

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON NOMINATION OBJECTIONS TO THE NOMINATION PAPERS OF CANDIDATES FOR THE OFFICE OF **ALDERMAN OF THE TWENTY-NINTH WARD OF THE CITY OF CHICAGO**, COUNTY OF COOK, STATE OF ILLINOIS, TO BE VOTED UPON AT THE FEBRUARY 26, 2019, MUNICIPAL GENERAL ELECTION.

BRUCE WASHINGTON )  
 )  
 )  
 Petitioner-Objector )  
 )  
 v. )  
 )  
 GAYINGA WASHINGTON )  
 )  
 Respondent-Candidate )

Case No. **19-EB-ALD-001**

**VERIFIED OBJECTOR'S PETITION**

**INTRODUCTION**

Bruce Washington, hereinafter sometimes referred to as the Objector, states as follows:

1. The Objector resides at 5730 West Midway Park, Chicago, Illinois, Zip Code 60644, in the Twenty-Ninth Ward of the City of Chicago, County of Cook, State of Illinois, and is a duly qualified, legal, and registered voter at that address.
2. The Objector's interest in filing this Petition is that of voters desirous that the laws governing the filing of nomination papers for the office of Alderman of the Twenty-Ninth Ward of the City of Chicago, County of Cook, State of Illinois, are properly complied with and that only qualified candidates appear on the ballot for said office.

**OBJECTIONS**

3. The Objector makes the following objections to the purported nomination papers ("Nomination Papers") of Gayinga Washington ("Candidate") as a candidate for election to the office of Alderman of the Twenty-Ninth Ward of the City of Chicago, County of Cook, State of Illinois ("Office") to be voted for at the Municipal General Election on February 26, 2019 ("Election"). The Objector states that the Nomination Papers are insufficient in fact and law for the following reasons:

4. Pursuant to State Law, nomination papers for the Office to be voted for at the Election must contain the signatures of not less than 473 duly qualified, registered, and legal voters of the Twenty-Ninth Ward of the City of Chicago, County of Cook, State of Illinois, collected in the manner prescribed by law. In addition, said Nomination Papers must truthfully allege the qualifications of the candidate, be gathered and presented in the manner provided for in the Illinois Election Code, and otherwise be executed in the form and manner required by law.

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COMMISSIONER

5. The Nomination Papers contain petition sheets with the names of persons who are not registered voters, or who are not registered voters at the address shown opposite their respective names, as is set forth specifically in the Appendix-Recapitulation, attached hereto and incorporated herein, under the column designated with the heading "**a. Signer not registered at address shown**" in violation of the Illinois Election Code.

6. The Nomination Papers contain petition sheets with the names of persons who did not sign the papers in their own proper persons, and such signatures are not genuine and are forgeries, as is set forth specifically in the Appendix-Recapitulation, attached hereto and incorporated herein under the column designated with the heading "**b. Signature not genuine signature of registered voter**" in violation of the Illinois Election Code.

7. The Nomination Papers contain petition sheets with the names of persons for whom the addresses stated are not in the Twenty-Ninth Ward of the City of Chicago, County of Cook, State of Illinois, and such persons are not registered voters in the Twenty-Ninth Ward of the City of Chicago, County of Cook, State of Illinois as is set forth specifically in the Appendix-Recapitulation, attached hereto and incorporated herein under the column designated with the heading "**c. Signer resides outside district**" in violation of the Illinois Election Code.

8. The Nomination Papers contain petition sheets with the names of persons for whom the addresses given are either missing entirely or incomplete, as is set forth specifically in the Appendix-Recapitulation, attached hereto and incorporated herein, under the column designated with the heading "**d. Signer's address missing or incomplete**" in violation of the Illinois Election Code.

9. The Nomination Papers contain petition sheets with the names of persons who have signed the Nomination Papers more than one time as is set forth specifically in the Appendix-Recapitulation, attached hereto and incorporated herein, under the column designated with the heading "**e. Signer signed petition more than once at Sheet/Line indicated**" in violation of the Illinois Election Code.

10. All 25 signature pages of the Candidate's Nominating Petitions is invalid in their entirety because they state that the Candidate is running as a Democratic candidate in a Democratic primary and that the signers of the petition are members of the Democratic Party. Elections for Alderman of the 29<sup>th</sup> Ward of the City of Chicago are non-partisan. 65 ILCS 20/21-1, et seq. Therefore every sheet is legally insufficient and every signature on every sheet is invalid and the Nomination Papers as a whole are invalid. *Toney v. Maxwell*, 91-EB-ALD-122; *Williams v. Buckner*, 07-EB-ALD023; *Munoz v. Molina*, 07-EB-ALD-057; *Jackson v. Johnson*, 11-EB-ALD-158; *Hardy v. Percy*, 15-EB-ALD-009. Further, each of these sheets caused confusion to the voters whom were asked to sign the petition as they would have believed they are signing for a Democratic Primary candidate rather than a non-partisan election candidate. Therefore, the entire Nomination Papers must be voided under the "conflict, confusion, inconsistency" standard established in *Lewis v. Dunne*, 63 Ill.2d 48, 344 N.E.2d 443, 447 (1976); *Panarese v. Hosty*, 104 Ill.App.3d 627, 432 N.E.2d 1333, 1336 (1<sup>st</sup> Dist. 1982); *Stevenson v. County Officers Electoral Board*, 58 Ill.App.3d 24, 373 N.E.2d 1043, 1044-1045 (3<sup>rd</sup> Dist. 1978); and *Lawlor v. Municipal Officers Electoral Board*, 28 Ill.App.3d 823, 329 N.E.2d 436, 440 (1<sup>st</sup> Dist. 1975).

