

STATE OF NORTH CAROLINA  
MECKLENBURG COUNTY BOARD OF ELECTIONS

IN THE MATTER OF

ELECTION PROTEST:

Tigress Sydney Acute McDaniel, Protestor,

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NOTICE OF APPEAL

NOW COMES, Tigress Sydney Acute McDaniel, protestor, to hereby give Notice of Appeal from the May 25 and June 6, 2022 orders entered by the Mecklenburg County Board of Elections, and markedly signed on June 10 and June 13, 2022 respectively. Pursuant to NC GS § 163-182.10 et seq. and all applicable elections laws, protestor hereby appeals these orders from the Mecklenburg County Board of Elections to the North Carolina Board of Elections.

Submitted this 21<sup>st</sup> day of June 2022,



Tigress Sydney Acute McDaniel, Protestor  
10926 Quality Drive Unit 38813  
Charlotte, NC 28278

CERTIFICATE OF SERVICE

Pursuant to the NC Rules of Civil Procedure, NC GS § 163 et seq., and all other applicable law, a copy of the foregoing has been electronically served upon the Mecklenburg County Board of Elections, by and through its counsel, Edward Yeager, attorney for the City of Charlotte, at [edward.yeager@mecklenburgcountync.gov](mailto:edward.yeager@mecklenburgcountync.gov) on this 21<sup>st</sup> day of June 2022.



Tigress Sydney Acute McDaniel  
10926 Quality Drive Unit 38813  
Charlotte, NC 28278

Automatic reply: [External] Re: [External]Order Dismissing Appeal by Meck County BOE from June 6, 2022 Hearing on Election Protest for May 17, 2022 Primary Election

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From: SVC\_SBOE.Elections (elections.sboe@ncsbe.gov)

To: evolve@seetigressrun.com

Date: Thursday, June 16, 2022 at 04:11 PM EDT

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Thank you for contacting the NC State Board of Elections. Your email has been received and will be reviewed for a proper response.

## RE: [External]Order Dismissing Appeal by Meck County BOE from June 6, 2022 Hearing on Election Protest for May 17, 2022 Primary Election

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From: Yeager, Edward (edward.yeager@mecklenburgcountync.gov)

To: evolve@seetigressrun.com

Cc: m'lou.greene@mecklenburgcountync.gov; kristin.mavromatis@mecklenburgcountync.gov

Date: Thursday, June 16, 2022 at 11:33 AM EDT

---

Good morning Ms. McDaniel,

I have completed the order. It is pending signature and when it is signed I will forward you a copy.

V/r,



**J. Edward Yeager, Jr.**

Senior Deputy County Attorney  
600 East Fourth Street, 11th Floor | Charlotte, NC 28202  
Mecklenburg County Government  
980.314.2921

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---

**From:** evolve@seetigressrun.com <evolve@seetigressrun.com>

**Sent:** Thursday, June 16, 2022 11:07 AM

**To:** Yeager, Edward <Edward.Yeager@mecklenburgcountync.gov>

**Cc:** Greene, M'Lou <M'Lou.Greene@mecklenburgcountync.gov>; Mavromatis, Kristin W. <Kristin.Mavromatis@mecklenburgcountync.gov>

**Subject:** [External]Order Dismissing Appeal by Meck County BOE from June 6, 2022 Hearing on Election Protest for May 17, 2022 Primary Election

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Edward,

I have checked my mail and this electronic mailbox regularly, as I generally do, and have found no mailing from you nor your office nor the County BOE.

I have also checked my Gmail account for my political campaign ([seetigressrun@gmail.com](mailto:seetigressrun@gmail.com)), and again, have found no correspondence regarding the order.

Please confirm that you have finalized the draft for the county board's decision and when I can expect to receive a copy of it so that I can perfect my appeal.

