NBCOFF-ALD

**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: PETER VANDORPE	)	
	)	
To the Nomination	)	
Papers of: JANICE V. "JAN" THOMAS	)	No.: 99-EB-ALD-049
	)	
Candidate for the office of	)	
Alderman of the 46th Ward	)	
	)	

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 PETER VANDORPE to nomination papers ("Nomination Papers") of JANICE V. "JAN" THOMAS, candidate for the office of Alderman of the 46th 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 duly and 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 Objector, LAURIE ODELL; by counsel and the Candidate, JANICE V. "JAN" THOMAS, pro se.

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

7. The Hearing Examiner conducted an initial hearing of this case on December 28, 1998 at 10:45 a.m. The Objector was present by counsel and the Candidate was present. The Hearing Examiner scheduled this matter for further hearing on January 11, 1999.

8. On January 11, 1999, the Objector was present by counsel at the hearing and the Candidate failed to appear. The Candidate did not respond to the call of the case on three occasions and was not otherwise present.

9. The Electoral Board finds that the Candidate, JANICE V. "JAN" THOMAS, did not appear at the schedule hearing on this matter on January 11, 1999.

10. The Electoral Board further finds that the Objector's petition, on its face, contains sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers.

11. Following the January 11, 1999 hearing conducted in this matter, a record examination was conducted in this matter as had been previously ordered by the Hearing Examiner.

12. The examination of the registration records was completed and the Electoral Board hereby adopts and incorporates by reference the results of the records examination conducted by its clerks and agents. The written report of the result of the registration records examination is contained in the Electoral Board's file in this case and is available for inspection upon request of a party.

13. The Electoral Board has considered all evidence and arguments tendered by the parties.

14. The Electoral Board finds that:

    a. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 216;

    b. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 272;

c. The number of signatures deemed invalid because of objections sustained total 144;

d. The remaining number of signatures deemed valid total 128.

15. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition is below the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for election to the office of Alderman of the 46th Ward of the City of Chicago.

16. The Electoral Board finds, therefore, that paragraphs 4(e) through (y) of the Objector's Petition are sustained in part and overruled in part as more fully indicated in the results of the records examination.

17. Therefore, the Electoral Board finds that the Candidate, JANICE V. "JAN" THOMAS, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

18. Therefore, the Electoral Board finds that the Candidate, JANICE V. "JAN" THOMAS, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

19. A similar finding was also made in related case number 99-EB-ALD-007, Odell v. Thomas, that the Candidate had defaulted and had an insufficient number of valid signatures on her nominating petitions following a records examination.

IT IS THEREFORE ORDERED, that the Objections of PETER VANDORPE to the Nomination Papers of JANICE V. "JAN" THOMAS, candidate for election to the office Alderman of the 46th Ward for the City of Chicago are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of JANICE V. "JAN" THOMAS, candidate for election to the office of Alderman of the 46th Ward for the City of Chicago, SHALL NOT be printed on the official ballot for the Municipal General Election for Mayor, City Clerk, City Treasurer and Alderman to be held on February 23, 1999.

Dated: Chicago, Illinois, this Fifteenth 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.