

ELECTION PROTEST FORM

All persons bringing an election protest under Article 15A shall complete and timely file the following form. For the purposes of this Rule, "timely" means within the time required by G.S. 163-182.9(b). Please note this form shall not be used to challenge the registration of an individual voter or to report an incident other than an irregularity affecting the outcome of an election.

ELECTION PROTEST

(Use of this form is required by G.S. 163-182.9(c))

This form must be filed with the county board of elections within the timeframes set out in G.S. 163-182.9(b)(4). Please print or type your answers. Use additional sheets if needed to answer the questions below fully. Number the pages of all additional sheets. Please note that filings will be a public record. Please redact all confidential information, such as date of birth, Social Security number, and driver's license number.

Respond to all prompts. Failure to complete this form as required may result in the dismissal of your protest. Attach additional sheets as necessary, including all exhibits and supplemental documents. All attachments are deemed incorporated and covered under the Protest Certification.

PROTESTOR

1. Provide your preferred contact information:

Name: Duron Lee Burney

County of Residence: Robeson

Email DuronBurney@yahoo.com

Phone: 910-827-7291

Mailing Address: 216 Richardson Street, Red Springs, NC 28377

NOTE: You will be deemed to consent to service at all of the above addresses (including email), unless you attach an addendum indicating otherwise.

2. Are you represented by counsel? Yes No

NOTE: If you answered Yes, above, your counsel must complete and you must attach the Counsel Certification Addendum.

3. Mark all that describes you:

received
11-14-25 LM

RETURNED IN PERSON
11-14-25 LM

X Candidate for the office of
Mayor

X Registered voter eligible to participate in the protested election contest

Neither of the above*

**If you select this option, you are not eligible to file a protest.*

PROTEST SCOPE

4. List all election contests subject to your protest and calculate the margin of votes separating the apparent winner from the runner-up as of the date of filing. Your response does not waive your right to contest the validity of the current vote count. If your protest concerns all contests on the ballot, you must include the vote margin for each contest.

Protested Contest(s)	Current Vote Margin (subtract runner-up totals from apparent winner's totals)
Mayor Of Red Springs	Caroline Sumpter 360 Duron Burney 359 1 vote

5. This protest alleges (*select at least one*):

A defect in the manner by which votes were counted or results tabulated was sufficient to cast doubt on the apparent results of the election.

X A violation of election law, irregularity, or misconduct sufficient to cast doubt on the apparent results of the election.

FACTUAL BASIS & LEGAL ARGUMENT

6. Provide all factual allegations in support of your protest. If any fact you allege is outside the scope of your personal knowledge, you may attach affidavits from those who have personal knowledge of that fact. All facts you allege in connection with this protest must be true and accurate to the best of your knowledge and brought in the sincere belief that the facts alleged form a good faith basis to protest the conduct and results of the election.

This protest is filed under North Carolina law based on evidence that one or more individuals Committed voter fraud and /or misrepresentation and violated N.C. Gen. Stat. § 163-226.3, as follows

These violations involve **assisting, marking, or submitting an absentee ballot on behalf of a voter to vote without authorization of their near relative or verifiable legal guardian**, as well as written request for an absentee ballot by another person to include the signing of said application or certificate as a witness, on behalf of a voter, who is a patient in a assisting living facility(Red Springs Assisted Living) in this State thereby committing voter fraud or in the alternative impersonating the voter and or their true identity as not the actual voter identified, and the illegal presentation of the absentee ballot by someone else.

North Carolina law provides that:

“Any person who, in connection with absentee voting in any election held in this State, violates any of the provisions of this section is guilty of a Class I felony.”

— N.C. Gen. Stat. § 163-226.3

I allege that the following violations occurred in connection with the **Red Springs Mayoral election**:

A. Unauthorized Person Assisted the Voter in Completing or Marking an Absentee Ballot

An individual identified as [**“Individuals known to the voter”**] assisted [**Voter’s Name**] (See below) in completing and marking their absentee ballot **without being a near relative or the voter’s verifiable legal guardian**, in violation of § 163-226.3(1) and/or (4), (5). This person also took possession of the absentee ballots for delivery and return to the board of elections.

