

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

Objections of: SHANI AUSTIN, DIANNE)
 THOMPSON, AARON COLLARD)
)
)
 To the Nomination) No. 08-EB-RGA-13
 Papers of: RANOULE TATUM)
)
)
 Candidate for the office of Representative)
 in the General Assembly, 26th District,)
 State of Illinois, Democratic Party)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Chicago Board of Election Commissioners Langdon D. Neal, Richard A. Cowen, and Marisel A. Hernandez, 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 SHANI AUSTIN, DIANNE THOMPSON and AARON COLLARD ("Objectors") to the nomination papers ("Nomination Papers") of RANOULE TATUM, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 26th Representative District, State of Illinois ("Candidate"), having convened on November 20, 2007, at 10:00 a.m., at 69 W. Washington Street, 8th Floor Conference Room, 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 Objectors 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 November 20, 2007 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner Richard E. Zulkey for further hearings and proceedings.

6. The Objectors and the Candidate appearing were directed by the Electoral Board's Call served upon them to appear before the assigned Hearing Examiner on November 20, 2007, at the time and place indicated on the Electoral Board's docket.

7. The Hearing Examiner conducted an initial hearing of this case on November 20, 2007 at 1:30 p.m.. The Objectors, appearing by their attorney, Michael E. Lavelle, were present. The Candidate did not respond to the call of the case on three occasions and was not otherwise present.

8. The Electoral Board finds that the Candidate, RANOULE TATUM, was personally served with a copy of the Electoral Board's Call to the November 20, 2007 hearing by a deputy Cook County Sheriff on November 19, 2007 at 8:34 a.m. at the address listed on his Nomination Papers, 3939 S. Lake Park Avenue, Chicago, Illinois.

9. The Electoral Board finds that the Candidate, RANOULE TATUM, did not appear at the duly called meeting of the Electoral Board nor at the initial hearing

conducted in this matter after having been duly served with a copy of the Call and having been notified of the meeting and hearing in this cause as required by law.

10. The Electoral Board further finds that the Objector's petition, on its face, contains sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers.

11. Therefore, the Electoral Board finds that the Candidate, RANOULE TATUM, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of SHANI AUSTIN, DIANNE THOMPSON and AARON COLLARD to the Nomination Papers of RANOULE TATUM, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 26th Representative District, State of Illinois, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of RANOULE TATUM, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 26th Representative District, State of Illinois, SHALL NOT be printed on the official ballot for the General Primary Election to be held on February 5, 2008.

Dated: Chicago, Illinois, this 30th day of November 2007.



Langdon D. Neal, Chairman



Richard A. Cowen, Commissioner



Marisel A. Hernandez, 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.

**BEFORE THE DULY ELECTORAL BOARD FROM THE HEARING AND PASSING
UPON OF OBJECTIONS TO NOMINATION PAPERS OF CANDIDATES FOR THE
OFFICE OF ILLINOIS STATE REPRESENTATIVE,
26TH REPRESENTATIVE DISTRICT**

SHANI AUSTIN, DIANE THOMPSON)	
AND AARON COLLARD)	
Petitioner-Objector)	
v.)	08-EB-RGA-13
RANOULE TATUM)	
Respondent-Candidate)	

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RECOMMENDATION OF HEARING EXAMINER
DEFAULT

Background

At all times, the candidate did not appear. Objectors, **SHANI AUSTIN, DIANNE THOMPSON** and **AARON COLLARD** appeared through their attorney Michael E. Lavelle.

The candidate had filed petitions that, on their face, appeared to be in order. The objections were filed challenging the propriety of the signatures.

Hearing

The case was called 3 times at various times between 1:30 pm to 2:00 pm. on November 20, 2007. Candidate's application, petitions, objection, the call and other materials were admitted into evidence. The call and summons were read into the record and it was emphasized that the candidate was personally served on November 19, 2007.

Objector made a motion to default the candidate based upon the challenge to the signatures, where, if the objections were correct, there would not be an adequate number of signatures.

Recommendation

The candidate did not appear and was defaulted. Therefore, it is recommended that the candidate's name be stricken and not appear on the ballot.

Respectfully submitted,
By: Richard E. Zulkey
Hearing Examiner

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