
Objector

v.

ANN MANNING MARTIN,
Respondent

STATEMENT OF REASONS

SHAWN OLIVER,
Objector

v.

ANN MANNING MARTIN,
Respondent

I. INTRODUCTION

The Respondent, Ann Manning Martin, a Republican candidate for Lieutenant Governor, timely filed with the Secretary of the Commonwealth nomination papers containing 10,662 certified signatures. To qualify as a candidate for Lieutenant Governor, the Respondent needed to file at least 10,000 certified signatures. G. L. c. 53, § 44 (2024 ed.). Thereafter, two (2) objections were 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 she satisfies these criteria pursuant to General Laws chapter 55B, section 4.

II. OBJECTIONS

On June 3, 2026 and June 5, 2026, objections were filed, one by Adam Roof, and one by Shawn Oliver, challenging some of the Respondent's signatures appearing on her 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 and fraudulently obtained and certified twice. The Objectors must prove that 693 signatures filed with the Secretary of the Commonwealth to be 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 18, 2026 and June 22, 2026.

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

The Respondent filed a Motion to Dismiss each of the Objections based on the grounds that each 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).

A hearing was held on the Motion at which Objector Oliver presented evidence that the mailing of his Objection was done by the law firm representing him. Objector's counsel indicated that law firm staff affixed the appropriate certified return receipt mail labels to the envelope containing the Objection and deposited the same in the firm mailroom's USPS mail bin to be

transported to the United States Postal Service. At the time of the hearing, Objector Oliver did not present any evidence of the receipt of the mailing by the USPS but indicated that it would be supplemented upon the return of the “green card” indicating delivery. On June 22, 2026, Objector Oliver filed a copy of the “green card” stamped by the USPS showing proof of mailing stamped June 13, 2026.

Objector Roof also responded to the Respondent’s Motion to Dismiss his Objection. Objector Roof 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. Mr. Bausch left the office without confirmation that the Objection was properly mailed. Objector Roof presented no other evidence or information to the Commission regarding this mailing. In the Respondent’s support of her Motion to Dismiss, the Respondent presented a photo of a first class mailing received by her, with the return address of the “Massachusetts Democratic Party” dated June 3, 2026 that apparently contained the Roof Objection. The Commission relies upon this photo to demonstrate that Objector Roof’s Objection was indeed not sent “by registered or certified mail return receipt requested.” However, it also demonstrates that the Objection was sent and received by the Respondent in a timely fashion.

Accordingly, the Commission finds that the Objection by Objector Oliver was mailed by registered or certified mail return receipt requested as set out in paragraph 9 of section 5 of chapter 55B of the General Laws and 950 CMR 59.02(4)(a). The Commission also finds that the mailing by Objector Roof was not mailed by registered or certified mail return receipt requested as set out in paragraph 9 of section 5 of chapter 55B of the General Laws and 950 CMR 59.02(4)(a). However,

the Commission declines to grant the Motion to Dismiss Roof's Objection 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.¹

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 had no adverse consequences whatsoever relating to the Respondent's defense of the claims made in the Objections at issue. The Respondent, by her own acknowledgement, received a copy of the Roof 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 Objections was received well in advance of when the Objection would have been received if only sent by certified mail. The Respondent readily admits that she received actual timely notice of the Objection, but just not by registered mail.

It is that fact alone upon which the Respondent relies in order to dismiss the objection. There is no claim that the Respondent was prejudiced in any way by Objector Roof'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."

¹ 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.

As noted, Respondent does not and cannot claim that the lack of proper certified mailing created prejudice or other harm to her. 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 is 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.

With respect to the Roof Objection, 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. Notice of the Roof Objection was sent to the Respondent on June 3, 2026 from the Commission and on June 4, 2026 from the Objector. The “proof of service” that certified or registered mail is intended to provide was met here 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 statutorily 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**.

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

The Respondent filed a second Motion to Dismiss based on the grounds that the Objectors 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, while filed with the Commission before 5:00 p.m. on June 11, 2026, was merely a series of numbers referencing enumerated pages that the Objector did not provide, nor were any signatures or nomination papers provided.

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 each 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 because 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, upon request of the Respondent, the additional requested information, (aside from what the Objectors were required to submit and was timely filed by the appropriate deadline of 5:00 p.m. on June 11, 2026) was also provided. This supplemental information was supplied by the Objectors virtually immediately upon Respondent's request and within an hour of the deadline of the filing of the mandatory information.²

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**.