Tigress Sydney Acute McDaniel,

## YOUR Best Candidate for Mayor of Charlotte

*#WeMayorTogether*

*#TigressChecksALLTheBoxes*

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to **E**veryone)

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**YouTube: See Tigress Run**

<https://www.youtube.com/channel/UCPFj4LFUr6U6ga5IBmhHSyQ>

## [TikTok: See Tigress Run](#)

[https://www.tiktok.com/@seetigressrun/video/6928463224249552134?is\\_from\\_webapp=1&sender\\_device=pc&web\\_id7057998498309965358](https://www.tiktok.com/@seetigressrun/video/6928463224249552134?is_from_webapp=1&sender_device=pc&web_id7057998498309965358)

## [Twitter: SeeTigressRun](#)



**Tigress SA McDaniel (@SeeTigressRun) | Twitter**

The latest Tweets from Tigress SA McDaniel (@SeeTigressRun). eOfc Hrs: M-F 9 - 11a 📞 📧 📧 | #SeeWeEvolve | E.ver...

## [Instagram: SeeTigressRun](#)



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81 Followers, 69 Following, 73 Posts - See Instagram photos and videos from Tigress Sydney Acute McDaniel (@seet...

## [Facebook: SeeTigressRun](#)



## Re: [External] Fw: MAY 19, 2022 ELECTION PROTEST || PROTESTOR'S NOTICE OF APPEAL FROM COUNTY BOARD OF ELECTIONS TO STATE BOARD OF ELECTIONS

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From: Tigress Sydney Acute McDaniel (sue@seetigressrun.com)

To: paul.cox@ncsbe.gov

Cc: karen.bell@ncsbe.gov; damon.circosta.board@ncsbe.gov; stella.anderson.board@ncsbe.gov; jeff.carmon.board@ncsbe.gov; stacyr.brown@cms.k12.nc.us; tommy.tucker.board@ncsbe.gov

Date: Tuesday, July 26, 2022 at 07:47 AM EDT

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Paul and to the board members directly,

I hope this email finds you well.

I did, in fact, comply with both the state statute and state administrative code to perfect my appeal, and timely so.

In fact, I also attached copies to my initial email to the state board to serve as proof of service and contents of such service.

I'll expect you to locate my appeal and handle it properly according to law. Find all material records attached hereto. My free form Notice of Appeal does mistakenly denote the wrong date, but my pleading is not required by law and thus does not constitute any noncompliance with all applicable law. All other documents properly denote the correct date, June 16, 2022, within the time allowed to perfect one's appeal.

In the interim, I'll also appeal today's election to ensure that my appeal is not ignored, because it is valid and merited ... and relief and remedy is proper.

### Tigress Sydney Acute McDaniel

On Tuesday, July 19, 2022 at 08:45:21 PM EDT, Cox, Paul <paul.cox@ncsbe.gov> wrote:

Ms. McDaniel,

I hope this message finds you well.

This response is to inform you that the State Board of Elections has received no appeal from you regarding your election protest, and the time to appeal has expired.

The State Board received a copy of a Notice of Appeal from you. A notice of appeal is the document that you provide to the county board to let them know that you are planning to appeal. This notice serves the primary purpose of informing the board that it should not issue a certificate of nomination or election in the contest at issue because an appeal is pending,

pursuant to GS 163-182.15. The notice is a prerequisite to filing your actual appeal with the State Board. An election protest appeal is a separate filing. It is filed with the State Board, not the county board, and the contents of the election protest appeal are prescribed in an administrative code provision, 08 NCAC 02 .0112. The reason the contents of an appeal are prescribed in law is to ensure that the State Board receives all relevant information it needs to consider an appeal. A mere notice of appeal does not provide the information necessary for the State Board to decide an appeal.

I've copied below the relevant statutory and administrative code provisions, with highlights for particularly pertinent requirements. The State Board also maintains a publicly available Election Protest Procedures Guide [here](#), which states on pages 9 through 10:

The appeal contains two parts. First, an appealing party must notify the county board in writing of the party's intent to appeal within 24 hours of the board's written decision. The notice of appeal is not required to include a copy of the appeal form itself. Second, the appealing party must timely file an appeal to the State Board. The appeal must be in writing and on the Election Protest Appeal Form. The appeal form is available [here](#) on the Office of Administrative Hearing's website.

In sum, the State Board does not have a lawful appeal of the county board's decision in your protest. Accordingly, because there is no appeal, no action has been taken by the State Board regarding your protest.

