

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

Objections of: Frances M. Sapone)
)
)
To the Nomination) No.: 16-EB-WC-52
Papers of: Willie E. Stovall)
)
Candidate for the office of Republican Party)
Ward Committeeman for the 29th 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 Frances M. Sapone (“Objector”) to the nomination papers (“Nomination Papers”) of Willie E. Stovall, candidate for the office of Republican Party Ward Committeeman for the 29th Ward in the City of Chicago (“Candidate”) to be elected 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.

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.

5. The Electoral Board assigned this matter to Hearing Officer Richard Zulkey 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. The following persons, among others, were present at such hearing: the Objector, Frances M. Sapone, by his attorney, Pericles Abbasi; and the Candidate, Willie E. Stovall, pro se.

7. The Hearing Officer ordered that an examination of the voter registration records be conducted by clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board.

8. The Hearing Officer directed all parties to appear and be present, either personally and/or by their authorized representatives, during this records examination.

9. The Candidate and/or his duly authorized representative was present during the examination of the registration records.

10. The Objector and/or her duly authorized representative was present during the examination of the registration records.

11. The examination of the registration records was completed and the Electoral Board hereby adopts and incorporates by reference the results of the records examination conducted by its clerks and agents. The written report of the result of the registration records

examination is contained in the Electoral Board's file in this case and a copy has been provided or made available to the parties.

12. The results of the revised records examination indicate that:
 - A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 127;
 - B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 203;
 - C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 95;
 - D. The remaining number of signatures deemed valid as a result of the records examination total 108.

13. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination was less than the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for election to the office of Republican Party Ward Committeeman for the 29th Ward of the City of Chicago.

14. The Hearing Officer conducted a hearing to allow the Candidate an opportunity to present evidence in support of his Rule 8 motion objecting to the Board's clerk's findings during the records examination. As a result of said hearing, the Hearing Officer found that the Candidate's Nomination Papers contained 5 signatures fewer than the require minimum of 127.

15. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained only 122 valid signatures, which is less than the

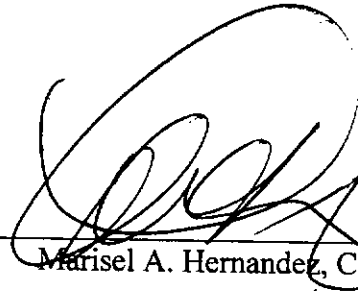
minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for election to the office of Republican Party Ward Committeeman of the 29th Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found invalid.

16. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law, hereby adopts the Hearing Officer's recommended findings and conclusions of law. A copy of the Hearing Examiner's Report and Recommended Decision is attached hereto and is incorporated herein as part of the decision of the Electoral Board.

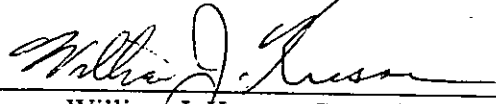
17. For the reasons stated above, the Electoral Board finds that the Candidate has an insufficient number of valid signatures on his nominating petitions and that the Nomination Papers of Willie E. Stovall are, therefore, invalid.

IT IS THEREFORE ORDERED that the Objections of Frances M. Sapone to the Nomination Papers of Willie E. Stovall, candidate for the office of Republican Party Ward Committeeman for the 29th Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of Willie E. Stovall, candidate for the office of Republican Party Ward Committeeman for the 29th Ward of the City of Chicago, SHALL NOT be printed on the official ballot for the General Primary Election to be held on March 15, 2016.

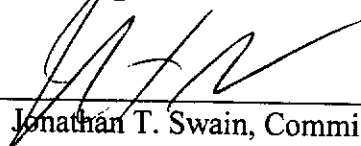
Dated: Chicago, Illinois, on January 12, 2016.



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.

It seems Mr. Stovall left the record exam with the erroneous report before the exam was over.

No objections were made to page 3 as it was missing. Also, the objection deadline had past. With Mr. Holiday it was agreed that the final Petition Summary Report was to be corrected as of December 29, 2015 to reflect that the Candidate was 19 signatures below the required minimum. The Candidate got the benefit of the signatures on page 3. This was presented to the Candidate on December 30, 2015.

The Candidate filed a Rule 8 Motion and the Objector did likewise.

