

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

Objections of: LARRY G. NELSON)
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To the Nomination) No. 08-EB-WC-24
Papers of: JULIUS ANDERSON)
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)
Candidate for the office of)
Ward Committeeman for the 24th Ward of)
the City of Chicago, 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 LARRY G. NELSON ("Objector") to the nomination papers ("Nomination Papers") of JULIUS ANDERSON, candidate for election to the office of Ward Committeeman for the 24th Ward of the City of Chicago, Democratic Party ("Candidate"), having convened on November 26, 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 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 26, 2007 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner William J. Cadigan 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, LARRY G. NELSON, appearing pro se; and the Candidate, JULIUS ANDERSON, appearing pro se.

7. The Objector raised objections to the Candidate's Nomination Papers, including the allegation against the validity of individual signatures identifying them by sheet and line and that the Candidate's petition did not contain a sufficient number of valid signatures to meet the minimum signature requirement for the office sought.

8. The Hearing Examiner ordered that an examination of the registration records be conducted by clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board.

9. The Hearing Examiner directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination.

10. The Candidate or his duly authorized representative(s) was present during the examination of the registration records.

11. The Objector or his duly authorized representative(s) was present during the examination of the registration records.

12. The examination of the registration records was completed and the Electoral Board hereby adopts and incorporates by reference the results of the records examination conducted by its clerks and agents. The written report of the results of the registration records examination is contained in the Electoral Board's file in this case and is available for inspection upon request of a party.

13. The results of the records examination conducted in this case indicate that:

A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 394;

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 692;

C. The number of signatures deemed invalid because of objections sustained during the records examination total 342;

D. The remaining number of signatures deemed valid total 350.

14. The Candidate filed a motion to challenge the results of the records examination and a hearing upon said motion was held on December 10, 2007. The Candidate submitted 44 affidavits for the purpose of rehabilitating certain signatures that were objected to by the Objector and which objections were sustained at the records examination.

15. The Hearing Examiner reviewed the 44 affidavits and sustained the results of the records examination as to 36 signatures and overruled the results as to 8 signatures. For those signatures that were sustained by the Hearing Examiner, it was clear to the Hearing Examiner that the signature set forth on the affidavit did not match the signature on the individual's voter registration record maintained by the Board of Election Commissioners.

16. The Hearing Examiner found the Candidate submitted 358 valid signatures on his nominating petitions, which is 36 below the minimum signature requirement of 394.

17. The Hearing Examiner has tendered to the Electoral Board his report and recommended decision. The Hearing Examiner recommends that the Objections to the Candidate's Nomination Papers be sustained and that the Nomination Papers be found invalid.

18. 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 and Recommended Decision is attached hereto and is incorporated herein as part of the decision of the Electoral Board.

19. The Electoral Board finds, therefore, that the objections to signatures listed on certain sheets and lines of the Objector's Petition are sustained in part and overruled in part as more fully indicated in the results of the records examination.

20. The Electoral Board finds that the Candidate has an insufficient number of valid signatures on his Nomination Papers to be placed upon the official ballot as a candidate for election to the office of Ward Committeeman for the 24th Ward of the City of Chicago, Democratic Party.

21. The Electoral Board therefore sustains the Objections and finds that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of LARRY G. NELSON to the Nomination Papers of JULIUS ANDERSON, candidate for election to the office of Ward Committeeman for the 24th Ward of the City of Chicago, Democratic Party, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of JULIUS ANDERSON, candidate for election to the office of Ward Committeeman for the 24th Ward of the City of Chicago, Democratic Party, SHALL NOT be printed on the official ballot for the General Primary Election to be held on February 5, 2008.

Dated: Chicago, Illinois, this 16th day of December, 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
AS THE DULY CONSTITUTED ELECTORAL BOARD**

Objections of: Larry Nelson)
)
 To the Nomination of Papers of:)
 Julius Anderson)
) No. 08-EB-WC-24
 Candidate for Democratic Committeeman)
 Of the 24th Ward)

HEARING EXAMINER'S REPORT AND RECOMMENDATION

This matter coming before the duly constituted Electoral Board, consisting of Chicago Board of Election Commissioners, and before the undersigned Hearing Examiner, the Hearing Examiner hereby makes the following Report and Recommendation:

1. The Candidate filed Nomination Papers as a Candidate for the Democratic Committeeman of the 24th Ward in the City of Chicago. Such Nomination Papers consisted of: a) Statement of Candidacy; and b) Nominating Petition Sheets numbered 1 through 35.
2. The Objector's Petition to the Nomination Papers of the Candidate was timely filed on November 16, 2007.
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.
4. The initial hearing on these Objections was called on November 26, 2007 at approximately 10:30 a.m. at which time the Objector appeared on his own behalf. The Candidate appeared on his own behalf.
5. The Objector's Petition asserts the following:

a. That the Candidate failed to file a sufficient number of valid signatures for the office of Democratic Committeeman for the 24th Ward in the City of Chicago. The minimum number of signatures required for this office is 394.

b. The Candidate failed to sign the Statement of Candidacy under oath.

RECORDS EXAMINATION

6. At the initial hearing of this matter, a Record Examination was ordered. The Records Examination was held on December 6, 2007. The results of the Records Examination are as follows:

Number of Signatures on Petition	692
Number of Objections Overruled	279
Number of Objections Sustained	342
Number of Valid Signatures	350
Minimum Signature Requirement	394

7. As noted in the chart above, the Records Examination results showed that the Candidate's Nominating Petitions were 44 signatures short of the minimum signature requirement.