11. The Candidate's Nominating Petitions are invalid in their entirety because the Candidate's Statement of Candidacy states that she is a qualified Primary voter of the Democratic Party and is seeking the Democratic Nomination in a Democratic Primary. Elections for Alderman of the 29<sup>th</sup> Ward of the City of Chicago are non-partisan. 65 ILCS 20/21-1, et seq. Therefore, the Statement of Candidacy is legally insufficient and the Candidate is not eligible to be placed on the ballot for the Office to be voted upon at the Election.

12. The Candidate's Nominating Petitions are invalid in their entirety because the Candidate's Statement of Candidacy states that she is running in "District 1" or the "1<sup>st</sup> District." There are no "Districts" with offices up for Election in the City of Chicago in the Municipal General Election of February 26, 2019, so this causes confusion about whether she is running in the First Ward or the Twenty-Ninth Ward. Therefore, the entire Nomination Papers must be voided under the "conflict, confusion, inconsistency" standard established in *Lewis v. Dunne*, 63 Ill.2d 48, 344 N.E.2d 443, 447 (1976); *Panarese v. Hosty*, 104 Ill.App.3d 627, 432 N.E.2d 1333, 1336 (1<sup>st</sup> Dist. 1982); *Stevenson v. County Officers Electoral Board*, 58 Ill.App.3d 24, 373 N.E.2d 1043, 1044-1045 (3<sup>rd</sup> Dist. 1978); and *Lawlor v. Municipal Officers Electoral Board*, 28 Ill.App.3d 823, 329 N.E.2d 436, 440 (1<sup>st</sup> Dist. 1975).

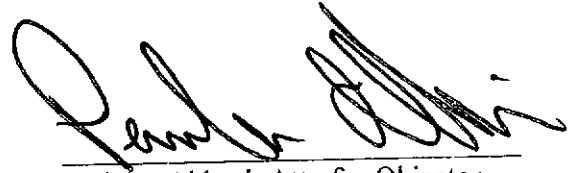
13. The Nomination Papers contain less than 473 validly collected and legally submitted signatures of qualified and duly registered legal voters of the Twenty-Ninth Ward of the City of Chicago, County of Cook, State of Illinois, signed by such voters in their own proper person with proper addresses, below the number required by Illinois law, as is set forth by the objections recorded in the Appendix-Recapitulation, attached hereto and incorporated herein.

14. The Candidate's Nomination Papers are legally and factually insufficient due to her filing less than 473 validly collected signatures of qualified and duly registered legal voters of the Twenty-Ninth Ward of the City of Chicago, County of Cook, State of Illinois, signed by such voters in their own proper person with proper addresses. They are further legally and factually insufficient because every petition page and the Statement of Candidacy state that the Candidate is a member of the Democratic Party who is seeking to run for the Democratic Party nomination in a Democratic Party Primary, when in fact the Election for the Office is non-partisan. The Statement of Candidacy causes further confusion by stating that she is running in "District 1." Therefore she has failed to comply with mandatory provisions of the Illinois Election Code. By the law of the State of Illinois and the precedent of this Electoral Board, the name of Gayinga Washington is not eligible to appear on the ballot for the Office at the Election.

15. The Appendix-Recapitulation is incorporated herein, and the objections made therein are a part of this Objector's Petition.

WHEREFORE, the Objector requests as relief: a) a hearing on the objections set forth herein; b) an examination by the aforesaid Electoral Board of the official records relating to voters in the 29<sup>th</sup> Ward of the City of Chicago, County of Cook, State of Illinois, to the extent that such examination is pertinent to any of the matters alleged herein; c) a ruling that the Nomination Papers are insufficient in law and fact; and d) a ruling that the name of GAYINGA WASHINGTON shall NOT appear and shall NOT be printed on the ballot for Election to the office of Alderman of the 29<sup>th</sup> Ward of the City of Chicago, County of Cook, State of Illinois, to be voted for at the Municipal General Election to be held on the 26<sup>th</sup> day of February, 2019.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Pericles Abbasi", written in a cursive style.

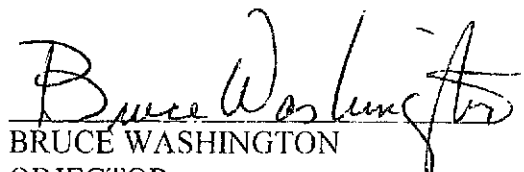
Pericles Abbasi, Atty for Objector

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STATE OF ILLINOIS     )  
                                          ) SS.  
COUNTY OF COOK     )

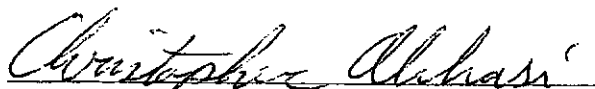
**VERIFICATION**

I, BRUCE WASHINGTON, being first duly sworn upon oath, depose and state that I have read the above and foregoing VERIFIED OBJECTOR'S PETITION, and that the matters and facts contained therein are true and correct to the best of my knowledge and belief.

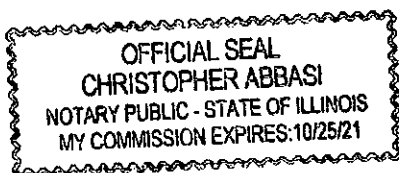
  
BRUCE WASHINGTON  
OBJECTOR  
5730 West Midway Park  
Chicago, Illinois 60644

Subscribed and sworn to before me,  
a Notary Public, by BRUCE WASHINGTON,  
who is to me personally known,

this the 2nd day of December, 2018.

  
Notary Public

(STAMP)



## **APPENDIX-RECAPITULATION**