

**STATE OF NORTH CAROLINA**  
**MECKLENBURG COUNTY BOARD OF ELECTIONS**

**IN THE MATTER OF** )  
 )  
 ELECTION PROTEST: )  
 )  
 Tigress McDaniel, Challenger, ) **ORDER**  
 )  
 )  
 \_\_\_\_\_ )

This matter was before the Mecklenburg County Board of Elections on June 6, 2022 for hearing on an election protest filed pursuant to N.C. Gen. Stat. § 163-182.9 by Tigress McDaniel, candidate for Mayor of the city of Charlotte. The following people were present for the hearing: Carol Hill Williams, Chair; John Gresham; Elizabeth McDowell; Michael Dickerson, Director of Elections; Board of Elections staff; Edward Yeager, Sr. Deputy County Attorney; Tigress McDaniel. Board member Mary Potter Summa participated by telephone.

The Board reviewed the Amended Election Protest Form filed by Ms. McDaniel and gave her an opportunity to address the Board.

Based on the testimony and documents presented, the Board makes the following FINDINGS OF FACT:

1. The Mecklenburg County Board of Elections conducted a preliminary consideration of the protest pursuant to N.C. Gen. Stat. § 163-182.10 which requires the board to determine if the protest substantially complies with N.C. Gen. Stat. § 163-182.9 and establishes probable cause to believe that a violation of election law or irregularity or misconduct has occurred.

2. Ms. McDaniel filed an election protest on May 20, 2022. This Board conducted a meeting to give that protest preliminary consideration on May 25, 2022. At the May 25<sup>th</sup> meeting the Board voted unanimously to dismiss the protest. At the conclusion of that meeting, Ms. McDaniel informed the Board that she intended to file an Amended Protest

3. On May 26, 2022, Ms. McDaniel filed an election protest on the form provided by the SBOE. The form was not marked as an Amended Protest and, in fact, consisted of the identical three-page protest as previously filed and dismissed by this Board on May 25, 2022, but attached to it was "Protestor's Affidavit in Support of May 19, 2022 Election Protest Against the May 17,

2022 NC Special Primary Election.” On May 27, 2022, Ms. McDaniel filed “Protestor’s Amended Affidavit in Support of May 19, 2022 Election Protest Against the May 17, 2022 NC Special Primary Election.” On May 31, 2022, Ms. McDaniel filed “Protestor’s New Discovery and Affidavit in Support of May 19, 2022 Election Protest Against the May 17, 2022 NC Special Primary Election.

4. The vote tally in the Charlotte mayoral race is: Lyles, 48,569; Puckett 4,275; McDaniel, 2,614; McKenzie, 2,286.

5. Prior to consideration of Ms. McDaniel’s protest she was given an opportunity to address the Board. Ms. McDaniel stated that she had learned about a homeless woman who was given a “quid pro quo transactional value” in exchange for her vote and for defaming other candidates. Ms. McDaniel’s allegations of bribery and voter intimidation were based on hearsay. She presented no evidence of what was said or any voter’s reaction. She also presented no evidence of alleged physical obstructions to voting and no other complaints were filed with the Board.

6. Ms. McDaniel included a Facebook post as a part of her supporting documentation from an organization that hired workers to distribute campaign flyers. The Board clarified that a campaign or political interest group’s use of paid individuals to assist in “get-out-the-vote” efforts does not violate the law. The Board also informed Ms. McDaniel that her allegations of bribery, voter intimidation, and or defamation would be more appropriately referred to the US Attorney’s Office, the District Attorney, or for private civil litigation but did not establish probable cause for any relief which could be granted by this Board.

7. After fully reviewing and discussing the Amended Election Protest and the additional amended versions of the supporting affidavit, the Board concluded that probable cause was not established. Board Member McDowell then made a motion to dismiss the protest because it did not establish probable cause to believe that a violation of election law or irregularity or misconduct had occurred. The motion was seconded by Board Member Gresham. The board then voted unanimously to dismiss the protest.

Based on the aforesaid FINDINGS OF FACT, the Board CONCLUDES AS A MATTER OF LAW that the protest should be dismissed.

The Board, therefore, ORDERS that the protest is dismissed.

Carol Hill Williams

Chair  
June 13, 2022.