CANDIDATE'S CHALLENGE TO THE RECORDS EXAMINATION

8. On December 6, 2007 at 1:00 p.m. a status hearing was held to present the parties with the results of the Records Examination. The Candidate was present. The Objector was not present.

9. At this hearing, the results of the Records Examination were presented to the Candidate. Upon receiving the results, the Candidate requested leave to file a Motion to

Challenge the Records Examination. The Hearing Examiner granted leave to the Candidate to file the Motion to Challenge the Records Examination and ordered him to file and serve the Hearing Examiner and the Objector with copies of the Motion by 5:00 p.m. on Friday, December 7, 2007. The Hearing Examiner set a hearing on the Motion for Monday, December 10, 2007 at 10:00 a.m. and instructed the Candidate to file any affidavits in support of his Motion by that time.

**HEARING ON CANDIDATES MOTION
TO CHALLENGE TO THE RECORDS EXAMINATION**

10. A hearing was held on December 10, 2007 at 10:00 a.m. on the Candidate's Motion to Challenge the Records Examination. Original copies of the Candidate's Motion and 44 affidavits of persons purported to be signers of the Candidate's petitions wherein they state that they reside at the address stated in the petition and signed the petition in the presence of the circulator have been placed in the file on this matter maintained at the office of the Chicago Board of Election Commissioners.

11. The Candidate submitted the 44 affidavits for the purpose of rehabilitating certain signatures that were objected to by the Objector and those objections were sustained during the Records Examination. If valid, the affidavits attached to the Candidate's Motion to Challenge the Records Examination would purportedly give the Candidate precisely the minimum signature requirement of 394 to have his name printed on the ballot as a candidate for election to the office of the Democratic Ward Committeeman of the 24th Ward in the City of Chicago.

12. The Hearing Examiner has reviewed the 44 affidavits presented by the Candidate and makes the following findings:

Petition Sheet Number	Line Number	Signer's Name	After Hearing Examiner Review of Affidavits the Records Examination Result Is:
3	1	Claude Holloway	Sustained
3	11	Barbara Mitchell	Sustained
3	12	Renee Harris	Sustained
3	17	Rosie L. Jackson	Sustained
4	10	Barbara Walker	Sustained
4	11	Sheila Hines	Sustained
4	13	George Daniels	Sustained
4	14	Curtis Spear	Sustained
4	15	Beatrice Rodney	Sustained
7	3	Tyrone Goodnight	Overruled
7	13	Qaid Azeez	Sustained
9	2	George Williams	Sustained
9	16	Seneca Harris	Sustained
10	12	Anthony Taylor	Sustained
11	1	Dwayne Kimbell	Sustained
11	10	Terry Davis	Sustained
14	3	Lois Stevenson	Sustained
14	6	Crystal Deshotel	Sustained
14	8	Brenda Jernigan	Overruled
14	13	Michelle Gillie	Sustained
16	13	Melinda Atkins	Sustained
16	18	George Thomas	Overruled
16	19	Albert Ababio	Overruled
17	7	Jesse L. Jemison	Overruled
21	4	Scarlett Vickers	Overruled
22	16	Eddie Sams	Sustained
22	17	Vera Sams	Sustained
22	18	Jason Sams	Sustained
25	2	Sade Thomson	Sustained per Rule 8
25	4	Theresa Cooks	Sustained
25	18	Leonard Dawson	Sustained
26	1	Cynthia R. Washington	Sustained
26	12	Anthony Larry	Sustained per Rule 8
26	14	Latara Gannon	Sustained-Signer not

			registered
26	17	Frederick Horton	Overruled
27	2	Bernadette Shields	Affidavit Not Properly Submitted. No Records Exam Conducted because no objection pending.
28	19	Latrice Campbell	Sustained per Rule 8
30	10	Mattie Watson	Sustained per Rule 8
32	1	Doris Hill	Affidavit Not Properly Submitted. No Records Exam Conducted because no objection pending.
32	2	Marvin Hill, Jr.	Affidavit Not Properly Submitted. No Records Exam Conducted because no objection pending.
32	5	Clayzell Loyd	Affidavit Not Properly Submitted. No Records Exam Conducted because no objection pending.
32	17	Doneisha Lott	Affidavit Not Properly Submitted. No Records Exam Conducted because no objection pending.
34	1	Erick Calbert	Overruled
34	5	Calvin Allen	Sustained per Rule 8

13. Following a review and determination of the validity of each of the Affidavits as set forth in the above chart, the Hearing Examiner sustained the results of the Records Examination for 36 signatures and overruled the results for 8 signatures. For those signatures designated "Sustained" in the above chart, it was clear to the Hearing Officer that the signature set forth on the Affidavit did not match the signature on the registered voter records maintained by the Chicago Board of Election Commissioners.

14. Therefore, the Hearing Examiner finds that the Candidate has submitted 358 valid signatures on his Nominating Petitions. This number is 36 below the minimum signature requirement of 394 valid signatures for the office of Democratic Committeeman for the 24th Ward of the City of Chicago.

STATEMENT OF CANDIDACY

15. The Hearing Examiner finds that the Candidate did properly sign the Statement of Candidacy under oath.

Conclusion

16. Based on the foregoing, the Hearing Examiner finds that the Candidate did not file the minimum number of signatures required and recommends that the Candidate's name not be printed on the ballot as a candidate for election to the office of the Democratic Ward Committeeman of the 24th Ward in the City of Chicago, County of Cook, State of Illinois for the General Primary Election to be conducted on February 5, 2008.

Date: December 13, 2007



William J. Cadigan
Hearing Examiner