

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD

IN THE MATTER OF THE OBJECTIONS OF: )

Raul Reyes, )

Petitioner-Objector, )

v. )

Tanya G. Patino, )

Respondent-Candidate. )

19-EB-ALD-015

CASE NO. \_\_\_\_\_

OBJECTOR'S PETITION

NOW COMES, Raul Reyes, (the "Objector"), and pursuant to §10-8 of the Illinois Election Code, 10 ILCS 5/1-1, et seq., states as follows:

*Introduction*

The Objector, Raul Reyes, states that he resides at 5723 S. Whipple Street in the 14<sup>th</sup> Ward of the City of Chicago, Zip Code 60629, County of Cook, State of Illinois, and that he is a duly qualified, registered, and legal voter in the 14<sup>th</sup> Ward of the City of Chicago, County of Cook, State of Illinois, the political subdivision in which Respondent-Candidate, Tanya G. Patino (the "Candidate") is to be voted upon. Objector states that Objector's interest in filing the following objections is that of a citizen desirous of seeing that the election laws governing the filing of nomination papers for the office of Alderman for the 14<sup>th</sup> Ward of the City of Chicago in the County of Cook, State of Illinois, are properly complied with, and that only qualified candidates appear on the ballot for said office as a candidate at the February 26, 2019 Municipal General Election ("Election").

Therefore, the Objector makes the following objections, upon information and belief, to the Nomination Papers of Tanya G. Patino as a candidate for the office of Alderman for the 14<sup>th</sup> Ward of the City of Chicago in the County of Cook, State of Illinois, to be voted upon at the February 26, 2019 Municipal General Election.

1. Nomination Papers must truthfully allege the qualifications of the candidate, must contain the statutorily required minimum amount of true and genuine signatures of duly qualified, registered, and legal voters in the political subdivision or district in which Candidate seeks nomination or election, must be gathered and presented in the manner provided for in the Illinois Election Code, and must be otherwise executed in the form provided by law.
2. The Candidate has filed Nomination Papers that purport to contain signatures of duly qualified, legal, and registered voters of the political subdivision or district in which the

Candidate seeks elective office in excess of the statutory minimum and, further purport to have been gathered, presented and executed in the manner provided by the Illinois Election Code.

3. The laws pertaining to the securing of ballot access require that certain requirements be met as established by law. Filings made contrary to such requirements must be voided and found invalid, being in violation of the statutes, and/or established case law, in such cases made and provided. Statute and established case law hold these provisions to be mandatory and strictly construed; failing to comply with even one of them will result in the petitions' invalidation.
4. As set forth herein, the Nomination Papers are insufficient in law and fact for the following reasons:

***Petition Signature Objections***

5. The Objection and Appendix-Recapitulation Sheets attached hereto and incorporated herein as "**Group Exhibit A**" set out the following objections to the Candidate's nomination papers.
6. The Nomination Papers contain petition sheets with the names of persons who are not registered voters at the addresses shown opposite their respective names, as is set forth specifically in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, Column a., "Signer not registered at address shown", in violation of the Illinois Election Code.
7. The Nomination Papers contain the names of persons who did not sign said papers in their own proper persons, and said signatures are not genuine signatures of registered voters at the addresses shown opposite their names and are forgeries, as is set forth specifically in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, Column b., "Signature not genuine signature of registered voter", in violation of the Illinois Election Code.
8. The Nomination Papers contain petition sheets with the names of persons who for whom addresses are stated that are not in the Political Subdivision or District that the Candidate is seeking elective office and such signatures are not valid, as is set forth specifically in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, Column c., "Signer resides outside district", in violation of the Illinois Election Code.
9. The Nomination Papers contain the names of persons for whom the signer's address is missing or incomplete as is set forth specifically in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, Column d., "Signer's address missing or incomplete", in violation of the Illinois Election Code.

