STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

BCC

BEFORE THE ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO NOMINATING PETITIONS FOR THE OFFICE OF: WARD COMMITTEEMAN IN THE CITY OF CHICAGO

IN RE: Objection of: Gregory Burt)
)
To the)
Nominating Petition of: James A. Tyson)
) NO: 88-EB-WD-107
)
Candidate for the Office of Ward Committeeman)
in the 16th Ward in the city of Chicago, Illinois.)

DECISION

The duly constituted Electoral Board, consisting of JAMES R. NOLAN, NIKKI M. ZOLLAR AND MICHAEL J. HAMBLET, organized by law in response to a Call issued by MICHAEL E. LAVELLE, then Chairman of said Electoral Board, for the purpose of hearing and passing upon Objections to Nominating Petitions for the Office of Ward Committeeman in the city of Chicago, 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 members of the Electoral Board, the Objector, by counsel, and the Candidate 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 and master file cards were completed;

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

    a. The statutory minimum number of signatures required for placement on the ballot is 1098;

    b. The number of signatures filed by the Candidate total 1573;

    c. The number of signatures deemed invalid because of objections sustained total 538;

    d. The remaining number of signatures deemed valid total 1035;

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

The Board further finds that the number of valid signatures on the nominating petitions falls below the minimum number of signatures required by law to be placed upon the ballot as candidate for election to the office of Ward Committeeman in the 16th Ward in the city of Chicago.

The Board finds that Candidate's second Rule 8 motion was filed nine days too late, on January 22, 1988, and therefore leave to file is denied.

The Board grants Objector's motion to strike all affidavits which relate soley to the second Rule 8 motion and all affidavits submitted which do not relate to either Rule 8 motion.

The Board strikes sheets 23 and 87 of the Candidate's petition for failure to include dates of circulation, which is in violation of Section 7-10 of the Election Code.

The Board strikes sheet 70 of the Candidate's petition because circulator was not a registered voter.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the objections of Gregory Burt to the nomination petition of James A. Tyson as candidate for election to the office of Ward Committeeman in the 16th Ward, Democratic party, in the city of Chicago, are hereby sustained in conformity with the findings in Paragraph 12 hereof and the said petition is hereby declared not valid and the name of James A. Tyson, as candidate for election to the office of Ward Committeeman in the 16th Ward, Democratic party, shall not be printed on the ballot for the Primary Election to be held on March 15, 1988.

Dated: Chicago, Illinois, this 1st day of ~~January~~ February 1988.

James R. Nolan
JAMES R. NOLAN, COMMISSIONER

Nikki M. Zollar
NIKKI M. ZOLLAR, COMMISSIONER

Michael J. Hamblet
MICHAEL J. HAMBLET, COMMISSIONER