

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.)

ZERLINA A. SMITH)

Respondent-Candidate)

Case No.

19-EB-ALD-061

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 Zerlina A. Smith ("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.

FILED
OFFICE OF ELECTIONS
COMMISSIONER
DEC - 3 P.M.

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 who 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. The following ten signatures are invalid because the voter signed for 29th Ward candidate Dwayne Truss before they had signed for Zerlina A. Smith:

- i) The signer of **Sheet 6, Line 17** had previously signed for Dwayne Truss's Sheet 128, Line 1
- ii) The signer of **Sheet 7, Line 13** had previously signed for Dwayne Truss's Sheet 233, Line 1
- iii) The signer of **Sheet 30, Line 15** had previously signed for Dwayne Truss's Sheet 171, Line 7
- iv) The signer of **Sheet 38, Line 9** had previously signed for Dwayne Truss's Sheet 174, Line 7
- v) The signer of **Sheet 58, Line 4** had previously signed for Dwayne Truss's Sheet 207, Line 1
- vi) The signer of **Sheet 69, Line 1** had previously signed for Dwayne Truss's Sheet 232, Line 3
- vii) The signer of **Sheet 73, Line 13** had previously signed for Dwayne Truss's Sheet 221, Line 1
- viii) The signer of **Sheet 76, Line 1** had previously signed for Dwayne Truss's Sheet 172, Line 3
- ix) The signer of **Sheet 93, Line 7** had previously signed for Dwayne Truss's Sheet 174, Line 2
- x) The signer of **Sheet 109, Line 19** had previously signed for Dwayne Truss's Sheet 255, Line 2

Under the election code, voters may only sign for one nomination in the Election for the Office and therefore since they previously signed for Dwayne Truss their subsequent signatures for Zerlina A. Smith are invalid.

11. The following signature is invalid because the voter signed for 29th Ward candidate Gayinga Washington before they had signed for Zerlina A. Smith:

The signer of Sheet 112, Line 5 had previously signed for Washington's Sheet 3, Line 11.

12. The following sheets are invalid in their entirety because they bear a date of Notarization outside of the Circulation Period: 1, 2, 3, 4, 5, 6, 7, 8, 9, 39, 40, 41, 42. To wit, these sheets all bear a date of Notarization of November 28, 2018, which is outside of the filing and circulation period, which ended on November 26, 2018.

13. Sheets 113 and 125 are invalid in their entirety because they do not bear the stamp of the notary.

14. All sheets notarized by Princess Dempsey are invalid in their entirety because the circulators did not appear before her and therefore the circulator's affidavit was not sworn to before some officer authorized to administer oaths in Illinois as required by the Illinois Election Code. These sheets are SHEETS 1-126 (all sheets).

15. The following sheets circulated by the following circulators are invalid in their entirety because the purported circulator who signed the circulator affidavit on the respective sheet did not in fact circulate the sheet and the signatures on the sheet were not signed in the presence of the purported circulator:

Angelina Ortega (SHEETS 1, 13, 21, 23-35, 45, 50, 71, 73-88)

Bertha Purnell (SHEETS 10-12, 14-20, 39, 40, 53, 63, 64)

Daryl Pierce (SHEETS 42, 59-62, 65, 70, 72, 93-94)

JoAnne Terrell (SHEETS 7-9, 22, 36, 38, 43, 46-49, 99, 100)

Kent Brown (SHEETS 37, 40, 41, 89-92)

Tammie Vinson (SHEETS 2-6, 51, 52, 54-58, 66-69)

Temp Young (SHEETS 95-98)

Zerlina A. Smith (SHEETS 44, 101-126)

16. The following sheets circulated by the following Circulators are invalid in their entirety because the circulator does not reside at the address indicated in the Circulator's affidavit, as required by the Illinois Election Code:

Angelina Ortega (SHEETS 1, 13, 21, 23-35, 45, 50, 71, 73-88)

Daryl Pierce (SHEETS 42, 59-62, 65, 70, 72, 93-94)