C. Consolidation

At the hearing held on June 18, 2026, the Commission, on its own initiative pursuant to 950 CMR 59.03(h), consolidated the matters insofar as they contained the same objections to the Respondent's submitted signatures. Objector Oliver was allowed to proceed as the lead case while reserving an opportunity for Objector Roof to present additional evidence. Thompson v. Romney, SBLC 02-05 (June 25, 2002).

IV. HEARING

Evidence was received for two (2) days on June 18, 2026 and June 22, 2026. Ten (10) witnesses testified and eighteen (18) 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 set forth in the following sections of this Decision.

V. FINDINGS OF FACT

The Commission finds the following facts:

² 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.

1. The Respondent, Anne Manning Martin, is seeking the Republican nomination to the office of Lieutenant Governor.

2. To qualify to have her name printed on the ballot, she must have filed 10,000 certified signatures with the Office of Secretary of the Commonwealth by 5:00 p.m. on June 2, 2026.³

3. The Respondent filed 10,692 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 the signatures appearing on the Respondent's nomination papers were written by the same hand, were not legally signed in person by the voter, and that some of the signatures were non-genuine and were fraudulently obtained.

5. On June 5, 2026, Shawn Oliver, a registered voter in the Commonwealth of Massachusetts, filed an objection before the State Ballot Law Commission alleging that some of the signatures appearing on the Respondent's nomination papers were written by the same hand, were not signed in person, were signed by persons who were not registered voters, were non-genuine, were fraudulently obtained, and were certified twice.

6. The Respondent denied the allegations.

7. Aidan Carey, Political Director of the Massachusetts GOP, testified that the Massachusetts GOP maintains a database, called "Numinar," containing the names and addresses of Republican and unenrolled voters registered in Massachusetts. This list is available to authorized individuals and groups to assist them with, among other matters, identifying voters to support their

³ Other filing requirements included her 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 she filed a statement with that agency regarding spending limits.

candidates and collecting signatures for nomination papers. On or about April 30, 2026, a list containing voter names for the town of Weymouth was exported by Joseph Bronske. On or about May 15, 2026, Mr. Bronske's credentials were terminated.

8. 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 the Republican nomination for Lieutenant Governor.

9. 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.

10. 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.

11. 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.

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

13. Ms. Brensley reviewed the Respondent's Weymouth 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 the list given to Mr. Bronske.

14. 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.

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

16. 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.

17. On June 12, 2026, Attorney for Objector Oliver conducted a deposition of Mr. Bronske. Counsel for the Respondent was also present. In response to each question posed by the Objector's Attorney, including questions relative to his direct participation in forging voter signatures on the Respondent's nomination papers and his knowledge of anyone else forging voter signatures on the Respondent's nomination papers, Mr. Bronske answered in the same way by stating, "I respectfully decline to answer the question and invoke my constitutional right not to testify based upon my rights as stated in the U.S. Constitution, Amendment V, and the Massachusetts Declaration of Rights Part 1, Article XII."

18. Mr. Bronske indicated that he would answer the same way if subpoenaed to testify before the Commission. The deposition of Mr. Bronske was admitted into evidence.

19. 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. Mr. Hubschman testified that he was not being paid for his testimony and had received no promise of payment or future work in connection with this proceeding. The Commission finds him qualified to testify about the matters before the Commission in relation to

this consolidated action and allow the submission of his Report relating to his observations regarding nomination papers in these cases.

20. 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 Michael Walsh, Republican candidate for Attorney General, filed with the Secretary of the Commonwealth, which are public records of which the Commission takes judicial notice.

21. The Commission finds that although the Numinar list of Weymouth voters used in Mr. Hubschman's report is not in evidence, the same "Numinar list" was used as a basis for his analysis and conclusions.

22. Based on his review, Mr. Hubschman concluded that in the Town of Weymouth, there are 657 certified signatures on 29 pages of the Respondent's nomination papers that are in the identical order as on 29 corresponding pages of Michael Walsh nomination papers, with only one deviation, which is described in his report. Mr. Hubschman concludes the mathematical likelihood of this occurring is zero and that these signatures are likely fraudulent.

23. Mr. Hubschman further concluded that there are 622 additional certified signatures from the Town of Weymouth on the Respondent's nomination papers that are in the exact order as they appear in the Numinar list. Mr. Hubschman concludes these signatures are likely fraudulent.

