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

Objections of: Joseph W. Sneed and Edwin Cobb)
To the Nomination)) No.: 12-EB-NPP-01
Papers of: Lance Tyson)
•) (Rel. Case No. 12-EB-NPP-02)
Candidate for the nomination of the 10th)
District Unity Party for the office of)
Representative in the General Assembly for the)
10th Representative District, State of Illinois)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners for the City of Chicago 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 Joseph W. Sneedand Edwin Cobb ("Objectors") to the nomination papers ("Nomination Papers") of Lance Tyson, candidate for the nomination of the 10th District Unity Party for the office of Representative in the General Assembly for the 10th Representative District in the State of Illinois ("Candidate") to be elected at the General Election to be held on November 6, 2012, having convened on July 10, 2012, at 4:00 p.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 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 July 10, 2012 and was continued from time to time.
- 5. The Electoral Board assigned this matter to Hearing Officer Barbara Goodman for further hearings and proceedings.
- 6. The Objectors and the Candidate were directed by the Electoral Board to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objectors, Joseph W. Sneed and Edwin Cobb, by attorney Ivan Tomic; and the Candidate, Lance Tyson, by attorney James P. Nally PC.
- 7. The Electoral Board finds that on August 3, 2012 the Objectors moved to withdraw their Objections against the Candidate's Nomination Papers. The Electoral Board grants the Objector's motion to withdraw the Objections and the Objections are withdrawn.
- 8. The Electoral Board further finds that there is another objection filed against the Candidate's Nomination Papers in 12-EB-NPP-02, which found that the Candidate's Nomination Papers are valid.

IT IS THEREFORE ORDERED that the Objections of Joseph W. Sneed and Edwin Cobb are withdrawn, this case is dismissed as moot and the Nomination Papers of Lance Tyson, candidate for the nomination of the 10th District Unity Party for the office of Representative in the General Assembly for the 10th Representative District of the State of Illinois, are hereby declared VALID and the name of Lance Tyson, candidate for the nomination of the 10th District Unity Party for the office of Representative in the General Assembly for the 10th Representative District of the State of Illinois, SHALL be printed on the official ballot for the General Election to be held on November 6, 2012.

Dated: Chicago, Illinois, on August 7, 2012.

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 5 days after service of the decision of the Electoral Board.

BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO AS THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OBJECTIONS TO NOMINATION PAPERS OF CANDIDATES FOR THE NOVEMBER 6, 2012 GENERAL ELECTION

JOSEPH W. SNEED and				
EDWIN COBB)			
Objectors)	12 EB NPP 01	BOAG	2012
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HEARING EXAMINER'S REPORT AND RECOMMENDED DECISION

This matter was first heard on July 11, 2012. The Objectors appeared through counsel Ivan Tomic and the Candidate appeared through counsel James Nally. The parties were given an opportunity to file preliminary motions. Candidate filed a *Motion to Strike and Dismiss*Objector's Petition and the Objector filed Objector's Reply to Candidate's Motion to Strike and Dismiss.

On August 3, 2012, counsel for the Objectors filed a Motion to Withdraw Objectors' Petition and also orally moved to withdraw the Objectors' Petition. Said motion was granted.

RECOMMENDATION

In light of the withdrawal of the Objectors' Petition, the objections are moot. Therefore, the nominating papers of candidate Lance Tyson are deemed **valid** and the name of candidate Lance Tyson for the office of Representative in the General Assembly for the 10th Representative District **shall be** printed on the ballot at the November 6, 2012 General Election.

Respectfully submitted,

Barbara Goodman /s/

Barbara Goodman, Hearing Examiner August 3, 2012

BOARD OF ELECTIONS