

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

Objections of: MICHAEL D. DANIELS)
)
To the Nomination) **No.: 07-EB-ALD-115**
Papers of: HEDY A. GIST-HAYNES)
)
Candidate for the office of)
Alderman of the Sixteenth Ward,)
City of Chicago)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal and Richard A. Cowen, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board for the purpose of hearing and passing upon objections (“Objections”) of MICHAEL D. DANIELS (“Objector”) to the nomination papers (“Nomination Papers”) of HEDY A. GIST-HAYNES, candidate for the office of Alderman of the Sixteenth Ward of the City of Chicago (“Candidate”) to be elected at the Municipal General Election to be held February 27, 2007, having convened on January 2, 2007 at 10:00 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 herein were duly and timely filed.
2. The said Electoral Board has been legally constituted according to the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chairman 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 January 2, 2007 at 10:00 a.m.

5. The Electoral Board assigned this matter to Hearing Examiner David Tecson 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 Examiner on the date and at the time designated in the Call. The following persons, among others, were present at such hearing; the Objector, MICHAEL D. DANIELS, pro se.

7. The Board finds that on December 26, 2006, the Candidate filed papers with the Board of Election Commissioners withdrawing as a candidate for election and requesting that her name not be printed upon the ballot, thus rendering the Objections moot.

IT IS THEREFORE ORDERED that the name of HEDY A. GIST-HAYNES, candidate for election to the office of Alderman of the Sixteenth Ward of the City of Chicago, SHALL NOT be printed on the official ballot for the Municipal General Election to be held on February 27, 2007.

Dated: Chicago, Illinois, this 28th day of January, 2007.



Langdon D. Neal, Chairman

Richard A. Cowen, 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 10 days after the decision of the Electoral Board.

**BOARD OF ELECTION COMMISSIONERS
OF THE CITY OF CHICAGO**

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MICHAEL D. DANIELS
Petitioner-Objector,
v.
HEDY A. GIST-HAYNES
Candidate.

No. 07-EB-ALD-115

Hearing Examiner: David J. Tecson

RECOMMENDATION

This cause coming to be heard on Michael D. Daniels' (the "Objector") Verified Objector's Petition to bar Hedy A. Gist-Haynes (the "Candidate") from appearing on the ballot for the election of Alderman of the 16th Ward in the General Municipal Election to be held on February 27, 2007, the hearing examiner finds as follows:

I. Allegations of the Objection

The Objector filed a Verified Objector's Petition on December 26, 2006. Objector has brought this action challenging the nominating petitions of the Candidate for Alderman of the 16th Ward. Objector claims multiple violations of the Illinois Election Code. These objections were grouped into categories and labeled; 1) "Signer Not Registered At Address Shown," 2) "Signer's Signature Not Genuine," 3) "Signer Resides Outside of District," 4) "Signer's Address Missing or Incomplete, 5) "Signer Signed Petition More Than[k]sic Once at Sheet/Line Indicated," 6) "Not Genuine; Signer's Signature Printed and Not Written, and 7) "Circulator's Affidavit Not Properly Notarized." The Verified Objector's Petition was supported by an


appendix-recapitulation of objections which specified the nature of the objections to the individual signatures.

II. Withdrawal of Candidacy

This matter was set for an initial status on January 2, 2007 at 1:00 p.m. The Objector appeared at that date and time but the Candidate did not appear. The file did not reflect whether the Candidate was served with notice of the status call. However, the file contained a Withdrawal of Candidacy signed by the Candidate and filed in the Chicago Board of Elections office on December 26, 2006. The Withdrawal of Candidacy was appropriately notarized by a notary public for the State of Illinois.

III. Recommended Findings of Fact and Decision

Hedy A. Gist-Haynes filed a Withdrawal of Candidacy with the Chicago Board of Elections on December 26, 2006. Therefore, hearing examiner recommends that the Objector's petition be sustained, and that Hedy A. Gist-Haynes be stricken from the ballot as a candidate for the upcoming election on February 27, 2007.


David J. Tecson
Hearing Examiner