- Janice Barnes
- Brenda Doyle-
- Ruth Norvell-
- Johnny McDougald-
- Vivian McMillan-
- Rodney McNeill
- Grady White-
- Mary Williams-

- Juanita Rivas-
- Arthur Shipman-
- Arthur Sneed-
- Eddie Russell-
- Lillie Miler-
- Terry Johnson
- Joy Rand
- Marian Paula Jones
- Sandra Wright
- Rebecca Robinson
- Peggy Johnson-

An individual identified as [**Kesha Gilchrist, Director** and others in the Red Spring Assisted Living Facility assisted Voters (**see below**) who are patients in completing and marking their said absentee ballot **without being a near relative or the voter's verifiable legal guardian**, in violation of § 163-226.3(1) and/or (4), (5). Ms. Gilchrist, the Manager, also took possession of the absentee ballot for delivery and returned to the county board of elections and signed an application as a witness on behalf of a registered voter who is a patient in the nursing home facility.

- The voter did not request assistance from this person.
- A near relative or legal guardian **was available** and **did not authorize** assistance.
- The assistance was given without lawful authority by requesting the absentee ballot for the voters, signing the application for the voter, submitting the absentee ballot for the voter, and signing an application or certificate as a witness, on behalf of a registered voter and acting as a is a violation of

B. Fraud and Misrepresentation / Voting on Behalf of a Voter Without near relative or legal Guardian Authorization by a voter who is a patient in an assisted living facility.

The individuals assisting the voters:

- **Misrepresented** themselves as having authority.
- **Acted without the authorization** of the voters near relative or legal guardian.
- **Requested** the absentee ballot, assisted the over to mark the ballot

- **Cast or caused to be cast** the absentee ballot by signing and delivering said absentee ballot, not lawfully executed to be delivered.

This conduct constitutes illegal voting and voter impersonation under N.C. law.

C. Unlawful Handling or Possession of the Voter's Absentee Ballot

The same individuals delivered and took possession of the absentee ballot for delivery and return **without being a near relative or legal guardian**, violating § 163-226.3(5).

D. Material Impact on the Election

These illegally cast or unlawfully assisted absentee ballots may have:

- Affected the results of the election in Mayoral Race in **Red Springs, NC**;
- Undermined the lawful will of voters.
- Compromised the integrity of the absentee-ballot process

7. List all individuals, if any, you may call as witnesses to substantiate facts listed in Prompt 6. If there are multiple individuals, summarize the facts of which the individual has personal knowledge.

- Lisa Townsend- an individual who recognizes the signatures of her husband on the absentee ballots.
- Janice Barnes-
- Brenda Doyle-
- Ruth Norvell- Deemed Incompetent by Court- Guardian Article Norvell
- Johnny McDougald-Deemed incompetent by the Court- Guardian Forsyth County DSS
- Vivian McMillan-Deemed incompetent/Guardian ARC of North Carolina
- Rodney McNeill- Deemed incompetent by the Court- Guardian Elizabeth McNeill Monroe
- Grady White-
- Mary Williams-
- Juanita Rivas-
- Arthur Shipman-
- Arthur Sneed-
- Eddie Russell-
- Lillie Miler-
- Terry Johnson-Deemed Incompetent by NC Court-Guardian

- Joy Rand
- Marian Paula Jones
- Sandra Wright-Deemed incompetent/Guardian -Cumberland County DSS
- Rebecca Robinson
- Peggy Johnson-Deemed incompetent/Guardian John Johnson
- Kelvin Townsend- Resident who signed said absentee ballots for other residents
- Kesha Gilchrist- Director of the nursing facility, who signed as a witness to said absentee ballots.

8. Cite any statute or case, administrative rule or decisions, and election policy or procedure that supports your claim set out under Prompt 5.

G.S.163-275 (1)(7)

Any person who shall, in connection with any primary, general or special election held in this State, do any of the acts or things declared in this section to be unlawful, shall be guilty of a Class I felony. It shall be unlawful:

For any person fraudulently to cause that person's name to be placed upon the registration books of more than one election precinct or fraudulently to cause or procure that person's name or that of any other person to be placed upon the registration books in any precinct when registration in that precinct does not qualify the person to vote legally therein, or to impersonate falsely another registered voter for the purpose of voting in the stead of the other voter.

7. For any person with intent to commit a fraud to register or vote at more than one precinct or more than one time, or to induce another to do so, in the same primary or election, or to vote illegally at any primary or election.