Attached to this document are 3 exhibits:

- **Exhibit A** is the copy of the Final Report dated December 23, 2015 showing 8 pages filed and 44 signatures fewer than required.
- **Exhibit B** is the copy of the Preliminary Report dated December 21, 2015 showing 14 pages filed and 3 signatures greater than required.
- **Exhibit C** is the copy of the Final Report dated December 29, 2015 which includes the missing page 3 showing 9 pages filed and 19 signatures fewer than the required minimum.

The record exam will proceed on the basis that the Candidate is 19 signatures less than the required minimum.

III. Rule 9 Hearing (January 5, 2015):

The Rule 8 Hearing was based on a review of petition signatures, affidavit signatures, Signature Expert Report, and the Final Petition Detail Report. The Hearing Officer sought to apply the test of whether the petition signature was signed by the person purporting to sign it.

Initially, the Objector objected to the style and form of all the affidavits. All affidavits were of the same format.

It was alleged that there was no caption describing the venue wherein the affidavits were to apply.

Next an objection was made as the affidavit related to a specific sheet and line of the petition where the affiant signed. This was memory issue that was beyond the ken of the affiant.

The Objector claimed this process brought about confusion and weakened the credibility of the system.

The objection was denied. The caption was not necessary and no confusion resulted from the omission of captions. Furthermore, sheet and line designations were necessary for the order of the hearing. The purpose was to determine whether the petitions were signed by those whose names appeared on them. The affidavits were notarized and appeared to comply with requirements.

The Rule 8 Hearing commenced. As the Candidate was *pro se*, he presented affidavits out of sequence. They were marked according to the manner they were presented. They were presented as follows:

Exhibit 1, Sheet 1, Line 15	Herbert Johnson/ overruled
Exhibit 2, Sheet 5, Line 5	Norris Watt/ overruled
Exhibit 3, Sheet 4, Line 23	Dushaune Brundage/ overruled
Exhibit 4, Sheet 8, Line 2	Casheev Underwood/ overruled
Exhibit 5, Sheet 7, Line 22	Frank Taylor/ overruled
Exhibit 6, Sheet 7, Line 16	James McGee/ overruled
Exhibit 7, Sheet 7, Line 8	David A. Loder/ stricken . Objection by objector. This name did not appear in the Rule 8 Motion filed by the Candidate
Exhibit 8, Sheet 7, Line 15	Rochelle A. McGee/ overruled
Exhibit 9, Sheet 7, Line 7	Anne Nelson/ overruled
Exhibit 10, Sheet 6, Line 24	Darryl Petross/ overruled
Exhibit 11, Sheet 6, Line 23	Latoya Fox Hester/ stricken . Objection by Objector. Candidate made no objection at the Record Exam for this name pursuant to the Reports.
Exhibit 12, Sheet 6, Line 16	Ozell Collier/ stricken . Objection by Objector. Overruled at the record exam and already counted for candidate
Exhibit 13, Sheet 6, Line 5	Ladidrea Richmond/ overruled
Exhibit 14, Sheet 5, Line 22	Larry Branyon/ overruled
Exhibit 15, Sheet 4, Line 3	Makellia Smith/ stricken . Objection by Objector. No objection made by Candidate at record exam pursuant to reports.
Exhibit 16, Sheet 4, Line 4	Zundra Renae Jackson/ stricken . Objection by Objector. Overruled at Record Exam and already counted for candidate.
Exhibit 17, Sheet 5, Line 16	Donell Dunson/ overruled
Exhibit 18, Sheet 1, Line 17	James Walker/ overruled
Exhibit 19, Sheet 1, Line 16	Marsha B. Campbell/ overruled
Exhibit 20, Sheet 2, Line 5	George Woods/ stricken . Objection by Objector. No objection made by Candidate at Record Exam pursuant to reports.
Exhibit 21, Sheet 2, Line 11	Charlotte Montgomez/ overruled

The summary is that 21 affidavits were presented. Of these, 6 were stricken leaving 15 valid signatures for the candidate.

Before the end of the hearing, Objector referred to its Rule 8 Motion and noted Sheet 1, Line 2 of the petition sheet. The signature is Travon Hillard at 4830 W. Harrison. Board official records were presented for review and no Travon Hillard was registered at 4830 W. Harrison. There was Jaozell Hillard and not Travon Hillard. This Sheet 1, Line 2 is stricken.

