

RECOUNT PETITION



DATE and TIME received by Registrars

City or Town Newton

Ward or Precinct Ward 6

RECEIVED
2023 NOV 15 PM 4:08
CITY CLERK

OFFICE OR QUESTION TO BE RECOUNTED

Ward Councilor - Ward 6

PARTY DESIGNATION (for a primary only) _____

CANDIDATE'S REQUEST (not required for recount of a question)

I request that the following recount be conducted.


candidate's signature

Important: You may use this recount petition form for all state and local primaries, preliminary elections and elections.

For an office or question at a state primary or state election where the margin of victory is not more than one half percent of the vote cast you may instead use a special **district-wide recount petition** which requires fewer signatures. District wide recount petition forms are available from the Office of the Massachusetts Secretary of the Commonwealth, Elections Division, One Ashburton Place, Room 1705, Boston, MA 02108, 617-727-2828.

REQUIREMENTS

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Fill in all the required information prior to circulating this recount petition: the ward, precinct, city or town, district information, designation of the office or question to be recounted, the statement of reasons for the recount and their party designation if the recount is for a primary.

DEADLINES

- Primary or Preliminary:** petition must be filed on or before 5 p.m. on the **sixth day** following the primary or preliminary.
- Election:** petition must be filed on or before 5 p.m. of the **tenth day** following the election.

SIGNATURE REQUIREMENTS

City: If a recount is requested in a ward, the petition must be signed by 10 or more registered voters of that ward (in Boston, 50 or more registered voters of that ward). If a city wide recount is requested a petition must be filed from each ward and signed by 10 or more registered voters of each ward (in Boston, 50 or more registered voters of each ward).

Town: If a recount is requested in a precinct the petition must be signed by 10 or more registered voters of that precinct. If a town-wide recount is requested in a town with more than 2500 registered voters with precincts the petition must be signed by 10 or more registered voters in each precinct. If a town-wide recount is requested in a non-precinct town the petition must be signed by ten or more registered voters of that town.

SIGNERS' STATEMENT

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We are qualified voters of the Commonwealth and of Ward 6
ward or precinct

We have reason to believe and do believe that the records of the votes cast for the office or question given above at the Election held in this ward or precinct are erroneous, that (state reasons on line below):
(preliminary, primary or election)

We allege in regards to said election held November 7, 2023 for Ward Councilor - Ward 6 that we have reason to believe and do believe that the records made by the election officers are erroneous for the following reasons:

1. Numerous ballots counted for Martha H. Bixby or as blanks should have been counted for Lisa Gordon..
2. Numerous ballots counted for Martha H. Bixby should have been counted for other candidates or as blanks.
3. There were numerous absentee ballots counted which should not have been counted in that the applications were improper and there are improper affidavits and returns.
4. There are numerous errors in the reading, recording, and tallying of votes. These errors resulted in the recording of less votes for Lisa Gordon than were actually casted, and the recording of more votes for Martha H. Bixby than were actually cast
5. Numerous ballots and absentee ballots were received and accepted from people not qualified to vote, in violation of M.G.L. Chapter 51, Section 1, as amended.
6. There were votes cast by persons not entitled to vote.
7. There were provisional ballots that were counted that should not have been counted; and provisional ballots that were not counted that should have been counted.

We request that all ballots, punchcards, data vote or optical scanner ballots be recounted BY HAND. We request review of all the voting records specified in M.G.L. Chapter 54, Section 135 et seq.

OR that challenged votes were cast by people not eligible to vote (check if applicable).

We request that data vote or optical-scanner ballots be recounted by hand. (If this box is not checked, these ballots will be recounted by computer only).

We believe that a recount will affect the nomination or election of one or more candidates for the office above, or the decision of the question voted upon.

We therefore ask that all votes cast in the ward, town or precinct at the primary, preliminary or election be recounted.

NOTARIZATION

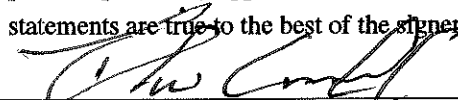
NOTARIZATION CERTIFICATE

One of the signers from each ward of a city or precinct of a town in which a recount is requested must swear to this petition before a notary public or justice of the peace.

