

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

Objections of: SERGIO BOCANEGRA)
)
)
To the Nomination) No.: 15-EB-ALD-042
Papers of: SANDRA L. MALLORY)
) Rel. ALD-056
Candidate for the office of)
Alderman of the 15th 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 SERGIO BOCANEGRA (“Objector”) to the nomination papers (“Nomination Papers”) of SANDRA L. MALLORY, candidate for the office of Alderman of the 15th 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 Objector 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 Frank A. Tedesso for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objector, SERGIO BOCANEGRA, by his attorney, Michael J. McMorrow; the Candidate, SANDRA L. MALLORY, pro se.

7. The Candidate filed a motion to strike and dismiss the Objector's petition on the grounds that the Objector did not allege in his Objector's Petition that he is a qualified voter of the 15th Ward of the City of Chicago and that the Objector's Petition fails to state fully the nature of the objections to the nomination papers.

8. The Hearing Officer found that the Objector's Petition did not fully state the nature of the objections to the Candidate's Nomination Papers as required by Section 10-8 of the Election Code.

9. Section 10-8 of the Election Code requires that the objector's petition shall (a) give the objector's name and residence address; (b) state fully the nature of the objections to the certificate of nomination or nomination papers; (c) state the interest of the objector; and (d) state what relief is requested of the electoral board.

10. An objection is required to fully state the nature of the objections and what relief is being sought to comply with the Election Code. *Kopec v. Sims*, 07-EB-MUN-002, CBEC, January 19, 2007; *Crosby v. Beavers*, 95 EB-ALD-202, CBEC, January 24, 1995. An objection petition must adequately and sufficiently apprise the candidate of the specificity of each objection, thus making evaluation possible. *Elysee v. Patterson*, 04-EB-RGA-14, January 20, 2004.

11. Here, the Objector's Petition simply alleged that the Candidate's name should not be printed on the ballot because it is "insufficient and not in compliance with the laws of the State of Illinois." The body of the Petition makes no specific allegations as to how the Nomination Papers are insufficient or not in compliance with Illinois law. While there were papers titled "Appendix Recapitulation" attached to the Objector's Petition, nowhere in the body of the Petition does it mention or attempt to incorporate the contents of the "Appendix Recapitulation" papers.

12. The Hearing Officer has tendered to the Electoral Board his report and recommended decision. The Hearing Officer recommends that the Objections to the Candidate's Nomination Papers be dismissed.

13. The Electoral Board, having reviewed the record of proceedings in this matter and having considered the report and recommendations of the Hearing Officer, as well as all argument and evidence submitted by the parties, hereby adopts the Hearing Officer's recommended findings and conclusions of law.

14. The Electoral Board finds that the Objector's Petition fails to fully state the nature of the objections as required by Section 10-8 of the Code. See, e.g., *Thapedi v. Williams*, 08-EB-RGA-30, CBEC (2007) ("Addendum" alleging a pattern of fraud filed with objector's petition

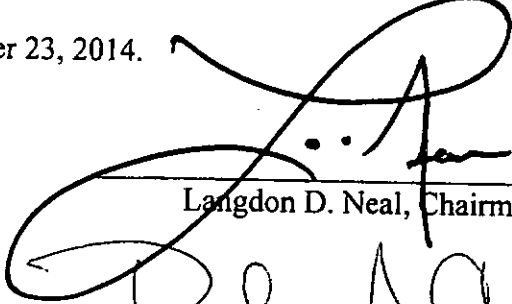
but not mentioned in such petition or adopted or incorporated therein will not be considered); *Matthews v. Clay*, 87-EB-ALD-146, CBEC (1987) (Objector's petition was found insufficient at law for failure to specify why the signatures objected to were improper and for failure to specifically relate the objections to the appendix).

15. For the reasons stated above, the Electoral Board dismisses the Objections to the Candidate's Nomination Papers

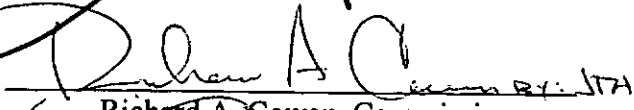
16. The Electoral Board further finds that there is another pending objection to the Candidate's Nomination Papers in related case number 15-EB-ALD-056 that will determine whether the Candidate's Nomination Papers are valid or invalid.

IT IS THEREFORE ORDERED that the Objections of SERGIO BOCANEGRA to the Nomination Papers of SANDRA L. MALLORY, candidate for election to the office of Alderman of the 15th Ward of the City of Chicago, are hereby DISMISSED.

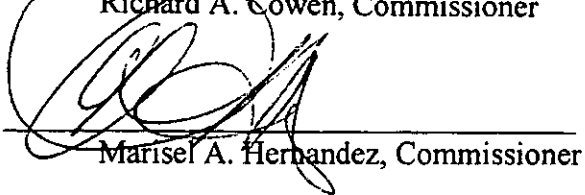
Dated: Chicago, Illinois, on December 23, 2014.



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.