Best regards,

**Paul Cox | Associate General Counsel**

North Carolina State Board of Elections

430 N Salisbury street

Raleigh, NC 27611

919.814.0717

[www.ncsbe.gov](http://www.ncsbe.gov)

**N.C.G.S. § 163-182.11. Appeal of a protest decision by the county board to the State Board of Elections.**

(a) **Notice and Perfection of Appeal.** - The decision by the county board of elections on an election protest may be appealed to the State Board of Elections by any of the following:



- (1) The person who filed the protest.
- (2) A candidate or elected official adversely affected by the county board's decision.
- (3) Any other person who participated in the hearing and has a significant interest adversely affected by the county board's decision.

Written notice of the appeal must be given to the county board within 24 hours after the county board files the written decision at its office. The appeal to the State Board must be in writing. The appeal must be delivered or deposited in the mail, addressed to the State Board, by the appropriate one of the following: (i) the end of the second day after the day the decision was filed by the county board in its office, if the decision concerns a first primary; or (ii) the end of the fifth day after the day the decision was filed in the county board office, if the decision concerns an election other than a first primary.

The State Board shall prescribe forms for filing appeals from the county board.

(b) Consideration of Appeal by State Board. - In its consideration of an appeal from a decision of a county board of elections on a protest, the State Board of Elections may do any of the following:

- (1) Decide the appeal on the basis of the record from the county board, as long as the county board has made part of the record a transcript of the evidentiary hearing.
- (2) Request the county board or any interested person to supplement the record from the county board, and then decide the appeal on the basis of that supplemented record.
- (3) Receive additional evidence and then decide the appeal on the basis of the record and that additional evidence.
- (4) Hold its own hearing on the protest and resolve the protest on the basis of that hearing.
- (5) Remand the matter to the county board for further proceedings in compliance with an order of the State Board.

The State Board shall follow the procedures set forth in subsections (c) and (d) of G.S. 163-182.10 except where they are clearly inapplicable.

The State Board shall give notice of its decision as required by G.S. 163-182.14, and may notify the county board and other interested persons in its discretion. (2001-398, s. 3; 2017-6, s. 3; 2018-146, s. 3.1(a), (b).)

APPEAL OF ELECTION PROTEST TO STATE BOARD OF ELECTIONS

(Use of this form is required by G. S. 163-182.11 (a))

A copy of this appeal must be given to the county board of elections within 24 hours (weekends and holidays excluded) after the county board files its written decision at its office. This same appeal must be filed with or mailed to the State Board of Elections by the end of the second day following the county board decision if the protest involves a first primary. As to a protest of any other election, this appeal must be filed or deposited in the mail by the end of the fifth day following the county board decision. See G.S. 163-182.11 (a). A copy of the original election protest form with attachments must be filed with this appeal. A copy of the county board decision must be filed with this appeal. The county board will provide the record on appeal. As many additional sheets as are necessary to answer the questions below may be attached, but they must be numbered. Please print or type your answers.

1. Full name, mailing address, home and business phone, fax number, and e-mail address of undersigned.

2. Are you the person who filed the original protest, a candidate or office holder adversely affected by the county decision, or someone else whose interest has been adversely affected by the county decision?

3. State the date, place, kind of election, and results of the election protested (if different from the information on the election and its results as set out in the attached original protest form).

4. State the name, mailing address, home phone, and business phone of all candidates involved in the protested election.

5. State the date of the county board hearing

6. State the legal and factual basis for your appeal.

7. Is there any material submitted with this appeal that was not presented to and considered by the county board? Is so, please identify and state why it was not presented to the county board. Why do you think the State Board of Elections should consider it?

8. Normally the State Board will make its decision in an appeal based upon the record from the county board. If you desire the record in this matter to be supplemented, additional evidence to be considered, or a completely new hearing, please state such desire and why it should be allowed in this appeal. See G.S. 163-182.11 (b).

9. What relief do you seek? Why?

10. Have you read and reviewed G.S. 163-182.11 through G.S. 163-182.14 and the current North Carolina State Board of Elections regulations on appeals of election protests?

11. Besides a copy of the original protest and the county board decisions, this appeal includes \_\_\_ pages of additional answers and \_\_\_ pages of exhibits and documents not included in the original protest and decision.

Signature of Person Appealing

Date Appeal Signed

Date appeal received by State Board of Elections

(To be entered by the State Board of Elections staff)

Send your appeal to, or if you have questions contact: North Carolina State Board of Elections, P.O. Box 27255, Raleigh, NC 27611-7255, (919) 733-7173.

