

STATE OF ILLINOIS )ss.

COUNTY OF COOK ) **19-EB-ALD-023**

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OBJECTIONS TO THE NOMINATION PAPERS FOR CANDIDATES FOR THE OFFICE OF ALDERMAN OF THE 31<sup>ST</sup> WARD OF THE CITY OF CHICAGO, COUNTY OF COOK, AND STATE OF ILLINOIS

IN THE MATTER OF THE OBJECTIONS OF:

*WG SR*

WILFREDO GONZALEZ JR. OF 4920 WEST MONTANA IN CHICAGO, ILLINOIS 60639, TO THE NOMINATION PAPERS OF **RENNE 'TEX' CHAVEZ** OF 4424 WEST PARKER AVENUE IN CHICAGO, ILLINOIS 60639, AS A CANDIDATE FOR ELECTION TO THE OFFICE OF ALDERMAN OF THE 31<sup>ST</sup> WARD OF THE CITY OF CITY OF CHICAGO, COUNTY OF COOK AND STATE OF ILLINOIS TO BE VOTED ON AT THE FEB. 26, 2019 MUNICIPAL GENERAL ELECTION

**OBJECTORS' PETITION**

NOW COMES, WILFREDO GONZALEZ, JR, hereinafter referred to as the "Objector," and respectfully represent that Objector resides at the following address: 4920 West Montana in Chicago, Illinois, 60639 and in the 31<sup>ST</sup> Ward of the City of Chicago, County of Cook, and State of Illinois; that Objector is a duly qualified, registered, and legal voter at such address; that Objector's interest in filing the following objections is that of a citizen desirous of seeing to it that the laws governing the filing of nomination papers for election to the Office of Alderman for the 31<sup>ST</sup> Ward of the City of Chicago, County of Cook, and State of Illinois are properly complied with and that only qualified candidates have their names appear on the ballot as candidates for the said office; and therefore your Objector makes the following objections to the nomination papers of **RENNE 'TEX' CHAVEZ** as a candidate for election to the office of Alderman for the 31<sup>ST</sup> Ward of the City of Chicago, County of Cook, and State of Illinois, and files the same herewith, and

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states that the said nomination papers are insufficient in law and in fact for the following reasons:

1. Your Objector states that in the 31<sup>st</sup> Ward of the City of Chicago, County of Cook, and State of Illinois the signatures of not less than 473 duly qualified, registered, and legal voters of the said 31<sup>st</sup> Ward of the City of Chicago, County of Cook, and State of Illinois are required. 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.

2. Your Objector states that the Candidate has filed only five (5) individual petition signature sheets containing a total of only forth-three (43) signatures of allegedly duly qualified, legal, and registered voters of the 31<sup>st</sup> Ward of the City of Chicago, County of Cook, and State of Illinois, and that the filing is per se invalid.

(a) The total number of signatures filed is 430 below the minimum number of 473 valid signatures required by the Illinois Municipal Code, 20/21-28(a), to obtain ballot access.

(b) Candidates for the Office of Alderman in the City of Chicago must comply with the election and ballot laws concerning the nomination of independent candidates for public office under both the Illinois Municipal Code, 65 ILCS 20/21-28, as well as the Illinois Election Code, 10 ILCS 5/10-3. One such requirement is producing a minimum of 473 valid signatures in support of the candidacy.

(c) The failure of the Candidate to file valid signatures of at least 473 duly qualified, registered and legal voters of the said 31<sup>st</sup> Ward of the City of Chicago in support of his candidacy fails to comply with both the provisions of the Illinois Municipal Code and the Illinois Election Code, rendering the nomination papers invalid.

(4) Further, having failed to file even the minimum number of 473 signatures, the nomination papers are not, on their face, in "apparent conformity" with the Illinois Election Code, 10 ILCS 5/10-8, and as such are void.

