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

Objections of: Charon R. Bryson	)
	)
	)
To the Nomination	) No.: 16-EB-WC-12
Papers of: David Clark	)
	) Rel.: 16-EB-WC-11
Candidate for the office of Republican Party	)
Ward Committeeman for the 7th Ward, City of	)
Chicago	)

## **FINDINGS AND DECISION**

The duly constituted Electoral Board, consisting of Board of Election Commissioners for the City of Chicago Commissioners Marisel A. Hernandez, William J. Kresse and Jonathan T. Swain, organized by law in response to a Call issued by Marisel A. Hernandez, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of Charon R. Bryson ("Objector") to the nomination papers ("Nominating Papers") of David Clark, candidate for the office of Republican Party Ward Committeeman for the 7th Ward of the City of Chicago ("Candidate") at the General Primary Election to be held on March 15, 2016, having convened on December 14, 2015, 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.

-1-

- 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 14, 2015 and was continued from time to time.
- The Electoral Board assigned this matter to Hearing Officer Joe Ponsetto 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, Charon R. Bryson, pro se; the Candidate, David Clark, by his attorney, Brian J. Wojcicki.
- 7. The Objector, however, did not answer to the call nor did she appear at the two subsequent scheduled and properly noticed hearings on December 24, 2015 and on December 31, 2015. At no time did the Objector or any person purporting to represent the Objector appear at such hearings nor has the Objector offered to show cause why she failed to appear. The Hearing Officer has recommended that the Objector be declared in default and that her Objections be dismissed.
- 8. The Electoral Board finds that the Objector, Charon R. Bryson, did not appear at two of the duly called meetings and hearings conducted in this matter and has failed to show good cause for not appearing at said hearings.

- 9. Therefore, the Electoral Board finds that the Objector, Charon R. Bryson, is in default, that the Objections are dismissed.
- 10. The Electoral Board further finds, however, that objections to the Candidate's Nomination Papers in related case 16-EB-WC-11 were sustained and that the Electoral Board in that case declared the Candidate's Nomination Papers invalid.

IT IS THEREFORE ORDERED that the Objections of Charon R. Bryson to the Nomination Papers of David Clark, candidate for the office of Republican Party Ward Committeeman for the 7th Ward of the City of Chicago, are hereby DISMISSED.

Dated: Chicago, Illinois, on January 12, 2016.

Marisel A. Hernandez, Chairman

William J. Kresse, Commissioner

Jonathan T. Swain, 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.