Commonwealth of Massachusetts
COUNTY OF MIDDLESEX SS.
NEWTON
city or town

NOVEMBER 15 20 23

SIMON FRENCH, one of the signers of this petition, personally appeared and swore before me that the above statements are true to the best of the signers' knowledge and belief.


Notary Public or Justice of the Peace

My commission expires 10/25, 20 30

SIGN ON THE REVERSE SIDE

ATTENTION VOTERS: Read signers' statement on other side before signing.
ATTENTION REGISTRARS: See instructions to registrars below before certifying names.

City or Town Newton
 Ward or Precinct Ward 6

OFFICE OR QUESTION TO BE RECOUNTED Ward Councilor - Ward 6

SIGNERS' INSTRUCTIONS

INSTRUCTIONS TO SIGNERS

Before signing, read signers' statement on the reverse side.
If this is a petition for a primary recount, you must have been enrolled in that political party on or before the last day to register for the primary.
 For your signature to be valid, you must be a registered voter in the city or town and in the ward or precinct named on this petition.

Your signature should be written substantially as registered
 If you are prevented by physical disability from writing you may authorize some person to write your name and residence in your presence.
Sign your name in column I and your address in column II.

CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above).	II NOW REGISTERED AT (street, number and apartment number, if any). (city or town will be the same as stated above).	WARD	PRECINCT
1	✓ <u>Barbara Silver</u>	<u>70 Elgin St #1 Newton</u>	<u>6</u>	
2	✓ <u>Sam P. Mitchell</u>	<u>29 Berwick Rd Newton</u>	<u>6</u>	
3	✓ <u>Shirley Mitchell</u>	<u>29 Berwick Rd Newton</u>	<u>6</u>	
4	✓ <u>Henry Tener</u>	<u>23 Stafford Rd.</u>	<u>6</u>	<u>4</u>
5	✓ <u>John Tener</u>	<u>23 Stafford Rd.</u>	<u>6</u>	<u>4</u>
6	✓ <u>Elizabeth Horsh</u>	<u>127 Langley Rd</u>	<u>6</u>	<u>4</u>
7	✓ <u>Grace Sherman</u>	<u>109 Warren St.</u>	<u>6</u>	
8	✓ <u>Donna Pinto</u>	<u>26 SAXON RD</u>	<u>6</u>	
9	✓ <u>Zal Arin</u>	<u>70 ELGIN ST</u>	<u>6</u>	
10	✓ <u>Ata Lewis</u>	<u>126 PLEASANT ST</u>	<u>6</u>	
11	✓ <u>Ken Gowen</u>	<u>76 ELGIN STREET</u>	<u>6</u>	
12	✓ <u>AGNY</u>	<u>76 Elgin St.</u>	<u>6</u>	<u>1</u>
13	✓ <u>Caryl Summers</u>	<u>11 Marshall St</u>	<u>6</u>	
14	✓ <u>Anthony Summers</u>	<u>11 MARSHALL ST</u>	<u>6</u>	
15	✓ <u>SIMON FRENCH</u>	<u>47 GLEN AVE</u>	<u>6</u>	

WARNING - criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying or suppressing this petition: fine of up to \$1,000 or imprisonment for up to one year.

REGISTRAR INFORMATION

INSTRUCTIONS TO REGISTRARS

- You must time-stamp or write in date and time these papers are received.
- For a recount of a primary, signers must be registered voters enrolled in the appropriate party by the last day to register for the primary.
- Check this ✓ against the name of each qualified voter to be certified. For names not certified use the code at the right. Draw a line through any blank spaces not containing signatures.
- Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.

- N** - no such registered voter at that address, or address is illegible.
- S** - unable to identify signature as that of voter because of form of signature or signature is illegible.
- E** - not enrolled in the appropriate party by the last day to register before the primary.
- W** - wrong district, community, ward or precinct.
- T** - already signed petition for this recount.

CERTIFICATION OF NAMES

We certify that Fifteen (15)
 (number of names certified) (use numbers and words)
 signatures thus checked ✓ are the names of voters of
ward 6 of Newton
 (ward or precinct) (city or town)
 qualified to sign this petition.

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

Mary K. Under
John P. McDevitt
Karen [Signature]
 Registrars of Voters or Election Commissioners of
Newton 11/16/23
 (city or town) (date)