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BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO AS THE DULY CONSTITUTED ELECTORAL BOARD FOR THE HEARING AND PASSING UPON OBJECTIONS TO NOMINATION PAPERS OF CANDIDATES FOR THE FEBRUARY 23, 1999 MUNICIPAL GENERAL ELECTION FOR MAYOR, CLERK, TREASURER AND ALDERMAN IN THE CITY OF CHICAGO

Objections of: JOHN ROBERTSON and LEE HURSTON	)	
To the Nomination Papers of: CAROL MOSELEY-BRAUN	)	No.: 99-EB-ALD-001
Candidate for the office of Alderman of the 37th Ward, City of Chicago	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Richard A. Cowen, and Theresa M. Petrone, organized by law in response to a Call issued by Langdon D. Neal, Chairman of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of JOHN ROBERTSON and LEE HURSTON to nomination papers ("Nomination Papers") of CAROL MOSELEY-BRAUN, candidate for the office of Alderman of the 37th Ward for the City of Chicago ("Candidate"), having convened on December 28, 1998, at 9:00 a.m., in the City Council Chambers, City Hall, Chicago, Illinois; and having heard and determined the Objections to the Nomination Papers in the above-entitled matter finds that:

1. Objections to the Nomination Papers of the Candidate herein were timely filed.

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

3. A Call to the hearing on said Objections was duly issued by the Chairman of the Electoral Board and served upon the members of the Electoral Board, the Objector and the Candidate, by registered or certified mail and by Sheriff's service, as provided by statute.

4. A public hearing held on these Objections commenced on December 28, 1998 and was continued from time to time.

5. The following persons, among others, were present at such hearing: the members of the Electoral Board, the Objectors, JOHN ROBERTSON and LEE HURSTON, pro se; and the Candidate, CAROL MOSELEY-BRAUN, by Ernest Henton.

6. The Electoral Board assigned this matter to Hearing Examiner JOHN ASHENDEN for further hearings and proceedings.

7. The Electoral Board finds that the Objectors, JOHN ROBERTSON and LEE HURSTON, filed an objection petition consisting of an allegation that the Candidate was not a duly qualified voter in the 37th Ward of the City of Chicago and various allegations regarding the validity of signatures on the Candidate's nominating petitions.

8. Section 10-8 of the Election Code (10 ILCS 5/10-8) states that the objector's petition shall state fully the nature of the objections to the nomination petitions in question.

9. The Electoral Board finds that there is a related case, 99-EB-ALD-163, McKennie v. Moseley-Braun, containing a similar allegation regarding the Candidate's status as a registered voter. The Electoral Board finds that the Objectors, JOHN ROBERTSON and LEE HURSTON, agreed to allow the issue of the Candidate's status as a registered voter to be decided by 99-EB-ALD-163, McKennie v. Moseley-Braun.

10. The Electoral Board finds that the Objectors' petition contains allegations to specific signatures contained on Appendix B that was purportedly attached to the Objectors' petition. The Electoral Board finds that the Objectors' failed to attach Appendix B to their Objector's petition.

11. The Electoral Board finds that the Objectors failed to fully state the nature of the objections. The Electoral Board finds that objections which refer to and purportedly incorporate by reference an "Appendix-Recapitulation" that is not, in fact, attached to the objector's petition fail to fully state the nature of the objections and are, therefore, dismissed. *Fouladi v. Ladien,* 95-EB-MUN-5, CBEC, January 17, 1995; *Fouldai v. Wardingly,* 95-EB-MUN-9, CBEC, January 30, 1995; *Washington v. Cooper,* 92-EB-RE-35, CBEC, February 10, 1992; *Washington v. Woods,* 92-EB-REP-34, CBEC, February 10, 1992; *LaPorta v. Ramos,* 91-EB-ALD-137, CBEC, January 16, 1991; *LaPorta v. Campos,* 91-EB-ALD-138, CBEC, January 23, 1991.

12. The Electoral Board finds that there is another objection filed against the Candidate's Nomination Papers in case 99-EB-ALD-163, McKennie v. Moseley-Braun, wherein the Electoral Board determined that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of JOHN ROBERTSON and LEE HURSTON to the Nomination Papers of CAROL MOSELEY-BRAUN, candidate for election to the office of Alderman of the 37th Ward of the City of Chicago, are hereby STRICKEN AND DISMISSED.

Dated: Chicago, Illinois, this Nineteenth day of January, 1999.

Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner

Theresa M. Petrone, Commissioner

NOTICE: Pursuant to Section 10-10.1 of the Election Code (10 ILCS 5/10-10.1) a party aggrieved of this decision and seeking judicial review of this decision must file a petition for judicial review with the Clerk of the Circuit Court of Cook County within 10 days after the decision of the Electoral Board.