History Note: Authority G.S. 163-22; 163-182.11;

Temporary Adoption Eff. April 15, 2002;

Eff. August 1, 2004;

Readopted Eff. June 1, 2019.

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**From:** Tigress Sydney Acute McDaniel <[sue@seetigressrun.com](mailto:sue@seetigressrun.com)>  
**Sent:** Tuesday, June 21, 2022 1:21 PM  
**To:** Circosta, Damon <[Damon.Circosta.board@ncsbe.gov](mailto:Damon.Circosta.board@ncsbe.gov)>; Anderson, Stella <[Stella.Anderson.Board@ncsbe.gov](mailto:Stella.Anderson.Board@ncsbe.gov)>; Carmon, Jeff <[Jeff.Carmon.board@ncsbe.gov](mailto:Jeff.Carmon.board@ncsbe.gov)>; [our.eggerts.board@ncsbe.gov](mailto:our.eggerts.board@ncsbe.gov); Tucker, Tommy <[Tommy.Tucker.Board@ncsbe.gov](mailto:Tommy.Tucker.Board@ncsbe.gov)>; Bell, Karen B <[Karen.Bell@ncsbe.gov](mailto:Karen.Bell@ncsbe.gov)>  
**Subject:** [External] Fw: MAY 19, 2022 ELECTION PROTEST || PROTESTOR'S NOTICE OF APPEAL FROM COUNTY BOARD OF ELECTIONS TO STATE BOARD OF ELECTIONS

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NC Board of Elections:

Find my Notice of Appeal attached and otherwise forwarded herewith.

Tigress McDaniel

----- Forwarded Message -----

**From:** [evolve@seetigressrun.com](mailto:evolve@seetigressrun.com) <[evolve@seetigressrun.com](mailto:evolve@seetigressrun.com)>  
**To:** Yeager, Edward <[edward.yeager@mecklenburgcountync.gov](mailto:edward.yeager@mecklenburgcountync.gov)>  
**Cc:** NC State Board Of Elections <[amy.strange@ncsbe.gov](mailto:amy.strange@ncsbe.gov)>; NC State Board Of Elections <[nadine.lewis@ncsbe.gov](mailto:nadine.lewis@ncsbe.gov)>; [elections.sboe@ncsbe.gov](mailto:elections.sboe@ncsbe.gov) <[elections.sboe@ncsbe.gov](mailto:elections.sboe@ncsbe.gov)>; Jane Steffens <[jane.steffens@ncsbe.gov](mailto:jane.steffens@ncsbe.gov)>  
**Sent:** Tuesday, June 21, 2022, 01:13:23 PM EDT  
**Subject:** Re: MAY 19, 2022 ELECTION PROTEST || PROTESTOR'S NOTICE OF APPEAL FROM COUNTY BOARD OF ELECTIONS TO STATE BOARD OF ELECTIONS

Find attached my Notice of Appeal.

Edward, you and the city/county are hereby lawfully served a copy.

I have mailed the original to the State Board.

I fully expect my protest to be handled IN FULL ACCORDANCE with law, oppositely from the county's obfuscation and facade of compliance.

Directly,

Tigress Sydney Acute McDaniel,



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39.8kB



responsetomyrequestfororderfromcctyboard\_061622.pdf  
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protestelectionformpg1of3\_051922.jpeg  
649.2kB



May 25 2022 Order.pdf  
67.4kB



June 6 2022 Order.pdf  
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90.6kB



appealtostateboard\_re0517primary\_061622.pdf  
803.3kB

Automatic reply: [External] Re: [External]Order Dismissing Appeal by Meck County BOE from June 6, 2022 Hearing on Election Protest for May 17, 2022 Primary Election

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From: SVC\_SBOE.Elections (elections.sboe@ncsbe.gov)

To: evolve@seetigressrun.com

Date: Thursday, June 16, 2022 at 04:11 PM EDT

---

Thank you for contacting the NC State Board of Elections. Your email has been received and will be reviewed for a proper response.

