

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

Objections of: ERNEST WILLIAMS III)
)
)
To the Nomination) No.: 15-EB-ALD-172
Papers of: EDDIE HARLEY)
)
Candidate for the office of)
Alderman of the 7th 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 ERNEST WILLIAMS III (“Objector”) to the nomination papers (“Nomination Papers”) of EDDIE HARLEY, purportedly a candidate for the office of Alderman of the 7th 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 John R. Ashenden 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, ERNEST WILLIAMS III, pro se; the Candidate, EDDIE HARLEY, none.

7. The Hearing Officer has tendered to the Electoral Board his report and recommended decision. The Hearing Officer recommends that the Objections be dismissed.

8. 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 finds that:

A. The Objector's Petition repeatedly objects to the nomination papers of "Eddie Harley," and seeks to invalid the nomination papers of "Eddie Harley and prevent the name of "Eddie Harley" from appearing on the ballot as a candidate for Alderman of the 7th Ward in the City of Chicago at the February 24, 2015 election.

B. There is no candidate by the name of "Eddie Harley" for the office of Alderman of the 7th Ward in the city of Chicago. While there is a candidate for

such office by the name of Jesse L. Harley, the subject Objector's Petition seeks to invalidate the nomination papers of "Eddie Harley."

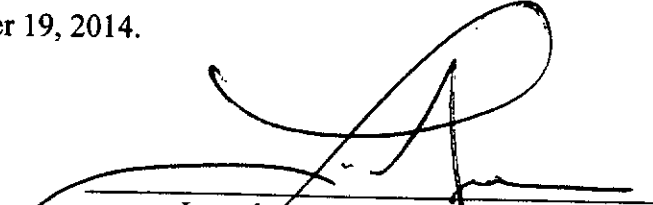
C. While Objector claims to have made a typographical error, this does not appear to be a case of mere scrivener's error, but rather of mistaken identity.

D. While precise identification of the candidate or office is not required if there is no prejudice or confusion (*see, Harris v. Hampton*, 14-EB-RGA-12 (CBEC, 2014)), here there was absolutely no identification of the correct candidate. Objector's error cannot be characterized as merely "de minimis;" rather, the error is substantial. *See, e.g., Weber v. Winnebago County Officers Electoral Board*, 2012 IL App (2d) 120051, 966 N.E.2d 462 (2012).

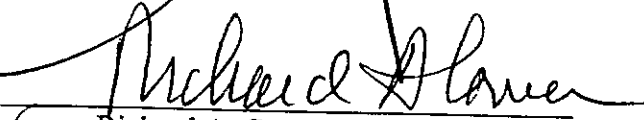
9. Because no action can be taken by the Electoral Board against the nomination papers of a person who is not a candidate for election for office at the February 24, 2015 Municipal General Election, the Electoral Board hereby dismisses the Objector's Petition.

IT IS THEREFORE ORDERED that the Objections of ERNEST WILLIAMS III to the Nomination Papers of EDDIE HARLEY, purported candidate for election to the office of Alderman of the 7th Ward of the City of Chicago, are hereby DISMISSED.

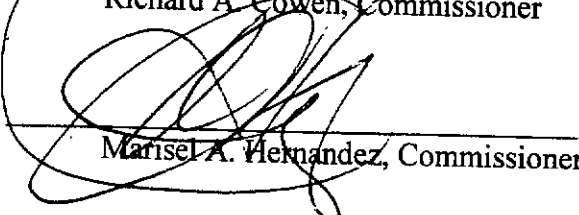
Dated: Chicago, Illinois, on December 19, 2014.



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.