

# Cumberland County Board of Elections

## Election Protests Preliminary Hearing

### Nov 19, 2025

The Preliminary Hearing meeting was called to order by Chair Devore at 10:00 AM.

Members in attendance: Devore, Eldridge, Grimes, and Johnson

Others in attendance: Director of Elections Angie Amaro, Assistant Attorney Helen Nelson, and Members of the Public

**ACTION:** Member Grimes moved to approve the agenda. Seconded by Johnson and approved unanimously.

The board began with a discussion of with the Election Protest by Kathy Greggs, a candidate in the Fayetteville City Council District 7 election. The Protest alleges campaigning within the 50ft line, and disparaging remarks made about the Protestor by the prevailing candidate

Chair Devore briefed the members on the standards that need to be met today to proceed to an evidentiary hearing and are based on the contents in the documents presented to the board are the following:

- Did the protestor substantially comply with the requirements of the law?
- Is the protestor eligible to file the protest meaning is he a registered voters in the municipality?
- Is the protestor a candidate in the municipal election in the complaint.
- Was the protest filed in writing and include all pertinent information in the protest form.
- Was the protest timely filed within the required deadlines.

All the board members were in an agreement with these standards.

Next, Chair Devore discussed the statute covering probable cause which is 163.182.10 A1, as well as the Election Protest Procedure Guide provided by the State Board of Elections.

The board discussed whether the actions alleged in the Protest were substantial enough to affect the results of the election.

**ACTION:** Member Grimes made the motion there was no probable cause to proceed to an evidentiary hearing in the Kathy Greggs protest. The motion was seconded by Member Johnson and approved unanimously.

Next, the board members discussed the Election Protest filed by Dennis C. Smith, Sr. The protest alleges that the town clerk, while on duty at the town hall (municipal voting location), was texting with voters instructing them who to vote for in the Godwin Town Commissioners election.

Chair Devore provided the board with the NC General Statute 160A-169 City Employee Political Activity, which states no employee while on duty or in the workplace may use his or her official authority or influence for the purpose of interfering with or affecting the result of an election.

Chair Devore stated the difference between the 4<sup>th</sup> and 5<sup>th</sup> place candidates was 5 votes. The total votes for the election were 45 vote casts with the 4<sup>th</sup> place candidate receiving 25 votes and the 5<sup>th</sup> place candidate, and Protestor, receiving 20 votes.

The board members discussed whether there was an alleged violation of election law all that, if proven, could have affected the results of the election and if there was probable cause to proceed to an evidentiary hearing.

The board members discussed whether the protester was eligible to file, all the necessary written forms were filed, and the protest was filed in a timely manner.

**ACTION:** Member Johnson made a motion finding that there was probable cause to proceed to an evidentiary hearing. The motion was seconded by Member Eldridge. The vote was 3 to 1 with Member Grimes against.

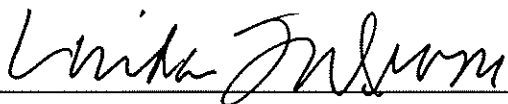
Chair Devore stated that Courthouse Room 118 is reserved for Tuesday morning Dec 2<sup>nd</sup> at 10:00am.

**ACTION:** Member Grimes moved to adjourn the meeting at 10:20am. Seconded by Member Eldridge and approved unanimously.

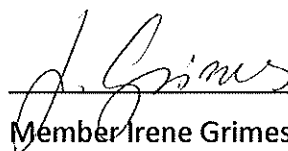
Respectfully submitted,



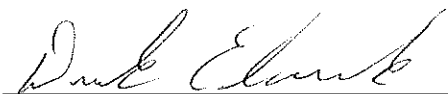
Brenda M Eldridge  
Secretary



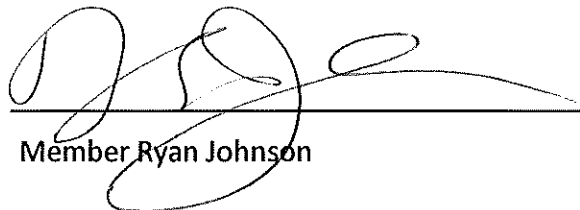
Chair Linda Devore



Member Irene Grimes



Member Derek Edmonds



Member Ryan Johnson