## BOE Orders

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From: Yeager, Edward (edward.yeager@mecklenburgcountync.gov)

To: evolve@seetigressrun.com

Date: Friday, June 17, 2022 at 10:23 AM EDT

---

Good morning Ms. McDaniel,

Attached are the signed orders you requested.



**J. Edward Yeager, Jr.**

Senior Deputy County Attorney  
600 East Fourth Street, 11th Floor | Charlotte, NC 28202  
Mecklenburg County Government  
980.314.2921

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June 6 2022 Order.pdf  
82.2kB



May 25 2022 Order.pdf  
67.4kB

## Re: MAY 19, 2022 ELECTION PROTEST || PROTESTOR'S NOTICE OF APPEAL FROM COUNTY BOARD OF ELECTIONS TO STATE BOARD OF ELECTIONS

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From: evolve@seetigressrun.com (evolve@seetigressrun.com)

To: edward.yeager@mecklenburgcountync.gov

Cc: amy.strange@ncsbe.gov; nadine.lewis@ncsbe.gov; elections.sboe@ncsbe.gov; jane.steffens@ncsbe.gov

Date: Tuesday, June 21, 2022 at 01:13 PM EDT

---

Find attached my Notice of Appeal.

Edward, you and the city/county are hereby lawfully served a copy.

I have mailed the original to the State Board.

I fully expect my protest to be handled IN FULL ACCORDANCE with law, oppositely from the county's obfuscation and facade of compliance.

Directly,

**Tigress Sydney Acute McDaniel,  
YOUR Best Candidate for Mayor of Charlotte**

*#WeMayorTogether*

*#TigressChecksALLTheBoxes*

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**[www.SeeTigressRun.com](http://www.SeeTigressRun.com)**

**YouTube: See Tigress Run**

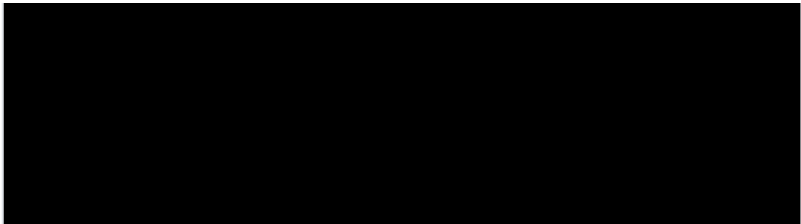
<https://www.youtube.com/channel/UCPFj4LFUr6U6ga5lBmhHSyQ>


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is\\_from\\_webapp=1&sender\\_device=pc&web\\_id=7057998498309965358](https://www.tiktok.com/@seetigressrun/video/6928463224249552134?is_from_webapp=1&sender_device=pc&web_id=7057998498309965358)

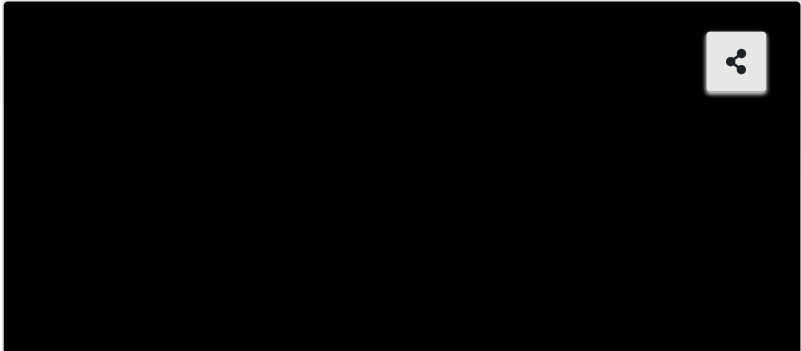
**[Twitter: See TigressRun](#)**






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81 Followers, 69 Following, 73 Posts - See Instagram photos and videos from Tigress Sydney Acute McDaniel (@seet...)

[Facebook: SeeTigressRun](#)

On Friday, June 17, 2022, 10:23:00 AM EDT, Yeager, Edward <edward.yeager@mecklenburgcountync.gov> wrote:

Good morning Ms. McDaniel,



Attached are the signed orders you requested.



**J. Edward Yeager, Jr.**  
Senior Deputy County Attorney  
600 East Fourth Street, 11th Floor | Charlotte, NC 28202  
Mecklenburg County Government  
980.314.2921

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