163-226.3 (1),(4),(5)

- (1) For any person except the voter's near relative or the voter's verifiable legal guardian to assist the voter to vote an absentee ballot when the voter is voting an absentee ballot; provided that if there is not a near relative or legal guardian available to assist the voter, the voter may request some other person to give assistance.
- (4) For any owner, manager, director, employee, or other person, other than the voter's near relative or verifiable legal guardian, to (i) make a written request pursuant to G.S. 163-230.1 or (ii) sign an application or certificate as a witness, on behalf of a registered voter, who is a patient in any hospital, clinic, nursing home or rest home in this State or for any owner, manager, director, employee, or other person other than the voter's near relative or verifiable legal guardian, to mark the voter's absentee ballot or assist such a voter in marking an absentee ballot. This subdivision does not apply to

members, employees, or volunteers of the county board of elections, if those members, employees, or volunteers are working as part of a multipartisan team trained and authorized by the county board of elections to assist voters with absentee ballots. Each county board of elections shall train and authorize such teams, pursuant to procedures which shall be adopted by the State Board. If neither the voter's near relative nor a verifiable legal guardian is available to assist the voter, and a **multipartisan team** is not available to assist the voter within seven calendar days of a telephonic request to the county board of elections, the voter may obtain such assistance from any person other than (i) an owner, manager, director, employee of the hospital, clinic, nursing home, or rest home in which the voter is a patient or resident; (ii) an individual who holds any elective office under the United States, this State, or any political subdivision of this State; (iii) an individual who is a candidate for nomination or election to such office; or (iv) an individual who holds any office in a State, congressional district, county, or precinct political party or organization, or who is a campaign manager or treasurer for any candidate or political party; provided that a delegate to a convention shall not be considered a party office. None of the persons listed in (i) through (iv) of this subdivision may sign the application or certificate as a witness for the patient.

- (5) For any person to take into that person's possession for delivery to a voter or for return to a county board of elections the absentee ballot of any voter, provided, however, that this prohibition shall not apply to a voter's near relative or the voter's verifiable legal guardian.
- (6) Except as provided in subsections (1), (2), (3) and (4) of this section and G.S. 163-231(a), for any voter to permit another person to assist the voter in marking that voter's absentee ballot, to be in the voter's presence when a voter votes an absentee ballot, or to observe the voter mark that voter's absentee ballot.

RELIEF

9. What effect do you believe the facts alleged in response to Prompt 6, if proven, will have on the electoral outcome in the protested contest(s)? Your response should account for the current vote margin calculated in response to Prompt 4.

- The electoral outcome of the protested contest(s) will change.
- The electoral outcome of the protested contest(s) will not change.
- I am uncertain whether the outcome of the contest(s) will change.
- Other _____

10. What relief do you seek?

Correct the vote count

A new election

Other: **Conduct a full investigation** into the assistance, marking, witnessing, and handling of the absentee ballot(s) at issue.

Invalidate any absentee ballots found to have been unlawfully assisted, marked, or returned—review **applications, witness signatures, and ballot envelopes** associated with the affected voter(s).

Interview the voter and relevant witnesses under oath if necessary.

Refer any evidence of criminal conduct to the **District Attorney** for investigation of Class I felonies under § 163-226.3.

Take any further corrective action permitted by N.C. Gen. Stat. §§ 163-182.9–10.

ASSISTANCE

11. List all people who assisted you in preparing the contents of this protest and indicate the nature of the assistance provided:

N/A

Note: For protestors represented by an attorney, this protest is the initial filing in a proceeding as defined by N.C. State Bar Rules. *See* 27 N.C.A.C. 02 Rule 1.00(n).

12. Has any candidate, political party, organization, or person acting on behalf of the same request that you bring this protest?

Yes

No

13. Have you received any financial or other benefit or promise of future financial or other benefit in exchange for filing this protest?

Yes

No

AFFECTED PARTIES & SERVICE

You must serve copies of all filings on every person with a direct stake in the outcome of this protest ("Affected Parties"). Affected Parties include every

candidate seeking nomination or election in the protested contest(s) listed under Prompt 4, not only the apparent winner and runner-up. If a protest concerns the eligibility or ineligibility of particular voters, all such voters are Affected Parties and must be served. Address information for registered voters is available from the county board of elections or using the Voter Lookup at www.ncsbe.gov.

