

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

Objections of: Gilbert Villegas)
)
)
To the Nomination) No.: 14-EB-RGA-04
Papers of: Enid Martinez-Gonzalez)
) (Rel. 14-EB-RGA-03)
Candidate for the nomination of the)
Democratic Party for the office of)
Representative in the General Assembly of the)
3rd 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 Gilbert Villegas (“Objector”) to the nomination papers (“Nomination Papers”) of Enid Martinez-Gonzalez, candidate for the nomination of the Democratic Party for the office of Representative in the General Assembly of the 3rd Representative District in the State of Illinois (“Candidate”) at the General Primary Election to be held on March 18, 2014, having convened on December 16, 2013 at 9:00 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 December 16, 2013 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Mario Correa for further hearings and proceedings.

6. The Objector 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 Objector, Gilbert Villegas, by his attorney, Michael J. Kasper; and the Candidate, Enid Martinez-Gonzalez, by her attorney, Adam W. Lasker.

7. The Hearing Officer ordered that an examination of the voter 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.

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

9. The Candidate and/or her duly authorized representative was present during the examination of the registration records.

10. The Objector and/or his duly authorized representative was present during the examination of the registration records.

11. 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 result of the registration records examination is contained in the Electoral Board's file in this case and a copy has been provided or made available to the parties.

12. The results of the records examination indicate that:

A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 500, with a maximum signature requirement of 1,500;

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 1,757 (to reduce the number of signatures to the maximum allowed – 1,500 – signatures appearing on sheet number 113, lines 10-15, and all signatures on sheets 114 through 131 were discounted and not considered);

C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 975;

D. The remaining number of signatures deemed valid as a result of the records examination total 525.

13. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination was less than the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for the nomination of the Democratic Party for the office of Representative in the General Assembly of the 3rd Representative District of the State of Illinois.

14. The Hearing Officer conducted a hearing to allow the Candidate an opportunity to present evidence in support of her Rule 8 motion objecting to the Board's clerk's findings during the records examination. At such hearing, the Candidate stipulated that petition sheets numbered 83 through 103 were, in fact, photocopies of original petition sheet pages 104 to 124. The Candidates further stipulated that there were an additional 85 valid signatures on those photocopied sheets, when eliminated would reduce the total number of valid signatures from 525 to 440, less than the 500 signatures required by law.

15. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers contained only 440 valid signatures, which is less than the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for nomination of the Democratic Party for the office of Representative in the General Assembly for the 3rd Representative District of the State of Illinois, and that the Candidate's Nomination Papers should be found invalid.

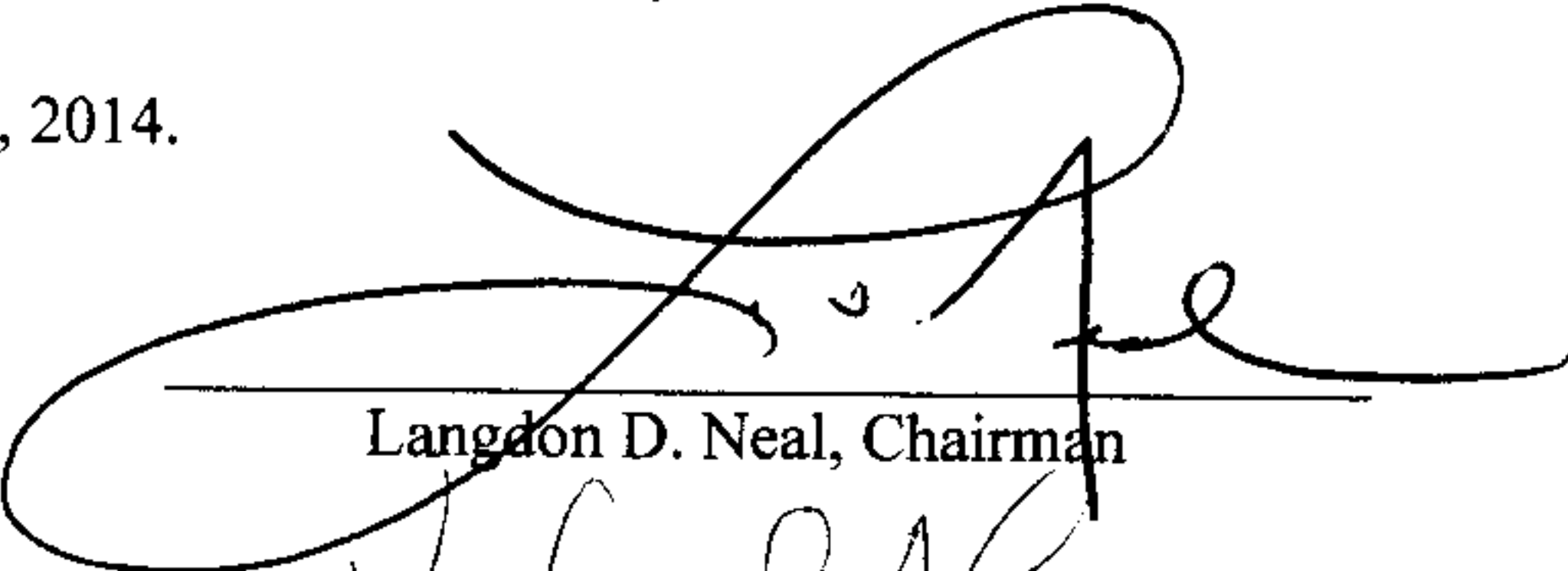
16. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law, hereby adopts the Hearing Officer's recommended findings and conclusions of law.

