

**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD
FOR THE HEARING AND PASSING UPON OBJECTIONS TO
NOMINATION PAPERS FOR CANDIDATES FOR THE
OFFICE OF MAYOR FOR THE CITY OF CHICAGO FOR
THE FEBRUARY 26, 2019 MUNICIPAL ELECTION**

RICHARD L. BARNETT,)
)
Petitioner-Objector,)
)
v.)
)
CATHERINE BROWN D'TYCOON,)
)
Respondent-Candidate.)

No. **19-EB-MUN-008**

2018 DEC -3 P 121
BOARD OF ELECTIONS
COMMISSIONER

VERIFIED OBJECTOR'S PETITION

INTRODUCTION

NOW COMES, Richard L. Barnett (hereinafter referred to as the Objector), and states as follows:

1. The Objector resides at 3910 West 18th Street, Chicago, Illinois 60623, and is a duly qualified, registered and legal voter at such address.
2. The 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 a candidate for the office of Mayor for the City of Chicago in Cook County, Illinois, are properly complied with and that only legally qualified candidates have their names appear upon the ballot as candidates for said office.

OBJECTIONS

3. The Objector makes the following objections to the purported nomination papers of Catherine Brown D'Tycoon (the "Nomination Papers"), as a candidate for

nomination to the office of Mayor for the City of Chicago in Cook County, Illinois, to be voted at the Municipal Election to be held on February 26, 2019, and has filed the same herewith, and states that said Nomination Papers are insufficient in law and in fact for the following reasons:

4. The Nomination Papers for Mayor for the City of Chicago in Cook County, Illinois, to be voted for at the Municipal Election to be held on February 26, 2019, must contain the signatures of not fewer than 12,500 duly qualified, registered and legal voters of said municipality. 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.

5. The Candidate has submitted petition signature sheets which contain less than 12,500 valid signatures of duly qualified, legal, and registered voters of the City of Chicago in Cook County, Illinois.

6. The Nomination Papers include petition sheets numbered consecutively from sheet no. 1 to sheet no. 4795. However, the following petition sheets are not original sheets and in fact are photocopies, and each such sheet must therefore be stricken in its entirety:

Petition Sheet Nos. 11 - 76;
Petition Sheet Nos. 78 - 242;
Petition Sheet Nos. 246 - 774;
Petition Sheet Nos. 776 - 779;
Petition Sheet Nos. 781 - 782;
Petition Sheet No. 784;
Petition Sheet Nos. 786 - 866;
Petition Sheet Nos. 868 - 917;
Petition Sheet No. 919;
Petition Sheet No. 921 - 1349;
Petition Sheet Nos. 1422 - 1603;
Petition Sheet Nos. 1605 - 2014;

Petition Sheet Nos. 2044 - 2078;
Petition Sheet Nos. 2092 - 2153;
Petition Sheet Nos. 2159 - 2250;
Petition Sheet Nos. 2254 - 2267;
Petition Sheet Nos. 2283 - 2755;
Petition Sheet Nos. 2801 - 2864;
Petition Sheet Nos. 2897 - 3196;
Petition Sheet Nos. 3216 - 3228;
Petition Sheet Nos. 3243 - 3484;
Petition Sheet Nos. 3517 - 3714;
Petition Sheet Nos. 3716 - 4029;
Petition Sheet Nos. 4036 - 4047;
Petition Sheet Nos. 4051 - 4211;
Petition Sheet Nos. 4222 - 4321;
Petition Sheet Nos. 4330 - 4520;
Petition Sheet Nos. 4523 - 4664; and
Petition Sheet Nos. 4671 - 4795.

All such petition sheets submitted by the Candidate which are not original sheets are in clear violation of the Election Code and must therefore be invalidated. Sections 7-10 and 10-4 of the Election Code, require that: "*All petition sheets which are filed with the proper local election officials, election authorities or the State Board of Elections shall be the original sheets which have been signed by the voters and by the circulator thereof, and not photocopies or duplicates of such sheets.*" [Emphasis added.] (10 ILCS 5/7-10, 10-4).

Therefore, all of the petition sheets identified above as photocopies and which are not original sheets must be stricken in their entirety. When such invalid sheets are appropriately stricken, the number of original petition sheets submitted by the Candidate is 327, which contain a total of 6,540 petition signatures. Such number of petition signatures is far less than the legally required 12,500 valid signatures of duly qualified, legal, and registered voters of the City of Chicago necessary for the Candidate's name to be placed on the official ballot at the

Municipal Election to be held on February 26, 2019, as a legally qualified candidate for Mayor for the City of Chicago.

7. The Nomination Papers include a receipt evidencing that the Candidate filed her statement of economic interest with the Illinois Secretary of State. This was improper. Such statement of economic interest was required to be filed with the office of the Cook County Clerk pursuant to the Illinois Election Code, 10 ILCS 5/10-5; and the Illinois Governmental Ethics Act, 5 ILCS 420/4A-106. The Candidate's Nomination Papers are thus rendered invalid as a result of filing the statement of economic interest with the wrong office. Since a receipt evidencing the filing of a statement of economic interest with the Cook County Clerk must be filed as part of the Nomination Papers, and since such receipt was not filed, the Candidate is ineligible for office as a result of filing the statement of economic interest in the wrong governmental office. *Smith v. Kysel*, 95-EB-ALD-011 (Chicago Electoral Board 1995); *Delgado v. Ladien*, 99-EB-ALD-126 (Chicago Electoral Board 1999); *Chereso and Pallohusky v. Videckis*, 99-EB-ALD-008 (Chicago Electoral Board 1999), affirmed, *Videckis v. Board of Elections*, 99 CO 17 (Cir. Ct. Cook Co. 1999).

8. The laws pertaining to the securing of ballot access require that certain requirements be met as established by law. Filings made contrary to such requirements must be voided, being in violation of the statutes in such cases made and provided.

WHEREFORE, the Objector requests a hearing on the objections set forth herein; a ruling that the Nomination Papers of Catherine Brown D'Tycoon as a candidate for nomination to the office of Mayor for the City of Chicago in Cook County, Illinois, are insufficient in law and fact; and a ruling that the name of Catherine Brown D'Tycoon as a

candidate for nomination to the office of Mayor for the City of Chicago in Cook County, Illinois, shall not be printed on the official ballot at the Municipal Election to be held on February 26, 2019.



Richard L. Barnett
Richard L. Barnett, Objector

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Subscribed and sworn to before me
this 3 day of 12 2018
at Chicago, County of Cook, State of Illinois.
Notary Public 