---

Secretary  
June \_\_, 2022.

Kary Bussora

Member  
June 10, 2022.

---

Member  
June \_\_, 2022.

**STATE OF NORTH CAROLINA**  
**MECKLENBURG COUNTY BOARD OF ELECTIONS**

**IN THE MATTER OF**

ELECTION PROTEST:

Tigress McDaniel, Challenger,

---

)  
)  
)  
)  
)  
)  
)  
)

**ORDER**

This matter was before the Mecklenburg County Board of Elections on May 25, 2022 for hearing on an election protest filed pursuant to N.C. Gen. Stat. § 163-182.9 by Tigress McDaniel, candidate for Mayor of the city of Charlotte. The following people were present for the hearing: Carol Hill Williams, Chair; Mary Potter Summa; John Gresham; Beverly Earle; Michael Dickerson, Director of Elections; Board of Elections staff; Edward Yeager, Sr. Deputy County Attorney; Tigress McDaniel.

The Board reviewed the Election Protest Form filed by Ms. McDaniel and gave her an opportunity to address the Board.

Based on the testimony and documents presented, the Board makes the following FINDINGS OF FACT:

1. The Mecklenburg County Board of Elections conducted a preliminary consideration of the protest pursuant to N.C. Gen. Stat. § 163-182.10 which requires the board to determine if the protest substantially complies with N.C. Gen. Stat. § 163-182.9 and establishes probable cause to believe that a violation of election law or irregularity or misconduct has occurred.

2. The election protest filed by Ms. McDaniel on May 20, 2022 included pages 1 and 3 of the NCSBOE election protest form. The Board offered Ms. McDaniel the opportunity to complete and submit page 2 which she did prior to the Board considering her protest.

3. In her election protest, Ms. McDaniel stated that she is not protesting the election count. Instead, she alleged the following as her factual basis and legal argument:

- a. Voter intimidation at Beatties Ford Library and several early voting poll locations;
- b. Unlawful election influence involving bribery for votes;

- c. Exploitation of homeless and economically impoverished citizens to distribute political endorsement flyers;
- d. Coercion by candidates for votes or suffer ostracization and victimization;
- e. Construction impairments (physical) that impeded right of way for voters or otherwise impeded right of way for disabled or physically limited voters;
- f. Defamation of candidates at polling locations, including me.

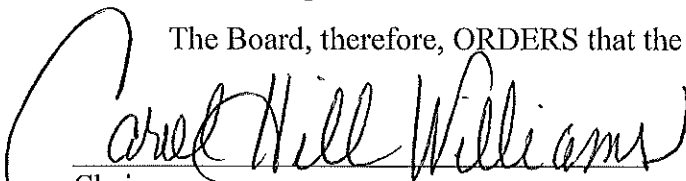
4. The vote tally in the Charlotte mayoral race is: Lyles, 48,569; Puckett 4,275; McDaniel, 2,614; McKenzie, 2,286.

5. The Board fully reviewed the election Protest form filed by Ms. McDaniel, along with the attached Affidavit that was provided as supporting documentation. Ms. McDaniel's allegations of bribery and voter intimidation were based on hearsay. She presented no evidence of what was said or any voter's reaction. She also presented no evidence of alleged physical obstructions to voting and no other complaints were filed with the Board.

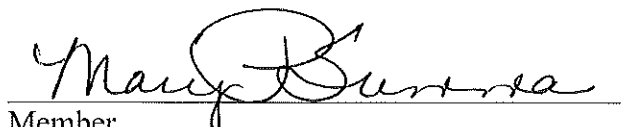
6. After review and discussion, the Board concluded that probable cause was not established. Board Member Summa then made a motion to dismiss the protest because it did not establish probable cause to believe that a violation of election law or irregularity or misconduct had occurred. The motion was seconded by Board Member Gresham. The board then voted unanimously to dismiss the protest.

Based on the aforesated FINDINGS OF FACT, the Board CONCLUDES AS A MATTER OF LAW that the protest should be dismissed.

The Board, therefore, ORDERS that the protest is dismissed.

  
Chair  
June 13, 2022.

\_\_\_\_\_  
Secretary  
June \_\_, 2022.

  
Member  
June 10, 2022.

---

Member  
June \_\_, 2022.