10. The Nomination Papers contain the names of persons who have signed the Nomination Papers more than one time as is set forth specifically in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, Column e., "Signer signed petition more than once at Sheet/Line indicated", in violation of the Illinois Election Code.
11. The Nomination Papers contain the signatures of various individuals who had previously signed a nominating petition of another candidate for the same office, thereby precluding them from petitioning for the Candidate's attempt to access the ballot at the 2019 Municipal General Election in the City of Chicago, as more fully set forth in the Supplemental Appendix-Recapitulation, marked "**Group Exhibit B**," and attached hereto and made a part hereof, all of said signatures being in violation of the statutes in such cases made and provided.
12. The Objection and Appendix-Recapitulation sheets have designated "Sheet Numbers," which reference Candidate's petition sheet numbers. An "X" or "√" placed on a line of the Appendix-Recapitulation indicates that an objection is made to the corresponding signature line of the referenced petition sheet for the reasons stated above, as well as the other specific allegations made in this Objector's Petition. The Objections made on **Group Exhibit B** are also made as if made within this Objector's Petition as specified above.

#### *Notary & Circulator Objections*

13. In addition to the above-mentioned objections and those more fully set forth below, the Objection and Appendix-Recapitulation sets forth the following objections to Candidate's nomination papers related to purported circulators and notaries.
14. The Nomination Papers contain petition sheets which bear a circulator's affidavit on which the circulator did not personally appear before the Notary Public to subscribe or acknowledge his/her signature as circulator in the presence of said Notary Public, and every signature on such sheets is invalid, as is set forth in the Objection and Appendix-Recapitulation Sheet attached hereto and incorporated herein, under the heading, "Circulator did not appear before Notary".
15. An "X" or "√" placed on a line at the bottom of the Objection and Appendix-Recapitulation Sheet indicates that an objection is made to all signatures on the referenced petition sheet for the reason specified next to the "X" and the corresponding reasons stated above.

#### *Objections to Nomination Papers & Candidacy*

16. Pursuant to the Election Code and the Revised Cities and Villages Act of 1941, the laws and requirements governing the nomination of independent candidates for public office by petition are those that apply to the procedure and process for nomination papers gathered and submitted by candidates seeking election to municipal office in the City of

Chicago. One such requirement is that each voter may subscribe to one nomination for such office to be filled and no more. On information and belief, before signing her own petition or her Statement of Candidacy, the Candidate signed the petitions of another candidate seeking the nomination and election to the same office at the same election. Attached hereto and incorporated herein as "**Exhibit C**" is a copy of the petition sheet number 10 of candidate Jose Torrez, Candidate's Statement of Candidacy, and Candidate's petition sheet number 155. As such, the Candidate was barred from subscribing to more than one nomination for the office of Alderman of the 14<sup>th</sup> Ward in the City of Chicago at the February 26, 2019 Municipal General Election. Thus, the Candidate's signatures on her own petitions, including on her Statement of Candidacy are invalid, are invalid and the entire Nomination Papers are void.

### *Conclusion*

17. This Objection and the Appendix-Recapitulation Sheets attached hereto, and each sheet thereof, as well as the Exhibits attached hereto, are incorporated herein and the objections made therein are a part of this Objector's Petition.
18. Because of the above-listed irregularities and insufficiencies in the Candidate's Nomination Papers, said Nomination Papers contain fewer than the minimum number of signatures of qualified voters required by the Illinois Election code and are invalid in their entirety.

**WHEREFORE**, Objector prays that the nomination papers of Tanya G. Patino as a candidate for the office of Alderman for the 14<sup>th</sup> Ward of the City of Chicago, County of Cook, State of Illinois, to be voted upon at the February 26, 2019 General Municipal Election be declared to be insufficient and not in compliance with the laws of the State of Illinois, and that the Candidate's name be stricken and **NOT** appear on the February 26, 2019 Municipal General Election ballot, and that this Honorable Electoral Board enter its decision declaring that the name of Tanya G. Patino as a candidate for the office of Alderman for the 14<sup>th</sup> Ward of the City of Chicago, County of Cook, State of Illinois, be **NOT** printed upon the official ballot for the Municipal General Election to be held on February 26, 2019.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Raul Reyes". The signature is written in black ink and is positioned above a horizontal line.

OBJECTOR – Raul Reyes

Address: 5723 S. Whipple Street  
Chicago, IL 60629

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**OBJECTOR'S PETITION**

**EXHIBIT A**  
**OBJECTION & APPENDIX-RECAPITULATION**