

IN PERSON

MAY 25 2016

ELECTION PROTEST

Use of this form is required by G.S. 163-182.9(c)

DURHAM BOE

This form must be filed with the county board of elections within the timeframes set out in G.S. 163-182.9 (b)(4). Please print or type your answers. Feel free to use and attach additional sheets if needed to fully answer the questions below. You may also attach relevant exhibits and documents. Please number the pages of such additional sheets and attachments.

1. Full name and mailing address of person filing the protest.

Fred Foster, JR. 5718 Whipperwill St Durham, N.C. 27704

2. Home and business phone number, fax number, and e-mail address.

(919) 479-8305 ffosterjr@msn.com

3. Are you either a candidate or registered voter eligible to vote in the protested election?  
If a candidate, for what office?

County Commissioner

4. List the date, location, and exact nature of the election protested. Name all candidates in the election and the number of votes each received. Note the winning candidate(s) elected or nominated.

March 15, 2016 Durham Missing ballots and resignation of staff handling ballots

5. Does this protest involve an alleged error in vote count or tabulation? If so, please explain in detail.

error in vote and process

6. Does this protest involve an irregularity or misconduct not described in number 5 above? If so, please give a detailed description of such misconduct or irregularity and name those who committed such action.

full time staff member had part-time staff run ballots more than once

7. Please set out all election laws or regulations that you allege were violated in your responses to 5 or 6 above. State how each violation occurred. Please provide the names, addresses, and phone numbers of those who you allege committed such violations.

This is known by interim director for board of elections and chair of local board

8. Please provide the names, addresses, and phone numbers of any witnesses to any misconduct alleged by you in this protest, and specify what each witness listed saw or knows.

can provide through county attorney

9. What action do you desire the county board of elections to take in this matter?

Either do not certify results or have a re-election

10. Do you contend the allegations set out by you are sufficient to have affected or cast doubt upon the results of the protested election? If your answer is yes, please state the factual basis for your opinion.

yes, where are the missing ballots and did every voter have a chance to cast their ballot?

11. Have you read and reviewed the North Carolina law pertaining to election protests as set out in G.S. 163-182.9 through G.S. 163-182.14 and current North Carolina State Board of Elections regulations pertaining to election protests?

yes

12. How many pages of additional answer are attached to this protest? 1

How many pages of attachments are attached? 0

Fred Foster, Jr.  
Signature of Protestor

Date/Time Filed with County Board

5/25/16 2:33  
(to be filled out by the county board)

**NOTE:** The county board must provide the State Board with a complete copy of a filed protest within one business day after it is filed. In addition, the county board shall provide a copy of the election audit with this copy of the protest.

Please direct any questions to your county board of elections or the North Carolina State Board of Elections, PO Box 27255, Raleigh, NC 27611-7255, (919) 733-7173.