

**STATE OF NEW HAMPSHIRE
BALLOT LAW COMMISSION**

Case Number BLC 2014-7

In re Eric P. Estevez

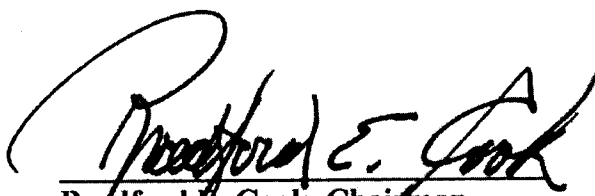
This matter comes before the Commission at the request of Jared Stevens, of Pelham, New Hampshire, who challenges the qualifications of Eric P. Estevez to run for the New Hampshire House of Representatives in the general election. Mr. Estevez was one of the successful candidates in the September 9 Republican Primary and Stevens was one of those candidates who was not successful. Mr. Stevens' objection is that Mr. Estevez does not meet the two-year residency requirement to run for the House. In support of his position, Mr. Stevens provided the Commission with documentation of the fact that Estevez had formed a non-profit corporation in Massachusetts which listed his residence at an address in Wakefield, Massachusetts, was the registered agent of that corporation, which would require his being a resident of Massachusetts, had been registered to vote in Massachusetts, and lived in a private residence at the address in Wakefield. Subsequent filings by Mr. Estevez with the Commonwealth in 2013 continued to list the Wakefield address.

The Ballot Law Commission held a hearing on the matter on September 18, 2014. At the hearing, Mr. Stevens presented testimony and submitted the documentation as evidence. In response, Mr. Estevez testified that he had been raised in Pelham, went to school there, and left the state only to attend college and graduate school. While in graduate school in Massachusetts, he lived in the house in Wakefield, which was rented, had in fact registered to vote and did vote there, formed the corporation to do charitable work, filing the incorporation papers as he believed he was required to, and admitted that perhaps listing himself in 2013 as the registered agent of the corporation was a mistake. He testified under oath that he had returned to New Hampshire in June of 2012, provided evidence of his driver's license and registration from that time, and stated that he had not resided in the Wakefield residence, no longer rented by him, in the last two years, but had resided in the family residence in Pelham. No evidence to contradict this testimony as to his physical residence was provided, notwithstanding the corporate papers described above. Further, Estevez testified that he would have voted in the 2012 election in New Hampshire, but his employment with the Federal Government took him out of state during Hurricane Sandy, so he was unable to vote, and had intended to register at the time of voting. Evidence was that he registered to vote in the spring of 2014. He testified that he did not vote in Massachusetts in the last two years, although he remained on the voter list there.

The majority of the Commission finds that Mr. Estevez satisfies the residency requirement to run for the New Hampshire House of Representatives in the general election, on the basis of his sworn testimony as to his actual residence for more than two years. His name

will appear on the ballot. The challenge is denied.

So ordered.

A handwritten signature in black ink, appearing to read "Bradford L. Cook". The signature is written in a cursive style with a large, looping initial "B".

Bradford L. Cook, Chairman

Michael Eaton

Dean Eggert

Beverly Hollingworth

Commissioner Roger Wellington dissents from this decision.

September 18, 2014