

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

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Objections of: KEVIN BAILEY )  
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To the Nomination ) No.: 19-EB-ALD-141  
Papers of: CLIFTON PIERCE )  
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 )  
Candidate for the office of Alderman 20th )  
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 KEVIN BAILEY (“Objector”) to the nomination papers (“Nomination Papers”) of CLIFTON PIERCE, candidate for the office of Alderman for the 20th 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 Demetrius Carney for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board's Call served upon them 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, KEVIN BAILEY, pro se; and the Candidate, CLIFTON PIERCE, pro se.

7. 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 failed to securely bind the Nomination Papers and failed to consecutively number the petition sheets. The Hearing Officer found, therefore, that the Candidate's Nomination Papers are invalid.

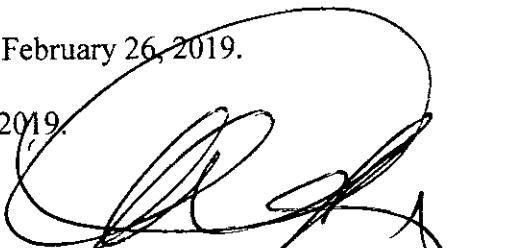
8. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law, hereby adopts the Hearing Officer's recommended findings and conclusions of law.

9. For the reasons stated above, the Electoral Board finds that the Objections filed in this matter should be sustained and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of KEVIN BAILEY to the Nomination Papers of CLIFTON PIERCE, candidate for the office of Alderman for the 20th

Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of CLIFTON PIERCE, candidate for the office of Alderman for the 20th 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.

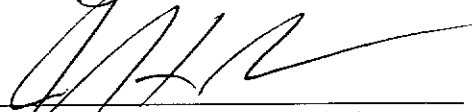
Dated: Chicago, Illinois, on Saturday, January 12, 2019.



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  
AS A DULY CONSTITUTED ELECTORAL BOARD**

Objections of: KEVIN BAILEY	)
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	)
To the Nomination	)
Papers of: CLIFTON PIERCE	) No. 19-EB-ALD-141
	)
	)
Candidate for the Office of	) Demetrius E. Carney
Alderman of the 20 <sup>th</sup> Ward of	) Hearing Officer
The City of Chicago, State of Illinois	)
	)
	)
	)

**HEARING OFFICER'S FINDINGS AND RECOMMENDATION**

In the matter of KEVIN BAILEY (Objector) regarding the nomination papers (Nominating Papers) of CLIFTON PIERCE, candidate for the Office of Alderman of the 20<sup>th</sup> Ward for the City of Chicago, (Candidate), the hearing having convened on December 10, 2018. Demetrius E. Carney, Esq., the duly appointed Hearing Officer, hereby makes the following Report of Findings and Recommendations.

1. The Candidate filed Nomination Papers with the Board of Election Commissioners of the City of Chicago ("CBEC or Board"), 20<sup>th</sup> Ward of the City of Chicago, State of Illinois, for the Municipal General Election to be held on February 26, 2019. Such Nomination Papers consisted of: a) A Statement of Candidacy; b) Receipt for the Candidate's Statement of Economic Interest; c) Loyalty Oath; and d) 100 nominating petition sheets (Petition Sheets) containing a total of 989 signatures. The Candidate's Nomination Papers were marked as Board Group Exhibit A, and admitted into evidence.

2. The Verified Objector' Petition (Petition or Objections) was timely filed. The Objector alleged in his Objections that the Candidate failed to: a) file a statement of Economic Interest; b) attach a receipt to his Nominating Papers; c) fasten the Petition Sheets together at one edge in a secure and suitable manner; and d) number all Petition Sheets consecutively. The Petition was marked as Board Group Exhibit B and admitted into evidence.
3. A Call to the Hearing on said Objections was duly issued by the Chairman of the Board and served upon all parties. The Call and proof of service were marked and admitted into evidence as Board Group Exhibit C.
4. The initial public hearing concerning the Objections commenced on December 10, 2018, at 2:15 PM. The Candidate and the Objector appeared *pro se*, and all Parties were provided copies of the Rules of Procedure of the Board, and were specifically instructed to become familiar with Rules.
5. The Objector presented to the Hearing Officer a Notice of Motion (Notice) with an attached preliminary motion for Declaratory Relief (Motion). The Hearing Officer presented the Notice and Motion to the Candidate and reviewed the Motion with the Candidate. The Candidate was scheduled to reply to the Motion by 5:00 PM December 11, 2018.
6. The matter was scheduled for a status hearing (Status Hearing) on December 20, 2018 at 2:00 PM.
7. On December 20, 2018, the Parties appeared for the Status Hearing. The Candidate did not reply to the Objector's Motion as directed. The Objector presented arguments in support of his Motion. The Hearing Officer reviewed with the Candidate the Objector's Motion. The Candidate had no response to the Motion. The Hearing Officer ruled at the December 20, 2018

Status Hearing and set forth the reasons stated therein for the record, and in a subsequent Order entered on December 20, 2018.

8. The Hearing Officer reviewed the Candidate's Nominating Papers and as a result of the review dismissed the Candidate's Nominating Papers on the basis that the Candidate's Petition Sheets were not fastened together at one edge in a secure and suitable manner. All the original petitions sheets must be neatly fastened together in book form by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner [10 ILCS 5/10-4]. The Candidate's Petition Sheets were not numbered consecutively. As required under [10 ILCS 5/10-4] all petition sheets must be numbered consecutively. In furtherance, [10 ILCS 5/10-4] provides that noncompliance with its provisions "shall" invalidate the signatures on a nominating petition. The Objector further stated in his Motion that although the Candidate filed a Statement of Economic Interest there was no receipt attached to any petitions for his candidacy. The Hearing Officer reviewed the Candidate's Nominating Papers which disclosed that the Candidate filed a Statement of Economic Interest and a receipt as required under [10 ILCS 5/10 -5].

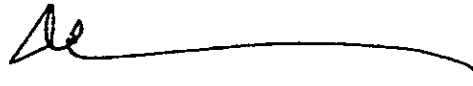
### RECOMMENDED DECISION

Accordingly, as disclosed in the above Paragraph 8 of the Hearing Officer's Findings, the Candidate's Nomination Papers were dismissed on the basis of being factually and legally insufficient. The Nominating Papers do not meet the requirements of the Illinois Election Code [10 ILCS 5/10-10] therefore it is the recommendation of this Hearing Officer that the name of CLIFTON PIERCE, candidate for the Office of Alderman of the 20<sup>th</sup> Ward of the City of Chicago,

State of Illinois, SHALL NOT be printed on the official ballot for the Municipal General Election to be held on February 26, 2019.

Dated: January 1, 2019.

RESPECTFULLY SUBMITTED,



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Demetrius E. Carney  
Hearing Officer