

**BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO
AS A DULY CONSTITUTED ELECTORAL BOARD**

Objections of: FELIX CARDONA, JR.,)
MAKSYMILIAN WITOLD NOWAK)
)
To the Nomination) No.: 15-EB-ALD-008
Papers of: RENNE "TEX" CHAVEZ)
) Rel. ALD-077
Candidate for the office of)
Alderman of the 31st Ward, City of Chicago)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Richard A. Cowen, and Marisel A. Hernandez, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of FELIX CARDONA, JR., and MAKSYMILIAN WITOLD NOWAK ("Objectors") to the nomination papers ("Nomination Papers") of RENNE "TEX" CHAVEZ, candidate for the office of Alderman of the 31st Ward of the City of Chicago ("Candidate") to be elected at the Municipal General Election to be held on February 24, 2015, having convened on December 8, 2014, at 9:00 a.m., in Room 800, 69 West Washington Street, Chicago, Illinois, and having heard and determined the Objections to the Nomination Papers in the above-entitled matter, finds that:

1. Objections to the Nomination Papers of the Candidate herein were duly and timely filed.
2. The said Electoral Board has been legally constituted according to the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chairman of the Electoral Board and served upon the members of the Electoral Board, the Objectors and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute.

4. A public hearing held on these Objections commenced on December 8, 2014 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer William P. Jones for further hearings and proceedings.

6. The Objectors and the Candidate were directed by the Electoral Board to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. On such date and time, the Hearing Officer called the case by calling aloud the case number, the name of the Objectors and the name of the Candidate. The following persons, among others, answered and were present at such hearing: the Objectors, FELIX CARDONA, JR. and MAKSYMILIAN WITOLD NOWAK, by their attorney, Thomas A. Jaconetty.

7. The Candidate, RENNE "TEX" CHAVEZ, did not answer to the call nor did he appear at the hearing. The case was called again at least two more times at least 15 minutes apart on December 10, 2014 and at no time did the Candidate or any person purporting to represent the Candidate appear. The Hearing Officer ordered that a second attempt at service be made upon the Candidate and continued the hearing until December 16, 2014.

8. The Electoral Board finds that the Cook County Sheriff attempted to serve the Candidate with a copy of the Objector's Petition and with a copy of the Call to the December 10, 2014 hearing in this cause. The return of the Sheriff's office indicated that the reason that the Candidate was not served was "Refused Service."

9. The Cook County Sheriff again attempted to serve the Candidate with a notice of continued hearing for the December 16, 2014. The Sheriff's return of service indicated that the Candidate was personally served on December 12, 2014. A copy of the notice of continued hearing was also sent to the Candidate by certified mail, return receipt requested, but no receipt was returned to the Board by the Postal Service.

10. The Candidate, RENNE "TEX" CHAVEZ, did not appear at the December 16, 2014 continued hearing.

11. The Hearing Officer has tendered his report and recommendations. The Hearing Officer found that the Candidate's Statement of Candidacy is materially illegible in that the notarization, including the date of notarization, is incomplete and unreadable and, therefore, fatally defective. The Hearing Officer further found that on the face of the Candidate's nominating petition sheets, they contain, at best, only 150 signatures of voters, far less than the 473 signatures required by law. The Hearing Officer found, therefore, that the Objections should be sustained and that the Candidate's Nomination Papers be declared invalid. The Hearing Officer further recommends that the Candidate, RENNE "TEX" CHAVEZ, be defaulted.

12. The Electoral Board hereby adopts the Hearing Officer's report and recommended findings and conclusions of law.

13. The Electoral Board finds that the Candidate, RENNE "TEX" CHAVEZ, did not appear at any of the duly called meetings and hearings conducted in this matter after being served with a copy of the Call and the Objector's Petition by the means of service specified in the statute.

14. The Electoral Board further finds that the Objector's petition, on its face, contains sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers.


15. Therefore, the Electoral Board finds that the Candidate, RENNE "TEX" CHAVEZ, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of FELIX CARDONA, JR., and MAKSYMILIAN WITOLD NOWAK to the Nomination Papers of RENNE "TEX" CHAVEZ, candidate for election to the office of Alderman of the 31st Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of RENNE "TEX" CHAVEZ, candidate for election to the office of Alderman of the 31st Ward of the City of Chicago, SHALL NOT be printed on the official ballot for the Municipal General Election to be held on February 24, 2015.

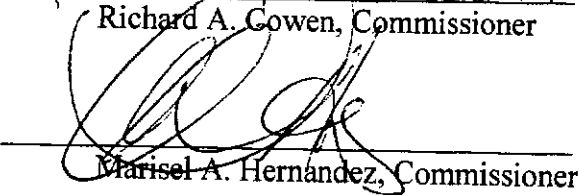
Dated: Chicago, Illinois, on December 23, 2014.



Langdon D. Neal, Chairman



Richard A. Cowen, Commissioner



Marisel A. Hernandez, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 5 days after service of the decision of the Electoral Board.