3. Your Objector also states that the aforesaid nomination papers are in violation of the prohibition in the Illinois Municipal Code, 65 ILCS 20/21-32, that no political party affiliation is permitted for candidates for Alderman in the City of Chicago.

(a) The petition signature sheets that were presented to the voters for their signatures, and filed as part of these nomination papers, contain no less than four (4) specific and particular references to the “Republican Party” in addition to a reference to the “General Primary Election” as well statements that the petition signers are “qualified primary electors” or “registered voters” of the Republican Party.

(b) The petitioning language (“the heading”) of the five (5) petition signature sheets contains, *inter alia*, the following language”:

(i) “We, the undersigned, *members of and affiliated with, the Republican Party* and qualified *primary electors* of the *Republican Party . . .*” [emphasis supplied], and

(ii) “. . . hereby petition that the following named person, RENNE ‘TEX’ CHAVEZ, shall be a candidate of the *Republican Party . . .* at the Primary Election to be held on February 26, 2019” [emphasis supplied].

(c) The Circulator Affidavit (“the bottom”) of the five (5) petition signature sheets certifies that “. . .to the best of my knowledge and belief the persons so signing were at the time of signing the petition *registered voters of the Republican Party . . .*” [emphasis supplied].

(d) All such references to membership in, affiliation with, and qualified primary electors or registered voters of, the Republican Party are in violation of the prohibition against political party identification in Chicago aldermanic nomination papers, making the nomination papers invalid.

4. Your Objector additionally states that the heading of the five (5) petition signature sheets identify the signers as being “in the City of Chicago” but fail to contain a statement that the voters are qualified and registered voters within the “31st Ward” of the City of Chicago. Further, the Circulator Affidavits fail to identify the “political division in which the candidate is seeking nomination/elective office” as being the “31<sup>st</sup> Ward”, all in violation of the Illinois Election Code, rendering the nomination papers invalid.

5. Your Objector further states that the nomination papers fail to contain a receipt evidencing the filing with the Cook County Clerk of a "Statement of Economic Interests" (SOEI), in relation to this candidacy, pursuant to the Illinois Governmental Ethics Act and the Illinois Election Code. 5 ILCS 420 /4A-104 and 420/4A-105; 10 ILCS 5/10-5. The absence of such a receipt is a fatal defect, rendering the nomination appears void. The "receipt for nomination papers" issued by the Chicago Board of Election Commissioners on November 26, 2018 notes the absence of the SOEI receipt.

6. Your Objector finally states that the nomination papers contain a false Statement of Candidacy in that Candidate has sworn under oath that "I have filed (or will file before the close of the filing period" a Statement of Economic Interest as required by the Illinois Governmental Ethics Act", when, in fact, he has not provided proof of such a filing, as required by law. 10 ILCS 5/10-5.

7. Your Objector states that the nomination papers herein contested consist of various sheets supposedly containing the valid and legal signatures of 43 individuals which is 430 signatures below the minimum requirement of 473, rendering the nomination papers invalid. . In addition, the allegations contained in paragraphs 3, 4, 5, and 6 of this Objectors' Petition each independently likewise render the entire nominating petition null and void.

WHEREFORE, your Objectors pray that the purported nomination papers of **RENNE 'TEX' CHAVEZ** as a candidate for election to the office of Alderman of the 31<sup>st</sup> Ward of the City of Chicago, County of Cook, and State of Illinois be declared by this Honorable Electoral Board to be insufficient and not in compliance with the laws of the State of Illinois and that the Candidate's name be stricken and that this Honorable Electoral Board enter its decision declaring that the name of **RENNE 'TEX' CHAVEZ** for election to the office Alderman of the Thirty-First (31st) Ward of the City of Chicago, **BE NOT PRINTED** on the OFFICIAL BALLOT for the Municipal General Election to be held on February 26, 2019.

  
OBJECTOR: WILFREDO GONZALEZ, JR.

Address: 4920 West Montana, Chicago, Illinois 60639  
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