24. Mr. Hubschman's testimony and report also concluded that the high rate of certification on the papers and no voter names being disqualified for being registered in another political party on those papers is another indication that they are likely fraudulent.

25. The Report of Mr. Hubschman, Exhibit 12, referenced herein is accepted and adopted by the Commission.

26. The Report of Objector Oliver's handwriting witness, Eileen Page, is not considered

by the Commission.

27. The Commission invalidates a total of 1,279 of the Respondent’s 10,692 signatures filed with the Secretary of the Commonwealth on June 2, 2026—657 from the identical Weymouth pages as Mr. Walsh’s nomination papers and 622 from Weymouth that are in the same order as the Nummar list, resulting in 9,413 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 that 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. Iacobucci 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 these cases, the Objectors allege that multiple signatures were signed by the same person or persons and that they are non-genuine.⁴

i. Testimony of Signature Gathering Expert Harold Hubschman

The Objector presented testimony from a signature-gathering expert, Harold Hubschman. The Commission incorporates its factual finding contained in the Findings of Facts section of this Decision.

For his analysis, 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 was further provided with nomination papers submitted by the Republican Attorney General candidate Michael Walsh to the Weymouth Town Clerk’s Office and thereafter filed with the Secretary of the Commonwealth’s Office.

Mr.Hubschman, as set out in his Report that was accepted by the Commission and marked as Exhibit 12, reviewed 61 nomination papers submitted by the Respondent to the Weymouth Town Clerk’s Office. He further reviewed 45 pages of nomination papers submitted by Republican Attorney General candidate Michael Walsh to the Weymouth Town Clerk’s Office. Based on this review, he concluded that the petitions exhibit overwhelming signs of fraud.⁵

The Respondent’s nomination papers reviewed by Mr. Hubschman were numbered 1-61 by the Secretary of the Commonwealth’s Elections Division. Based on his report and testimony, the Commission concludes that all of the signatures on the Weymouth papers numbered 1-61, a total of

⁴ Objector Oliver had also identified other non-genuine signatures challenged by the Objector’s handwriting witness, which were rebutted by testimony of witnesses brought by the Respondent and therefore overrules the objections to those signatures. The Commission does not base any portion of its decision on Ms. Page’s Report.

⁵ The nomination page and number of the papers reviewed by Mr. Hubschman are specifically set out in his report.

1,279 certified signatures, are non-genuine. This conclusion is based on multiple factors.

ii. Respondent Nomination Papers Identical in Order to Another Candidate

Of the nomination papers filed by the Respondent, twenty-nine (29) sheets containing 657 certified signatures from Weymouth list the voter signatures in the exact same order as candidate Michael Walsh. 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.⁶

The Respondent argued that this was simply a part of the signature gathering process when one person is collecting for multiple candidates. The Respondent suggested that it is not unusual for voters to sign for multiple candidates and in the same order. While that may be true for a limited number of signatures, Mr. Hubschman testified it was “virtually impossible to collect over 600 signatures on each of two petitions over a course of the many days it would take to collect these signatures, where every voter who signed one candidate’s petition would also sign the other candidate’s petition, in the exact order, without deviation.” The Commission agrees.

iii. Respondent Nomination Papers in Order of Numinar List of Weymouth Voters

Twenty-seven additional Respondent nomination papers from Weymouth, containing 622 certified signatures, also contain the names listed in the exact order of the Numinar database of Weymouth registered voters. As such, the same analysis above applies.

iv. Other Considerations

A general review of the certified signatures on the nomination papers also demonstrates they are likely fraudulent. Mr. Hubschman’s testimony and Report conclude that the rate of certification is much higher than expected for a Republican candidate. For the 2026 election cycle, his company was hired to collect signatures for four (4) statewide Republican candidates and

⁶ While the Commission acknowledges that the so-called Numinar list was not introduced into evidence, there was testimony from Aidan Carey, Political Director of the Massachusetts State Republican Party, that it was a list of Republican and unenrolled voters maintained by the Republican State Committee and that it was provided to candidates and individuals who were collecting signatures for nomination papers, one of whom was Joseph Bronske.

