STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

NPP-NBC

BEFORE THE ELECTORAL BOARD FOR THE HEARING
AND PASSING UPON OF OBJECTIONS TO NOMINATING
PETITIONS OF THE JOHN DAVIS COMMUNITY ACTION PARTY
FOR THE OFFICE OF REPRESENTATIVE IN THE GENERAL ASSEMBLY

IN RE: Objection of: Giles L. Mitchell To the Nominating Petition of: John H. Davis John Davis Community Action Party Candidate for the Office of Representative in the General Assembly in the 35th Representative District.	NO: 88-EB-NPP-2

DECISION

The duly constituted Electoral Board, consisting of NIKKI M. ZOLLAR, JAMES R. NOLAN AND MICHAEL J. HAMBLET, organized by law in response to a Call issued by NIKKI M. ZOLLAR, Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections to Nominating Petitions of the John Davis Community Action Party for the Office of Representative in the General Assembly, in the 35th Representative District, having duly convened and having heard and determined the objections to the petition in the above entitled matter find 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;

5. The following persons, among others, were present at such hearings: the Objector, by counsel, and the Candidate by counsel;

6. The Board finds that the objector failed to file sufficient sheet-and-line objections to bring the candidate below the statutory minimum of 1,557 signatures.

The Board further finds that the objector failed to meet his burden of proof in establishing a "pattern of fraud" so as to justify striking signatures not objected-to. (See Fortas v. Dixon, 122 Ill.App.3d 697, 462 N.E.2d 615 (1984) and Huskey v. Municipal Officers Electoral Board, 509 N.E.2d 555 (1987)) The Board hereby grants the candidate's motion for a directed verdict.

IT IS THEREFORE ORDERED that the name of John H. Davis, as John Davis Community Action Party candidate for election to the office of Representative in the General Assembly in the 35th Representative District shall be printed on the ballot for the General Election to be held on November 8, 1988.

Dated: Chicago, Illinois, this 15th day of September, 1988.

Nikki M. Zollar
NIKKI M. ZOLLAR, COMMISSIONER

James R. Nolan
JAMES R. NOLAN, COMMISSIONER

Michael J. Hamblet
MICHAEL J. HAMBLET, COMMISSIONER