

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

Objections of: MARCEL BRIGHT and)
DARYL LENOIR)
))
To the Nomination) No.: 19-EB-ALD-034
Papers of: DIONTE LAWRENCE))
) Rel.: 19-EB-ALD-049
Candidate for the office of)
Alderman of the 8th Ward of the City of)
Chicago)
)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the 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, Chair of said Electoral Board, for the purpose of hearing and passing upon objections (“Objections”) of MARCEL BRIGHT and DARYL LENOIR (“Objectors”) to the nomination papers (“Nomination Papers”) of DIONTE LAWRENCE, for the office of Alderman of the 8th Ward of the City of Chicago (“Candidate”) at the General Municipal Election to be held on Tuesday, February 26, 2019, having convened on Monday, December 10, 2018 at 8:30 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 were duly and timely filed.
2. The Electoral Board was legally constituted under the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chair of the Electoral Board and served upon the members of the Electoral Board, the Objectors 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 Monday, December 10, 2018 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Travis Richardson for further hearings and proceedings.

6. The Objectors 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 Objectors, MARCEL BRIGHT and DARYL LENOIR, and/or their Attorneys, ED MULLEN and ELIZABETH HOMSY; and the Candidate, DIONTE LAWRENCE, 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 at least part of the examination of the registration records, and the Candidate was informed by the Board's rules and by the Hearing Officer of the potentially adverse effects of not being present during the examination.

10. The Objectors and/or their 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 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 473;

B. The remaining number of signatures deemed valid as a result of the records examination total 339.

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 the office of Alderman of the 8th Ward of the City of Chicago.

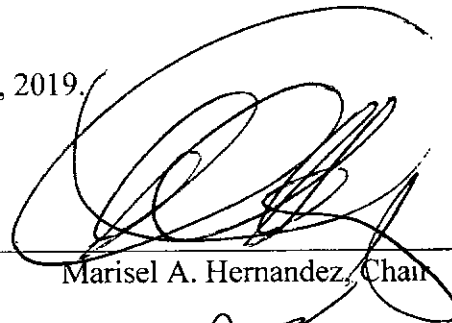
14. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained an insufficient number of valid signatures, which is less than the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for the office of Alderman for the 8th Ward of the City of Chicago, and that the Candidate's Nomination Papers should be found invalid.

15. 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.

16. 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 DIONTE LAWRENCE are, therefore, invalid.

IT IS THEREFORE ORDERED that the Objections of MARCEL BRIGHT and DARYL LENOIR to the Nomination Papers of DIONTE LAWRENCE, candidate for election to the office of Alderman of the 8th Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of DIONTE LAWRENCE, candidate for the office of Alderman for the 8th Ward of the City of Chicago, SHALL NOT be printed on the official ballot for the General Municipal Election to be held on Tuesday, February 26, 2019.

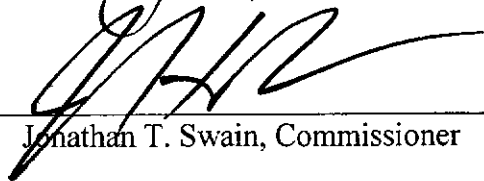
Dated: Chicago, Illinois, on Friday, January 25, 2019.



Marisel A. Hernandez, Chair



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.

not properly notarized, circulator's address incomplete. The Hearing Examiner held that he would undertake the issues regarding the circulators, if necessary, subsequent to a Records Exam.

3. The Candidate indicated that he would be filing a Motion to Strike, therefore the following briefing schedule was set:

Motion due: 12/11/18

Response due: 12/12/18

Reply due: 12/13/18,

4. A Records Examination was then ordered, but not yet scheduled. The Candidate also indicate that he intended to request the issuance of 2 subpoenas, but a written request was never filed. The next hearing date was set for 12/14/18.

5. On 12/14/19, Objector's counsel, Mullen, and Candidate appeared. Argument was heard on Candidate's Motion to Strike [Dismiss], Objectors' Opposition to Candidate's Motion and Candidate's Response to Objectors' Opposition. The Hearing Officer took the matter under advisement and set the matter for ruling on Candidate's Motion for 12/18/18. The Records Examination had not yet been scheduled.

6. On 12/18/18, Objectors appeared through their counsel, Mullen. Candidate did not appear personally or through counsel. The Hearing Officer contacted Candidate via telephone and inquired as to whether he was going to attend the hearing. The Candidate stated that he was not going to attend and orally withdrew his Motion on the Record.

7. This case was scheduled for another hearing on 12/21/18. The Record Exam had not yet been scheduled.

8. On 12/21/18, the Objectors appeared through their attorney, Mullen. The Candidate, again, did not appear personally, nor through counsel. Once again, Candidate was called via telephone by the Hearing Officer on the Record. The Candidate indicated that he was not coming to the hearing, but did intend to attend the Records Examination once it was scheduled. This case was scheduled for another hearing on 12/28/18.

9. The Records Examine was originally scheduled for 12/21/18. However, the Hearing Officer held that the *pro se* Candidate may not have received proper notice of both this and the Records Exam in companion case 19EB-ALD 49, which was supposed to take place concurrently, but due to an oversight or error, the two exams were not scheduled for the same time. Consequently, the Hearing Officer ordered that both Records Exam be rescheduled with proper notice to the Candidate. Both this case and 19 EB-ALD 49 were rescheduled for a Records Exam on 12/26/18.

10. On 12/28/18, the Objectors appeared through their attorney, Mullen. The Candidate, again, did not appear personally, nor through counsel. Once again, Candidate was called via telephone by the Hearing Officer on the Record. The Candidate indicated that he was not coming to the hearing and that he left the Records Exam shortly after it began because he believed it was unfair and that he was mistreated during the examination. Since we had not received the final examination report, the Hearing Officer continued this case until 1/3/19.

11. The records examination was completed on 1/2/19. Only the Objectors were represented for the entirety the examination. The examination results were as follows:

Signatures Required	473
Total Pages	51
Total Signatures	749
Total Objections	1011
Total Ruled On	1011
Total Remaining	0
Total Sustained	410
Total Overruled	211
For Review (Candidate)	48
For Review (Objector)	464
Total Valid Signatures	128

134 Signatures fewer than the required minimum

12. On 1/3/19, Objectors appeared through their attorney, Norwell, Mullen. The Candidate, again, did not appear personally, nor through counsel. Once again, Candidate was called via telephone by the Hearing Officer on the Record. The Candidate indicated that he was not coming to the hearing and again stated that he thought the process was unfair and the employees were impolite. Notwithstanding that, there was no dispute that the Candidate did not have the requisite number of signatures based on the Final Petition Summary Report.

13. Accordingly, since the Candidate lacks the minimum number of signatures on his petition sheets, the Hearing Officer recommends that the Chicago Board of Election Commissioners order that the name of DIONTE LAWRENCE not be printed on the ballot for

Alderman from the 8th Ward, City of Chicago, in the General Primary Election to be held on
February 26, 2019.

/s/ Travis Richardson

Travis Richardson

Hearing Officer

Travis Richardson

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