BCC

STATE OF ILLINOIS )
) ss.
COUNTY OF COOK )

BEFORE THE MUNICIPAL OFFICERS ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO NOMINATING PETITIONS FOR THE OFFICE OF ALDERMAN OF THE CITY OF CHICAGO, 24th WARD.

IN RE: OBJECTION OF )
)
Rose Marie Love )
TO THE NOMINATING PETITION OF )
)
Clarence Shaw )
CANDIDATE FOR THE OFFICE OF ALDERMAN )
OF THE CITY OF CHICAGO, 24th WARD. )

CASE NO. 83-EB-ALD- 60

D E C I S I O N

The duly constituted Municipal Officers Electoral Board, consisting of Michael E. Lavelle, James R. Nolan and Corneal A. Davis, organized by law in response to a Call issued by Michael E. Lavelle, Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections to Nomination Petitions for the Office of Alderman of the City of Chicago, 24th Ward, having convened on January 13, 1983, at 2:00 p.m. in Room 1707, Richard J. Daley Center, Chicago, Cook County, Illinois and having heard and determined the objections to the petition in the above entitled matter, finds that:

1. The said Electoral Board has been legally constituted according to the laws of the State of Illinois;

2. Objections to the nominating petition of the candidate herein were duly filed;

3. A call to the hearing on said objections was duly issued and was served upon the members of the Electoral Board, the objector and the candidate by mail and by personal service as provided by statute;

4. A public hearing was held on these objections commencing January 13, 1983;

5. The following persons, among others, were present at such hearings: the members of the Electoral Board, the objector, [redacted] by counsel; and the candidate, [redacted] by counsel;

6. The Board heard and considered all evidence and arguments tendered by those appearing at the hearing;

7. The Board ordered an examination of the precinct binders to be conducted by its clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board;

8. During examination of the precinct binders, the Board directed all parties to appear and to be present, either personally and/or by their authorized representatives, duly appointed and authorized by said parties;

9. The candidate and/or his duly authorized representatives were present during the examination of the binders at all times;

10. The objector and/or his duly authorized representatives were present during the examination of the binders at all times;

11. Examination of precinct binders was completed;

12. The Board having heard oral argument and considered all evidence hereby finds:

a. The statutory minimum number of signatures required for placement on the ballot is 342

b. The number of signatures filed by the candidate total 690

c. The number of signatures because of objections sustained deemed invalid total 148

d. The remaining number of signatures deemed valid total 542 /solely as a result of a binder ~~check by Board~~ Staff.

The written report of the Board's finding sustaining signature objections are contained in the Board's file in this cause, and is available upon request of a party.

The Board sustains the objections set forth in paragraph 7 of objector's petition namely, that sheets 3-7;9,11;13,14,16,17,19,21-26,28 and 30 of the nomination papers containing 350 signatures, have defective circulators' affidavits in violation of 10-4 of the Election Code and therefore these signatures are striken. See Schumann v Kumarich 430 N E 2d 99 (1981). Accordingly the remaining number of valid signatures is reduced to 192, a number below the statutory minimum for placement on the ballot.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Objections of Rose Marie Love to the Nominating Petition of Clarence Shaw as Candidate for election to the Office of Alderman of the City of Chicago, 24th Ward, are hereby sustained ~~(or overruled)~~ in conformity with the findings of Paragraph 12 hereof and the said petition is hereby declared ~~valid~~ invalid, and the name of Clarence Shaw as Candidate for election to the Office of Alderman of the City of Chicago, 24th Ward, ~~shall be printed~~ shall not be printed on the ballot for the Aldermanic Election to be held on February 22, 1983.

DATED: Chicago, Illinois, this 24th day of January, 1983

Michael E. Lavelle (CHAIRMAN)

James R. Dalen (MEMBER)

Conrad A. Sauer (MEMBER)