

ORIGINAL

BEFORE THE DULY CONSTITUTED ELECTORAL BOARD

IN THE MATTER OF THE OBJECTIONS OF:)

CARMELA SANCHEZ and SANDRA)
LETTEN,)

Objectors,)

v.)

JOSEPH E. MERCADO,)

Candidate.)

CASE NO. **23-EB-ALD-024**

OBJECTORS' PETITION

NOW COME, Carmela Sanchez and Sandra Letten, (the "Objectors"), and pursuant to §10-8 of the Illinois Election Code, 10 ILCS 5/1-1, *et seq.*, state as follows:

Introduction

The Objector, Carmela Sanchez, who resides at 3424 W. 37th Place in the City of Chicago, Zip Code 60632, County of Cook, State of Illinois, and Objector, Sandra Letten, who resides at 2115 W. 36th Street in the City of Chicago, Zip Code 60609, County of Cook, State of Illinois, and state that they are duly qualified, registered, and legal voters in the Twelfth (12th) Ward of the City of Chicago, County of Cook, and State of Illinois, the political district in which Candidate, Joseph E. Mercado (the "Candidate") is to be voted upon. Objectors state that Objectors' interest in filing the following objections is that of citizens desirous of seeing that the election laws governing the filing of nomination papers for the office of Alderperson for the Twelfth (12th) Ward of the City of Chicago, County of Cook, and State of Illinois are properly complied with and that only qualified candidates appear on the ballot for said office as a candidate at the February 28, 2023, Consolidated Primary Election ("Election").

Therefore, the Objectors make the following objections, upon information and belief, to the Nomination Papers of Joseph E. Mercado as a candidate for the office of Alderperson for the Twelfth (12th) Ward of the City of Chicago, County of Cook, and State of Illinois, to be voted upon at the February 28, 2023, Consolidated Primary Election.

BOARD OF ELECTION COMM
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1. Nomination Papers must truthfully allege the qualifications of the candidate, must contain the statutorily required minimum amount of true and genuine signatures of duly qualified, registered, and legal voters in the political subdivision or district in which the Candidate seeks nomination or election, must be gathered and presented in the manner provided for in the Illinois Election Code, and must be otherwise executed in the form provided by law.
2. A candidate seeking nomination or election must file petitions containing a receipt indicating that such nominee has filed a statement of economic interest as required by the Illinois Governmental Ethics Act, 5 ILCS 420/1-101, et. seq. as mandated by 10 ILCS 5/10-5.
3. The Candidate has filed Nomination Papers that purport to contain signatures of duly qualified, legal, and registered voters of the political subdivision or district in which the Candidate seeks elective office in excess of the statutory minimum and, further purport to have been gathered, presented and executed in the manner provided by the Illinois Election Code.
4. The laws pertaining to the securing of ballot access require that certain requirements be met as established by law. Filings made contrary to such requirements must be voided and found invalid, being in violation of the statutes, and/or established case law, in such cases made and provided. Statute and established case law hold these provisions to be mandatory and strictly construed; failing to comply with even one of them will result in the petitions' invalidation.
5. As set forth herein, the Nomination Papers are insufficient in law and fact for the following reasons:
6. Candidate failed to file a Receipt for his Statement of Economic Interests, in violation of the Election Code. Instead, Candidate filed the Board of Ethics Statement of Financial Interests. Thus, the Candidate's Nomination Papers are incomplete and invalid in their entirety.

Conclusion

7. Because of the above-listed irregularities and insufficiencies in the Candidate's Nomination Papers, said Nomination Papers are not in full compliance with the Illinois Election Code and are invalid in their entirety.

WHEREFORE, Objectors pray that the nomination papers of Joseph E. Mercado as a candidate for the office of Alderperson for the 12th Ward of the City of Chicago, County of Cook, State of Illinois, to be voted upon at the February 28, 2023 Consolidated Primary Election be declared to be insufficient and not in compliance with the laws of the State of Illinois, and that the Candidate's name be stricken and **NOT** appear on the February 28, 2023 Consolidated Primary Election ballot, and that this Honorable Electoral Board enter its decision declaring that the name of Joseph E. Mercado as a candidate for the office of Alderperson for the 12th Ward of the City of Chicago, County of Cook, State of Illinois, be **NOT** printed upon the official ballot for the Consolidated Primary Election to be held on February 28, 2023.

Respectfully Submitted,
**OBJECTORS, CARMELA SANCHEZ &
SANDRA LETTEN**

By: /s/ Priscilla E. Centeno
One of their Attorneys

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