

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

Objections of: C. LLONG BEY)
)
To the Nomination) **No.: 07-EB-ALD-170**
Papers of: ANTHONY A. BEALE)
)
Candidate for the office of)
Alderman of the Ninth 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 C. LLONG BEY (“Objector”) to the nomination papers (“Nomination Papers”) of ANTHONY A. BEALE, candidate for the office of Alderman of the Ninth Ward of the City of Chicago (“Candidate”) to be elected at the Municipal General Election to be held on 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 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner Barbara Goodman 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, C. LLONG BEY, pro se, the Candidate, ANTHONY A. BEALE, by counsel, James P. Nally PC.

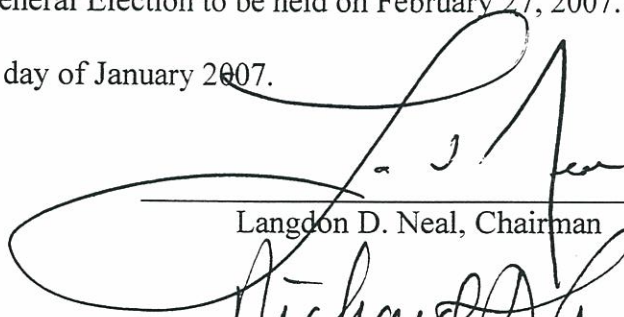
7. The Hearing Examiner has tendered to the Electoral Board her report and recommended decision. The Hearing Examiner recommends that the Objections to the Candidate's Nomination Papers be dismissed and that the Nomination Papers be found valid.

8. The Electoral Board, having reviewed the record of proceedings in this matter and having considered the report and recommendations of the Hearing Examiner, as well as all argument and evidence submitted by the parties, hereby adopts the Hearing Examiner's recommended findings and conclusions of law. A copy of the Hearing Examiner's Report is attached hereto and is incorporated herein as part of the decision of the Electoral Board.

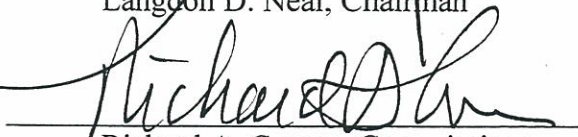
9. For the reasons stated above, the Electoral Board dismisses the Objections to the Candidate's Nomination Papers and finds that the Candidate's Nomination Papers are deemed valid.

IT IS THEREFORE ORDERED that the Objections of C. LLONG BEY to the Nomination Papers of ANTHONY A. BEALE, candidate for election to the office of Alderman of the Ninth Ward of the City of Chicago, are hereby DISMISSED and said Nomination Papers are hereby declared VALID and the name of ANTHONY A. BEALE, candidate for election to the office of Alderman of the Ninth Ward of the City of Chicago, SHALL be printed on the official ballot for the Municipal General Election to be held on February 27, 2007.

Dated: Chicago, Illinois, this 19th day of January 2007.



Langdon D. Neal, Chairman



Richard A. Cowen, Commissioner

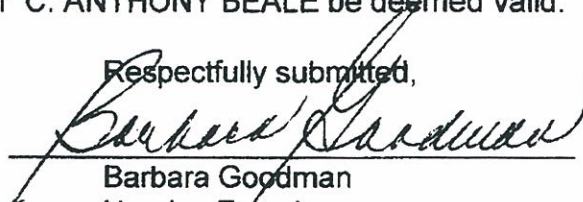
NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 10 days after the decision of the Electoral Board.

objections. At the hearing on the Motion, the Objector indicated that he had summary sheets which provided the sheet and line specificity for the objections. Objector conceded that the summary sheets had not been filed with the objector's petition. Inasmuch as an Objector's Petition cannot be amended once filed, the summary sheets could not serve to rectify the deficiencies in the Objector's Petition.

A review of the Objector's Petition reveals that the Objector's Petition did appear to contain the address of the Objector in the far left hand top corner of the first page. However, none of the other required elements for a valid Objector's Petition pursuant to Section 10-8 of the Election Code were set forth therein. Moreover, the Objector's petition contained a narrative concerning the various purported defects contained in the nominating papers but nowhere did the Objector's petition specify the sheets and lines where the purported defects occurred. Thus, the Objector's Petition as filed deprived the candidate of his due process rights as the candidate could not prepare a defense with the information given.

For the foregoing reasons, it is my recommendation that the Candidate's Motion to Strike be granted, that the Objections of C. LLONG BEY be overruled and that the nominating papers of C. ANTHONY BEALE be deemed valid.

Respectfully submitted,


Barbara Goodman
Hearing Examiner