collected over 60,000 signatures. Based on this specific experience, he determined that Republican candidate nomination papers had a 4.5% disqualification rate because the signer was registered as a Democrat and therefore ineligible to sign. Of the Respondent's nomination papers, that rate would equate to 63 Democrats out of 1,400 signers. However, these papers had exactly one voter's name disqualified for being a Democrat, and that voter's name appeared in the Numinar list.

v. Total Number of Respondent's Signatures that Mr. Harold Hubschman Concludes are Fraudulent

Based on his review and experience in collecting voter signatures, Mr. Hubschman concludes that no less than 1,279 signatures appearing on the Respondent's nomination papers are fraudulent.

vi. 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 the 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 also 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 who 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. Deposition of Joseph Bronske

Mr. Joseph Bronske was engaged by numerous candidates to obtain voter signatures for those candidates' nomination papers. These candidates included Anne Manning Martin, the Respondent in this action, Michael Walsh, a Republican candidate for Attorney General, and Anne Brensley, a Republican candidate for Lieutenant Governor.⁷ Serious questions arose as to the validity of the signatures gathered by Mr. Bronske, which are the basis of this Objection.

⁷ The Commission notes that Ms. Brensley failed to qualify for the ballot because, upon discovering the signatures gathered by her hired signature gatherer Mr. Bronske were, as she states, "fraudulent," which the Commission ultimately concludes in this Decision, and she could not and would not submit them to the Secretary of the Commonwealth in order to gain ballot access. As a result, her name will not appear on the ballot.

On June 12, 2026, Attorney for Objector Oliver conducted a deposition of Mr. Bronske. Counsel for the Respondent was also present. The Objector asked Mr. Bronske whether he had any direct participation in forging voter signatures on the Respondent's nomination papers and whether he had knowledge of anyone else forging voter signatures on the Respondent's nomination papers, in addition to other questions, including his address. Mr. Bronske answered each question posed by the Objector's Attorney in the same way by stating, "I respectfully decline to answer the question and invoke my constitutional right not to testify based upon my rights as stated in the U.S. Constitution, Amendment V, and the Massachusetts Declaration of Rights Part 1, Article XII," hereinafter referred to as "taking the 5th."

Mr. Bronske indicated that he would answer the same way if subpoenaed to testify before the Commission. The deposition of Mr. Bronske was admitted into evidence.

Unlike criminal cases where no adverse inferences against the person taking the 5th can be drawn, civil cases are different. The Commission can draw an adverse inference if a witness takes the 5th.

In the case of Lentz v. Metropolitan Prop. & Cas. Ins., 437 Mass. 23, 768 N.E.2d 538 (Mass. 2002) the Supreme Judicial Court stated in part:

In the case of LiButti v. United States, 107 F.3d 110, 123-124 (2d Cir. 1997), the Court reviewed cases admitting a non-party, non-employee's invocation of the privilege substantively, noting the absence of any definitive rule. It delineated four non-exclusive factors to be considered in determining the admission of such evidence, including: (1) the nature of the relevant relationship, i.e., whether the relationship is such that the witness would be inclined to invoke the privilege on behalf of the party; (2) the degree of control of the party over the witness asserting the privilege, i.e., whether the party's control over the witness regarding the facts and subject matter of the litigation warrant treating the witness's invocation as a vicarious admission; (3) whether the party and the witness have compatible interests in the witness's assertion of the privilege; and (4) the witness's role in the litigation. Id. at 123-124. We think the analysis of the LiButti court strikes an appropriate balance between the right and the need to present relevant evidence, on the one hand, and the need to provide a safeguard against the inherent difficulty in responding to such powerful evidence, on the other hand. Ultimately, the test is whether any adverse inference sought is

reasonable, reliable, relevant to the dispute, and fairly advanced against a party. Id. at 124. A judge's decision to admit such evidence will be reviewed for an abuse of discretion.

Accordingly, given that Mr. Bronske was likely the signature gatherer for the challenged signatures claiming to be fraudulent, the Commission does take an adverse inference against Mr. Bronske resulting from his refusal to answer questions relating to the collection of signatures. Taking the 5th demonstrates to the Commission that Mr. Bronske has something to hide.

VII. CONCLUSION

The Commission, therefore, finds, rules and concludes that the Objectors have met their burden of proof and the Commission sustains the Objectors' challenges to 1,279 of the signatures on the Respondent's nomination papers. As a result, the Respondent does not have sufficient signatures to have her 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 Lieutenant Governor.