

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

Objections of: CLARA KIRK)
)
)
To the Nomination)
Papers of: SYRON M. SMITH) No. 08-EB-RGA-22
)
Candidate for the office of Representative in) (rel. RGA-17, RGA-20, RGA-26)
the General Assembly, 32nd 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 CLARA KIRK ("Objector") to the nomination papers ("Nomination Papers") of SYRON M. SMITH, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 32nd 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 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 November 20, 2007 and was continued from time to time.

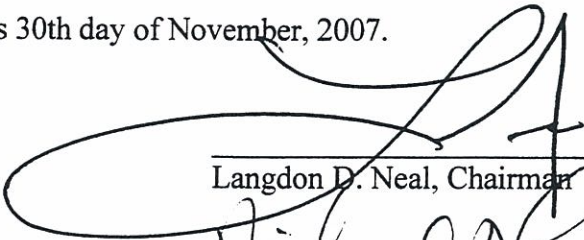
5. The Electoral Board assigned this matter to Hearing Examiner Lynne Ostfeld for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board to appear before the Hearing Examiner for a hearing on the date and at the time designated on the Electoral Board's docket. The following persons, among others, were present at such hearing: the Objector, CLARA KIRK, appearing by counsel, Michael J. Kasper; and the Candidate, SYRON M. SMITH, appearing pro se.


7. The Electoral Board finds that on November 29, 2007, the Candidate filed papers with the Illinois State Board of Elections withdrawing as a candidate and requesting that his name not be printed on the ballot, thus rendering the Objections moot.

IT IS THEREFORE ORDERED that the name of SYRON M. SMITH, candidate for the nomination of the Democratic Party to the office of Representative in the General Assembly for the 32nd 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.

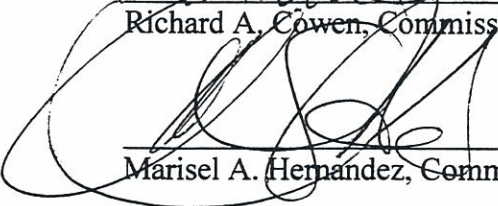
Dated: Chicago, Illinois, this 30th day of November, 2007.



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.

BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO

Objections of:)
CLARA KIRK)
To the Nomination)
Papers of: SYRON M. SMITH)
Candidate for the Office of Illinois State)
Representative in the 32nd District)
on the Democratic Party ballot)

No. 08 EB RGA 22

Lynne R. Ostfeld
Hearing Examiner

2007 NOV 30 A 10: 01

RECOMMENDED DECISION

This matter having come before the Chicago Board of Election Commissioners ("CBOE") on verified objections of Clara Kirk ("objector") to the nomination papers of Syron M. Smith ("candidate"), Lynne R. Ostfeld, Esq., Hearing Examiner, finds and recommends as follows:

1. The hearing was begun on November 20, 2007. In attendance at the hearing were the objector, Clara Kirk, by her attorney, Michael J. Kasper, and the candidate, Syron M. Smith, *pro se*.

2. The objector requested that Syron Smith's name not be printed on the Democratic Party ballot for election to the office of Illinois State Representative 32nd district, based on the following summarized objections:

- A. the candidate did not submit the minimum number of 500 valid signatures;
- B. the candidate did not file a receipt for the filing of a Statement of Economic Interests.

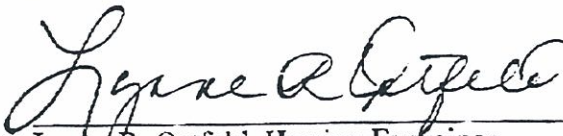
3. A records examination was ordered and was begun on November 29, 2007. After analysis of approximately four sheets of voter signatures by staff of the CBOE, the candidate submitted his Withdrawal of Candidacy and the staff terminated their review.

4. At the continued hearing scheduled for November 29, 2007, the objector was present through her attorney but the candidate was not present. The Hearing Examiner announced the withdrawal of candidacy by Syron M. Smith and that she would accept it and recommend that the case be dismissed. The objector had no objection.

5. The Hearing Examiner recommends that this Board accept the Withdrawal of Candidacy of Syron M. Smith.

6. The Hearing Examiner recommends that this Board order that the name of SYRON M. SMITH NOT BE printed on the Democratic ballot for Illinois State Representative from the 32nd District.

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


Lynne R. Ostfeld, Hearing Examiner