

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

Objections of: LILLIE YARBER)
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To the Nomination) No.: 19-EB-ALD-049
Papers of: DIONTE LAWRENCE)
) Rel.: 19-EB-ALD-034
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 LILLIE YARBER (“Objector”) 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 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 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 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, LILLIE YARBER, and/or her Attorneys, JAMES E HARTMANN and MICHAEL J KASPER; 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 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 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 number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 715;
 - C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 575;
 - D. The remaining number of signatures deemed valid as a result of the records examination total 140.

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 only 140 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.

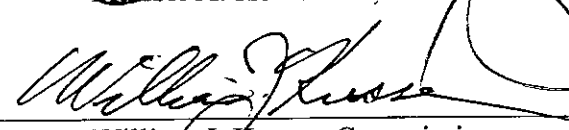
16. For the reasons stated above, the Electoral Board finds that the Candidate has an insufficient number of valid signatures on his nominating petitions and that the Nomination Papers of DIONTE LAWRENCE are, therefore, invalid.

IT IS THEREFORE ORDERED that the Objections of LILLIE YARBER 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.

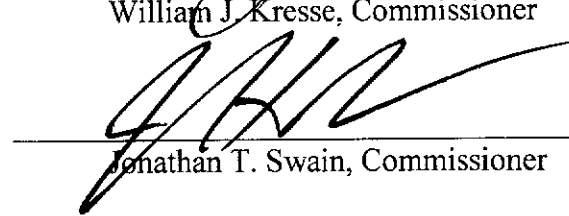
Dated: Chicago, Illinois, on Friday, January 25, 2019.



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

BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO

Objections of:

LILLIE YARBER,

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To the Nomination Papers of:

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DIONTE LAWRENCE,

)

No. 19-EB-ALD-049

)

Candidate for the Office of Alderman
of the 8th Ward, City of Chicago

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)

Travis Richardson
Hearing Officer

General Primary Election, February 26, 2019.

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HEARING EXAMINER’S REPORT AND RECOMMENDED DECISION

This matter having come before the Chicago Board of Elections (“CBOE”) on the objections of Lillie Yarber (“Objector”) to the nomination papers of Dionte Lawrence (“Candidate”), Travis Richardson, Hearing Officer, finds and recommends as follows:

1. The hearing on the objections began on December 10, 2018. In attendance at the hearing were the Objector’s counsel, James Hartman on behalf of Michael Kasper and the Candidate, appearing *pro se*.

2. The Objector’s petition requested that the Candidate’s name not be printed on the February 26, 2019 primary election ballot for the position of Alderman of the 8th Ward of the City of Chicago on the basis that the Candidate had an insufficient number of valid signatures on his petitions.

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 an indeterminate number of 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, Kasper, and Candidate appeared. Argument was heard on Candidate's Motion to Strike [Dismiss]. Objector did not file a written response to Candidate's Motion. 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, Objector appeared through her counsel, Kasper. 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 Objector appeared through her attorneys, Kasper and Hartman. 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 supposed to be scheduled at the same time as the exam in the companion case to this matter, 19 EB-ALD 34. However, due to an oversight or error, the two exams were not scheduled for the same time. Therefore, the Hearing Officer held that the *pro se* Candidate may not have received proper notice of both Records Exams, which were, again, supposed to take place concurrently. Consequently, the Hearing Officer ordered that both Records Exam be rescheduled with proper notice to the Candidate. Both this case and 19 EB-ALD 34 were rescheduled for a Records Exam on 12/26/18.

10. On 12/28/18, the Objector appeared through her attorney, Hartman. 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	49
Total Signatures	715
Total Objections	997
Total Ruled On	997
Total Remaining	0
Total Sustained	575
Total Overruled	39

For Review (Candidate)	60
For Review (Objector)	379
Total Valid Signatures	101

333 Signatures fewer than the required minimum

12. On 1/3/19, Objector appeared through her attorney, Kasper. 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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