JoAnne Terrell (SHEETS 7-9, 22, 36, 38, 43, 46-49, 99, 100)

Kent Brown (SHEETS 37, 40, 41, 89-92)

Temp Young (SHEETS 95-98)

17. The Nomination Papers also contain numerous petition sheets circulated by individuals and signed and stamped by notaries whose respective sheets demonstrate a pattern of fraud and disregard of the Illinois Election Code to such a degree that every sheet circulated or notarized by said individuals is invalid and should be invalidated in order to protect the integrity of the electoral process. Such circulators are those who circulated the sheets in which objections are made in column B of the Appendix-Recapitulation and such notaries are those who notarized such sheets. Specifically, but without limitation, the disregard of the Illinois Election Code evidenced by the actions of those circulators may include the submission of voters' signatures which were not signed by the voters in their own proper persons, and signatures of persons that were not signed in the presence of the purported circulator. These actions may also include, without limitation, notaries signing their name, mis-dating, and placing their stamp upon sheets without having witnessed the respective circulator signing his or her name on said sheet and swearing to the affidavit before said notary. Additionally, these actions may also include, without limitation, persons signing petitions as duly qualified voters multiple times and "round-tabling" signatures. These circulators include, without limitation:

Angelina Ortega (SHEETS 1, 13, 21, 23-35, 45, 50, 71, 73-88)

Bertha Purnell (SHEETS 10-12, 14-20, 39, 40, 53, 63, 64)

Daryl Pierce (SHEETS 42, 59-62, 65, 70, 72, 93-94)

JoAnne Terrell (SHEETS 7-9, 22, 36, 38, 43, 46-49, 99, 100)

Kent Brown (SHEETS 37, 40, 41, 89-92)

Tammie Vinson (SHEETS 2-6, 51, 52, 54-58, 66-69)

Temp Young (SHEETS 95-98)

Zerlina A. Smith (SHEETS 44, 101-126)

And Notary Princess Dempsey (SHEETS 1-126)

18. All sheets purported to be circulated by Angelina Ortega are invalid because her actual name is either Angelina Reed or Angelina Collins. These sheets are sheets 1, 13, 21, 23-35, 45, 50, 71, and 73-88, which must be invalidated in their entirety for being in violation of the Election Code.

19. 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 this verified Objector's Petition and in the Appendix-Recapitulation, attached hereto and incorporated herein.

20. The Nomination Papers are invalid in their entirety as they were not fastened together in a secure and suitable manner, which is a mandatory requirement of the Illinois Election Code. 10 ILCS 5/10-4. The individual sheets were punched with a 2-hole punch and an Acco-style 2 3/4" prong base was fed through the holes but it was not sealed with a prong fastener compressor. As a result, undamaged pages could be removed from the set of petitions without removing the prong. By the precedent of this Electoral Board and the Appellate Court in *Bendell v. Education Officers Electoral Board for School Dist. 148*, 338 Ill.App.3d 458, 463, 788 N.E.2d 173 (1st Dist. 2003), the petition sheets are not bound as required by the law. Therefore, the Nomination Papers are invalid in their entirety for having failed to meet a mandatory requirement of the Illinois Election Code.

21. 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 they are not fastened together in a secure and suitable manner as required by the Illinois Election Code. Therefore the Candidate's Nomination Papers fail 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 Zerlina A. Smith is not eligible to appear on the ballot for the Office at the Election.

22. 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 29rd 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 ZERLINA A. SMITH shall NOT appear and shall NOT be printed on the ballot for Election to the office of Alderman of the 29rd 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 26th day of February, 2019.

Respectfully Submitted,



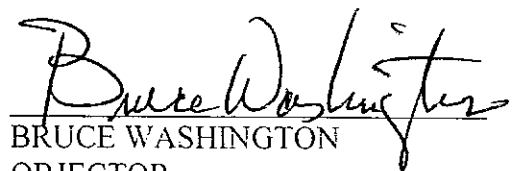
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STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

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)

