

 **COPY**

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

Objections of: KEVIN BAILEY,)
Petitioner-Objector,)
)
To the Nomination)
Papers of: Dernard D. Newell)
)
Candidate -Respondent:)

No. 19-EB-ALD-131

2018 DEC - 3 P 4: 45
BOARD OF ELECTION
COMMISSIONERS

VERIFIED OBJECTOR'S PETITION

NOW COMES, Kevin Bailey hereinafter referred to as the "Objector," and respectfully represents that Objector resides at 5944 South Calumet, in the City of Chicago, Illinois 60637.

Alderman of the 20th of the City of Chicago of the 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 of the office of Alderman of the 20th Ward of the City of Chicago in the 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 Kevin Bailey, makes the following objections to the nomination papers of Dernard D. Newell as a "Candidate" for election of the office of Alderman of the 20th Ward of the City of Chicago in the State of Illinois, and files the same herewith, and states that the said nomination papers are insufficient in law and in fact for the following reasons:

CANDIDATE NEWELL'S PETITIONS VIOLATES THE STATUTES

1. Kevin Bailey states that the signatures of not less than 473 duly qualified, registered, and legal voters of the 20th Ward of the City of Chicago in the State of Illinois, are required.
2. Kevin Bailey states that Dernard D. Newell has filed 251 petition signature sheets containing a maximum total of 2,500 signatures of allegedly duly qualified, legal, and registered voters of the 20th Ward of the City of Chicago in the State of Illinois.
3. Kevin Bailey further states that the aforesaid nomination papers contain the names of numerous persons who are not in fact duly qualified, registered, and legal voters at the addresses shown opposite their names in the 20th Ward of the

City of Chicago in the State of Illinois, and their signatures are therefore invalid, as more fully set forth in the Appendix-Recapitulation under the column designated "SIGNER NOT REGISTERED (A)." attached hereto and made a part hereof, all of said signatures being in violation of the statutes in such cases made and provided.

4. Kevin Bailey further states that the said nomination papers contain the names of numerous persons who have signed said petition but who are not, in fact, duly qualified, registered, and legal voters at addresses that are located within the boundaries of the 20th Ward of the City of Chicago in the State of Illinois, as shown by the addresses they have given on the petition, as more fully set forth in the Appendix-Recapitulation under the column designated "SIGNER NOT IN DISTRICT (B)," attached hereto and made a part thereof, all of said signatures being in violation of the statutes in such cases made and provided.
5. Kevin Bailey further states that the said nomination papers contain the names of numerous persons who did not sign the said nomination papers in their own proper persons, and that the said signatures are not genuine, as more fully set forth in the Appendix-Recapitulation under the column designated "SIGNER NOT PROPER PERSON AND NOT GENUINE (C)," attached hereto and made a part hereof, all of said signatures being in violation of the statutes in such cases made and provided.
6. Kevin Bailey further states that the said nomination papers contain the names of numerous persons who previously and first signed nomination papers for Kevin Bailey and or another candidate for alderman of the 20th ward in the same election to be held on February 26, 2019, and the said signatures cannot be counted twice.
7. Kevin Bailey further states that the said nomination papers contain the names of numerous persons who signed an affidavit attesting under the penalty of perjury that the signature appearing on Kevin Bailey's Petition sheet for Alderman of the 20th ward of Chicago to be elected on February 26, 2019, is his/her true and genuine signature.
8. The Signer further attested under perjury, that of the date they signed Kevin Bailey's petition sheet, they have not signed any other petition sheet for any other candidate for Alderman of the 20th ward of Chicago for the election to be held on February 26, 2019, or signed any affidavit attesting to signing any other candidate for 20th ward alderman's petition.
9. The Signer further attested under perjury, that his or her signature appearing on any other petition sheets for any other candidate for Alderman of the 20th ward of

Chicago for the election to be held on February 26, 2019, was second to his or her signature signed on Kevin Bailey petition sheets.


10. The Signer further attested under perjury, that his or her signature appearing on Kevin Bailey petition sheets was first in time and has precedence above and over any other signature I purportedly may have signed on any other petition sheets for any other candidate for Alderman of the 20th ward of Chicago for the election to be held on February 26, 2019.
11. The Signer signed Kevin Bailey's petition sheet and an affidavit attesting to and verifying their first in time signature, under Section 109 and in the presence of a notary.
12. Kevin Bailey further states that the said signatures on the nomination papers for Dernard D. Newell are duplicates and attested as being signed after the signature appearing on Kevin Bailey's petitions and therefore the signature appearing in the petition sheets of Dernard D. Newell are invalid as identified and more fully set forth in the Appendix-Recapitulation under the column designated "SIGNER SIGNED THE PETITION SHEET OF CANDIDATE KEVIN BAILEY PRIOR TO SIGNING THE PETITION SHEETS FOR Dernard D. Newell (D)," As noted in Column "D" will identify the specific affidavit with ("KB pg. # Ln. #) which also referenced the sheet number and line number where said signature appears in the Petition Sheets of Candidate Kevin Bailey. The attached hereto and made a part hereof, all of said signatures being in violation of the statutes in such cases made and provided.
13. Kevin Bailey states that various purported signatures are legally defective and deficient for a variety of reasons, as more fully set forth in the Appendix-Recapitulation, under the column designated "OTHER (E)" (together with an appropriate further reason) attached hereto made a part hereof, all of said signatures being in violation of the statutes in such case made and provided. These objections include, but are not limited, (a) to signer signed more than once in the same petition set for the same candidate and (b) signature is a copy and not the original, and that the said signatures cannot be counted twice, attached hereto and made a part hereof, all of said signatures being in violation of the statutes in such cases made and provided.
14. Kevin Bailey states that various purported signatures are legally defective and deficient because the signer failed to put his/her address in the correct box which was and is clearly states "print your address," as more fully set forth in the Appendix-Recapitulation, under the column designated "OTHER (E)" attached hereto made a part hereof, all of said signatures being in violation of the statutes in such case made and provided.

