STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

BCT

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, 28th WARD.

IN RE: OBJECTION OF)
)
Lee Curtis)
TO THE NOMINATING PETITION OF)
)
Wynell Parker)
CANDIDATE FOR THE OFFICE OF ALDERMAN)
OF THE CITY OF CHICAGO, 28th WARD.)

CASE NO. 83-EB-ALD- 94

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, 28th Ward, having convened on January 13, 1983, at 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, ~~xxxxxxxxxx~~ by counsel; and the candidate, ~~xxxxxxxxxx~~ 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 the precinct binders was terminated at the request of the objector;

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

    A. The Electoral Board, after hearing oral argument and considering all the evidence presented, denies paragraphs 1 and 3 of the candidates motion to strike certain portions of the objection petition and grants paragraph 2 of said motion to strike in that the failure of the notary to place the year of attestion upon the petition sheet is merely a technical violation of Section 10-4 of the Election Code and the petition sheets upon which said error occurred are in substantial compliance with said Section 10-4. See Electoral Board decision of Chicago Board of Election Commissioners in Gilbert v. Davis, 80-EB-5 (1980). Accordingly, the Electoral Board overrules the objections.

IT IS THEREFORE ORDERED that the name of Wynell Parker, Candidate for the Office of Alderman of the City of Chicago, 28th Ward shall be printed on the ballot for the Aldermanic Election to be held on February 22, 1983.

DATED at Chicago, Illinois, this 24th day of January, 1983.

Michael E. Lavelle
Chairman

James R. Nolan
MEMBER

Edward R. Burke
MEMBER