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BEFORE THE KING COUNTY ELECTIONS DIRECTOR

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	)	
In Re Challenge to the Voter Registration of:	)	FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW AND
Annette Fifield	)	ORDER DENYING CHALLENGE
	)	
	)	

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I. INTRODUCTION

THIS MATTER came before the King County Elections Director pursuant to chapter 29A.08 RCW and upon the challenge filed by Douglas Fifield to the voter registration of Annette Fifield.<sup>1</sup> In the challenge, Mr. Fifield alleges that Ms. Fifield does not maintain a legal voting residence at the address shown on her voter registration record. Neither party appeared at the challenge hearing.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. This voter registration challenge was initiated in writing and was filed by Mr. Fifield on January 31, 2024. A letter to Ms. Fifield with a copy to Mr. Fifield was sent on February 22, 2024, setting the hearing for April 3, 2024, at 11:00 a.m.

2. In an affidavit supporting the voter registration challenge, Mr. Fifield alleges that Ms. Fifield does not maintain a legal voting residence at the address shown on her voter

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<sup>1</sup> This challenge was filed more than forty-five days prior to the next election and pursuant to RCW 29A.08.820(3), is therefore decided by the King County Elections Director, rather than the King County Canvassing Board.

1 registration record, 3704 S. 291<sup>st</sup> Street, Auburn. Mr. Fifield alleges that Ms. Fifield actually  
2 resides at 13002 213<sup>th</sup> Avenue Ct. E, Bonney Lake, Washington.

3           3.       This challenge was brought pursuant to RCW 29A.08.810(c)(i) which allows a  
4 challenge to a voter's residential address if the challenger provides what the challenger alleges to  
5 be the voter's actual address on the challenge form. Mr. Fifield did provide what he alleges to be  
6 Ms. Fifield's actual address on the challenge form he filed and the challenge is therefore properly  
7 before me.

8           4.       As provided in RCW 29A.08.840, the person challenging another voter's  
9 registration has the burden to prove by clear and convincing evidence that the registration is  
10 improper.

11           5.       In the present case, therefore, Mr. Fifield has the burden to prove by clear and  
12 convincing evidence that Ms. Fifield's registration at the Auburn address is improper. RCW  
13 29A.08.840. The Washington Supreme Court has described clear and convincing evidence as  
14 sufficient to convince the trier of fact "that the fact in issue is 'highly probable.'" *Colonial*  
15 *Imports v. Carlton N.W.*, 121 Wn2d 726, 735 (1993). Therefore, the ultimate question to be  
16 answered in this matter is whether Mr. Fifield has proven that based on the evidence, it is highly  
17 probable that Ms. Fifield does not reside at the Auburn address for voter registration purposes.

18           6.       At the challenge hearing held on April 3, 2024, neither party appeared nor did  
19 either party present any additional evidence supported by sworn affidavits.

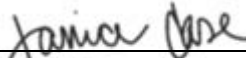
20           7.       Based on the limited evidence presented and the high burden of proof set forth in  
21 RCW 29A.08.840, I find that Mr. Fifield has failed to meet the burden to prove that Ms Fifield's  
22 registration is improper.

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III. ORDER

For the reasons set forth above, the challenge is

DENIED. ENTERED this 12th day of April, 2024.

  
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Janice Case, Deputy Director of Elections for  
Julie Wise, Director  
King County Elections Department