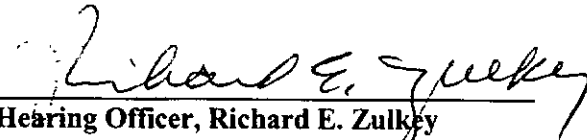
IV. Summary:

The Candidate was 19 signatures fewer than the required minimum. The addition of Sheet 1, Line 2 made it 20 signatures fewer than the required minimum. Through affidavits, 15 signatures were rehabilitated. The Candidate is left with 5 signatures fewer than the required minimum.

V. Recommendation:

Because the Candidate is 5 signatures fewer than the required minimum, it must be recommended that this name not appear on the ballot for Ward Committeeman.

Respectfully submitted,


Hearing Officer, Richard E. Zulkey

Richard E. Zulkey
77 W. Washington (1300)
Chicago, IL 60602
(312) 372-5541
Attorney No: 20881

Petition Summary Report

Petition: 16-EB-WC-52
Election: 031516

Objector Name: Frances M. Sapone
Candidate Name: Willi E. Stovall

Candidate Contact:

Phone:

Fax:

Objector Contact:

Phone:

Fax:

Signature Required: 127

Ward Committeeman 29th Ward

Total Pages: 8

Total Signatures: 178

Total Objections: 153

Total Ruled On: 153

Total Remaining: 0

Total Sustained: 95

Total Overruled: 58

For Review (Candidate): 65

For Review (Objector): 142

Total Valid Signatures: 83

Total Unchallenged Sigs: 25

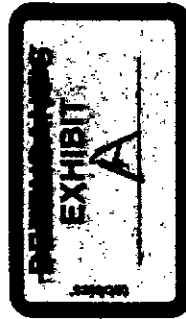
44 Signatures fewer than the required minimum

I acknowledge the completion of the records examination at 12/23/2015 8:23:20 AM

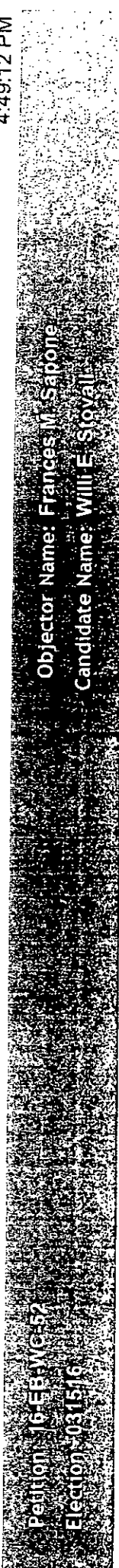
Candidate Representative

Objector Representative

County / City Representative



Petition Summary Report



Objector Name: Frances M. Sapone
Candidate Name: Will E. Stovall

Candidate Contact:
Phone:
Fax:




Objector Contact: Frances M. Sapone
Phone:
Fax:

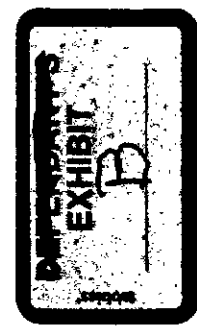
Signature Required: 127
Ward Committeeman 29th Ward

Total Pages: 14
Total Signatures: 224
Total Objections: 153
Total Ruled On: 153
Total Remaining: 0
Total Sustained: 94
Total Overruled: 59
For Review (Candidate): 65
For Review (Objector): 142
Total Valid Signatures: 130
Total Unchallenged Sigs: 71

3 Signatures greater than the required minimum

I acknowledge the completion of the records examination at 12/21/2015 4:49:12 PM

 Candidate Representative
 Objector Representative
 County / City Representative



1

Exhibit

Petition Summary Report

Last Printed
12/29/2015
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After adding page 3

Petition: 16-EB-WC-52
Election: 031516

Objector Name: Frances M. Sapone
Candidate Name: Willi E. Stovall

Candidate Contact:

Phone:

Fax:

Objector Contact:

Phone:

Fax:

Signature Required: 127

Ward Committeeman 29th Ward

Total Pages: 9

Total Signatures: 203

Total Objections: 153

Total Ruled On: 153

Total Remaining: 0

Total Sustained: 95

Total Overruled: 58

For Review (Candidate): 65

For Review (Objector): 142

Total Valid Signatures: 108

Total Unchallenged Sigs: 50

19 Signatures fewer than the required minimum

I acknowledge the completion of the records examination at 12/29/2015 1:25:14 PM

Candidate Representative

Objector Representative

County / City Representative