17. For the reasons stated above, the Electoral Board finds that the Candidate has an insufficient number of valid signatures on her nominating petitions and that the Nomination Papers of Enid Martinez-Gonzalez are, therefore, invalid.


18. The Electoral Board further finds that as a result of the findings in this case, objections filed in related case number 14-EB-RGA-03 are moot.

IT IS THEREFORE ORDERED that the Objections of Gilbert Villegas to the Nomination Papers of Enid Martinez-Gonzalez, candidate for the nomination of the Democratic Party for election to the office of Representative in the General Assembly of the 3rd Representative District of the State of Illinois are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of Enid Martinez-Gonzalez, candidate for nomination of the Democratic Party for the office of Representative in the General Assembly for the 3rd Representative District of the State of Illinois, SHALL NOT be printed on the official ballot for the General Primary Election to be held on March 18, 2014.

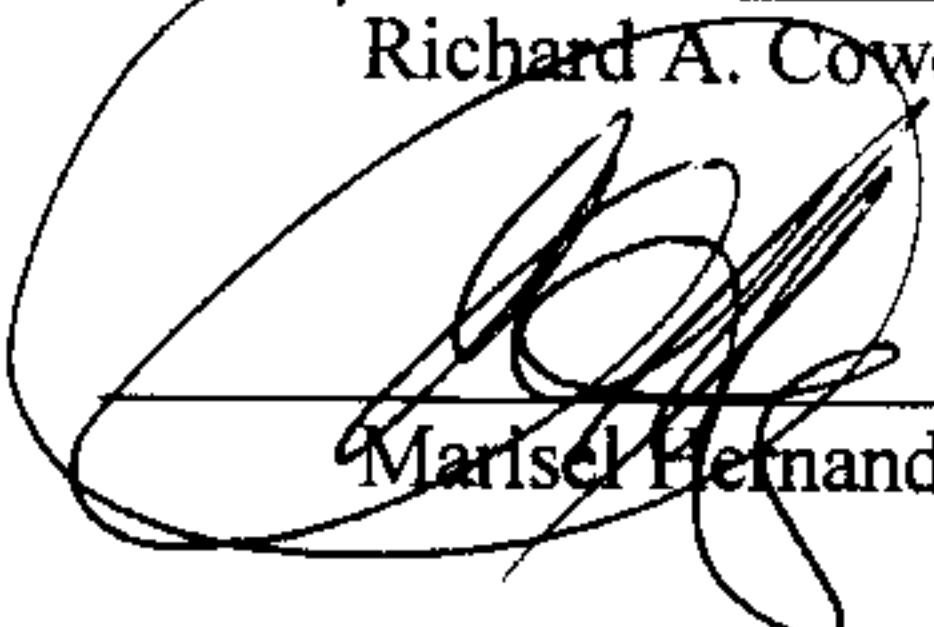
Dated: Chicago, Illinois, on January 6, 2014.



Langdon D. Neal, Chairman



Richard A. Cowen, Commissioner



Marisel 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.