Materials may be served by personal delivery, transmittal through U.S. Mail or commercial carrier service to the Affected Party's mailing address of record on file with the county board of elections or the State Board, or by any other means affirmatively authorized by the Affected Party. If you know the Affected Party is represented by an attorney, service must be made on his or her counsel. Service must occur within one (1) business day of filing materials with the county board of elections. If service is by transmittal through the U.S. Mail or commercial carrier service, service will be complete when the properly addressed, postage-paid parcel is deposited into the care and custody of the U.S. Mail or commercial carrier service. It is your responsibility to ensure service is made on all Affected Parties.

14. List all Affected Parties, including their service address:

<i>Affected Party Address</i>	<i>Service</i>
Duron Burney 216 Richardson Street Red Spring NC 28377	
Caroline Sumpter 109 East McNeill Drive Red Springs, NC 28377	

PROTESTOR CERTIFICATION

15. By signing this protest application, you affirm the following:

I, Duron Lee Burney (*full name*), swear, under penalty of perjury, that the information provided in this protest filing is true and accurate to the best of my knowledge, and that I have read and understand the following:

(*initial*)

DLB DLB I have reviewed the statutes and administrative rules governing election protests, including all deadlines.

DLB DLB My protest must originate with a filing at the county board of elections.

DLB DLB I must timely serve all Affected Parties.

DLB DLB I must prove by *substantial evidence* either the existence of a defect in the manner by which votes were counted or results tabulated or the occurrence of

a violation of election law, irregularity, or misconduct, either of which were sufficient to cast doubt on the apparent results of the election.

DLB DLB It is a crime to interfere unlawfully with the conduct and certification of an election.

DZB DLB It is a crime to interfere unlawfully with the ability of a qualified individual to vote and to have that vote counted in the election.

DZB DLB The facts I allege in connection with this protest are true and accurate to the best of my knowledge, and I have a good faith basis to protest the conduct and results of the election.

Submitting fraudulently or falsely completed declarations is a Class I felony under Chapter 163 of the General Statutes. This notice is provided pursuant to S.L. 2013-381, s. 5.4.

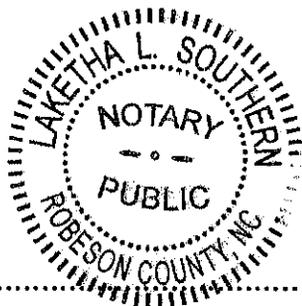
Signature of Protestor

[Handwritten Signature] Date: 11/13/25
(This signature must be signed in the presence of a notary)

State of North Carolina, County of Robeson

Sworn to (or affirmed) and subscribed before me this the 13th day of November 2025.

(Official Seal)



[Handwritten Signature]
Official Signature of Notary

Laketha L. Southern,
Notary Public
Printed Name

My commission expires: 5/2/29

Date/Time Filed with County Board

(completed by the county board)

NOTE: The county board must provide the State Board with a complete copy of a filed protest within one business day after it is filed. In addition, the county board shall provide a copy of the election audit with this copy of the protest.

Please direct any questions to your county board of elections or the North Carolina State Board of Elections & Ethics Enforcement, PO Box 27255, Raleigh, NC 27611-7255.

COUNSEL OF RECORD ADDENDUM

If you answered Yes to Prompt 2 on the above, your attorney must complete this form and you must file it with your Election Protest Application.

Attorney Must complete all of the following: N/A

Protestor Name: _____

Protestor County: _____

Attorney Name: _____

Attorney Email: _____

Attorney Phone: _____

I am a member in good standing with the North Carolina State Bar

I am not licensed to practice law in North Carolina but am a member in good standing in _____ (State or District of Columbia), and do hereby apply to appear pro hac vice and certify that I have or will file all appropriate documents required under G.S. 84-4.1.

Law Firm: _____

Bar Number: _____

I (choose one) am am not:

Subject to any order of any court or administrative agency disbaring, suspending, enjoining, restraining, or otherwise restricting me in the practice of law. If you are subject to any orders, explain in the space below.

I represent the Protestor whose name is provided above. I have read and understand the laws governing election protests in North Carolina General Statutes Chapter 163 and Title 8 of the N.C. Administrative Code. I swear/attest that the information I have provided in this Addendum is true and accurate to the best of my knowledge.

_____ N/A _____

Attorney Signature

Date

*History Note: Authority G.S. 163-22; 163-182.9;
Temporary Adoption Eff. April 15, 2002;
Eff. August 1, 2004;
Readopted Eff. September 1, 2018;
Amended Eff. November 1, 2020.*