15. Kevin Bailey states that various purported signatures are legally defective and deficient because the purported signature is an "initial" purportedly of the signer's name. However, the initials are not full valid signature of the purported signer and therefore it is legally defective, as more fully set forth in the Appendix-Recapitulation, under the column designated "OTHER (E)" attached hereto made a part hereof, all of said signatures being in violation of the statutes in such case made and provided.
16. Kevin Bailey states that various purported signatures are legally defective and deficient because the purported signature is the "printed name" purportedly of the signer's name. However, the printed name is not full valid signature of the purported signer and therefore it is legally defective, as more fully set forth in the Appendix-Recapitulation, under the column designated "OTHER (E)" attached hereto made a part hereof, all of said signatures being in violation of the statutes in such case made and provided.
17. Kevin Bailey states that various purported signatures are legally defective and deficient because the address and/or street name for purportedly the signer is incomplete and/or misspelled. Only the purported signer can attest to whether that signer intended to add his full and correct address and street name. Therefore, no signer can be legally registered to vote at any address which is a partial address or partial street name as more fully set forth in the Appendix-Recapitulation, under the columns designated "SIGNER NOT REGISTERED (A)" and/or "OTHER (E)" attached hereto made a part hereof, all of said signatures being in violation of the statutes in such case made and provided.
18. Kevin Bailey also states that petition signature sheets nos. 182, 183, 196, 201, 203, 230, 233, 234, 235, 236, 195, 198, 200, 202, 194, 249, 199, 228 and 251 are legally void in their entirety because a circulator circulated for two or more candidates for the same political office, in violation of Schober v. Young, 322 Ill. App.3d 996, 751 N.E.2d 610, 256 Ill.Dec. 220 (4th Dist. 2001) and for the following specific reasons:
 19. Each sheet petitions, numbers, 199, 228 and 251 were circulated by Arnetta Featherstone for and on behalf of Dernard Newell for the office of 20th Ward Alderman for the election to be held on February 26, 2019.
 20. Arnetta Featherstone circulated petitions on behalf of Kevin Bailey for the office of 20th Ward Alderman for the election to be held on February 26, 2019. prior to circulating petitions for Dernard Newell.

21. Each sheet petitions, numbers, 194 and 249 were circulated by Kirkland Thornton for and on behalf of Dernard Newell for the office of 20th Ward Alderman for the election to be held on February 26, 2019.
22. Kirkland Thornton circulated petitions on behalf of Kevin Bailey for the office of 20th Ward Alderman for the election to be held on February 26, 2019. prior to circulating petitions for Dernard Newell.
23. Each sheet petitions, numbers, 195, 198, 200 and 202 were circulated by Candice Hunt for and on behalf of Dernard Newell for the office of 20th Ward Alderman for the election to be held on February 26, 2019.
24. Candice Hunt circulated petitions on behalf of Kevin Bailey for the office of 20th Ward Alderman for the election to be held on February 26, 2019. prior to circulating petitions for Dernard Newell. Candice Hunt affirms by affidavit/ exhibit attached, the aforementioned.
25. Each sheet petitions, numbers, 182, 183, 196, 201, 203, 230, 233, 234, 235 and 236 were circulated by Elijah Boswell for and on behalf of Dernard Newell for the office of 20th Ward Alderman for the election to be held on February 26, 2019.
26. Elijah Boswell circulated petitions on behalf of Kevin Bailey for the office of 20th Ward Alderman for the election to be held on February 26, 2019. prior to circulating petitions for Dernard Newell.
27. Kevin Bailey states that the nomination papers herein contested consisted of various sheets supposedly containing valid and legal signatures of approximately 2,500 individuals. However, the individual objections cited herein with specificity reduce the number of valid signatures below the statutory minimum of 473.


WHEREFORE, Kevin Bailey prays that the purported nomination papers of Darnard D. Newell as a candidate for nomination papers for election of the office of Alderman of the 20th Ward of the City of Chicago in the State of Illinois be declared by this Honorable Electoral Board to be insufficient and declare that the name of Darnard D. Newell as a candidate for election of the office of Alderman of the 20th Ward of the City of Chicago in the State of Illinois BE NOT PRINTED on the OFFICIAL BALLOT for the Primary Election to be held on February 26, 2019.

Respectfully,


Kevin Bailey, OBJECTOR
5944 South Calumet
Chicago, Illinois 60637

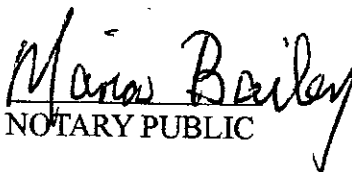
VERIFICATION

The undersigned Kevin Bailey, first being duly sworn on oath, now deposes and says that he has read this VERIFIED OBJECTOR'S PETITION and that the statements therein are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true and correct.


Kevin Bailey, OBJECTOR
5944 South Calumet
Chicago, Illinois 60637

County of Cook)
State of Illinois) ss.

Subscribed to and Sworn before me, a Notary Public, by Kevin Bailey, the Objector, on this December 2, 2018, at Chicago, Illinois.


NOTARY PUBLIC

[notary seal]

My commission expires:

