



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 John R. Ashenden for further hearings and proceedings.

6. The Objector 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 Objector and the name of the Candidate. The following persons, among others, answered and were present at such hearing: the Objector, MICHAEL ANDERSON, by his attorney, Ross D. Secler.

7. The Candidate, L ELIZABETH "JACQUIE" LEWIS, did not answer to the call nor did she appear at the hearing. The case was called again at least two more times at least 15 minutes apart and at no time did the Candidate or any person purporting to represent the Candidate appear.

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 8, 2014 hearing in this cause but the return of the Sheriff's office indicated that the reason that the Candidate was not served was "No Contact." The Candidate was also sent a copy of the Call to the December 15, 2014 meeting by certified mail, but a signed receipt acknowledging receipt of the certified mail item has never been returned by the Postal Service.

9. The initial hearing was continued to December 15, 2014 to allow for additional service upon the Candidate of a copy of the Objections and notice of hearing. The Cook County Sheriff again attempted to serve the Candidate with a notice of continued hearing for the December 15, 2014 hearing. The Sheriff's return of service indicated that the reason the Candidate was not served on these occasions was that the Candidate resided in a multi-unit apartment building and she had listed any apartment number on her Nomination Papers. 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 Hearing Officer has tendered his report and recommendations to the Electoral Board. The Hearing Officer granted the Objector's motion to default the Candidate.

11. The Electoral Board finds that the Candidate, L ELIZABETH "JACQUIE" LEWIS, did not appear at any of the duly called meetings and hearings conducted in this matter after numerous attempts to serve the Candidate with a copy of the Call and the Objector's Petition by the means of service specified in the statute.

12. A candidate cannot evade the effects of a duly filed objection to his or her nomination papers by simply being unavailable for service of papers nor should the objections be rendered moot by virtue of the fact that a candidate cannot be found by the statutory methods of service. If this were permitted, candidates would simply go into "hiding" until the objection process had run its course, thereby frustrating the statutory scheme for testing whether the candidate is eligible to be on the ballot. *See, e.g., Ho v. Donovan*, 569 F.3d 677, 680 (7<sup>th</sup> Cir. 2009).


13. 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.

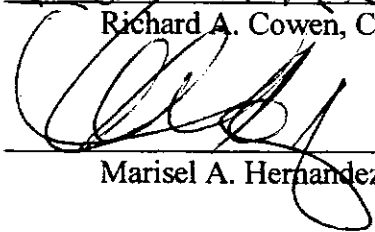
14. Therefore, the Electoral Board finds that the Candidate, L ELIZABETH "JACQUIE" LEWIS, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of MICHAEL ANDERSON to the Nomination Papers of L ELIZABETH "JACQUIE" LEWIS, candidate for election to the office of Alderman of the 7th Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of L ELIZABETH "JACQUIE" LEWIS, candidate for election to the office of Alderman of the 7th 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.

  
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Langdon D. Neal, Chairman

  
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Richard A. Cowen, Commissioner

  
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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.