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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: SEBASTIAN W. JAMES and ROBERT J. KLOVSTAD	)	
To the Nomination Papers of: GLEN BROOKS, JR.	)	No.: 99-EB-ALD-076
Candidate for the office of Alderman of the 49th 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 SEBASTIAN W. JAMES and ROBERT J. KLOVSTAD to the nomination papers ("Nomination Papers") of GLEN BROOKS, JR., candidate for the offices of Alderman of the 49th Ward in 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(s) 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(s), SEBASTIAN W. JAMES and ROBERT J. KLOVSTAD, by counsel; and the Candidate, GLEN BROOKS, JR, pro se.

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

7. The Candidate filed a motion to strike and dismiss the Objector's Petition on the grounds that the addresses of the Objectors on the Petition did not contain apartment numbers. The Hearing Examiner denied the Candidate's motion to strike and dismiss, finding that there was no showing that the apartment number is a mandatory part of the otherwise proper address and this case is distinguishable from *Pochie v. Cook County Officers Electoral Board*, 289 Ill.App.3d 585 (First Dist. 1997) where the objector included her street number, but failed to include her street name. The Electoral Board hereby adopts the Hearing Examiner's findings and conclusions of law pertaining to the denial of the Candidate's motion to strike and dismiss and the same is hereby denied.

8. The Electoral Board ordered that an examination of the registration records 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.

9. The Electoral Board directed all parties to appear and be present, either personally and/or by their authorized representatives during this records examination.

10. The Candidate or his duly authorized representative(s) was present during the examination of the registration records.

11. The Objectors or their duly authorized representatives were present during the examination of the registration records.

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. A master file examination was also conducted at the request of the Candidate, at which time the Candidate or his representative and the Objectors and their representatives were present.

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

15. 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 127;

b. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 232;

c. The number of signatures deemed invalid because of objections sustained total 154;

d. The remaining number of signatures deemed valid total 78.

16. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following the records examination and master file examination 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 49th Ward of the City of Chicago.

17. At the hearing following the conclusion of the master file examination, the Candidate orally objected the findings of the Board's clerks made during the records and master file examinations, but the Candidate filed no written objection with the Board or the Hearing Examiner as required by Rule 8 of the Electoral Board's Rules of Procedure. As a result, the Hearing Examiner denied the Candidate's oral request to object to the clerks' findings. The Electoral Board hereby affirms the Hearing Examiner's denial of the oral request to object to the findings of the Board's clerks during the records examination and master file examination.

18. The Electoral Board finds, therefore, that paragraphs E-K of the Objectors' Petition are sustained in part and overruled in part as more fully indicated in the results of the records examination.

19. For the reasons stated above, the Electoral Board finds that the Nomination Papers of GLEN BROOKS, JR. are not valid.

IT IS THEREFORE ORDERED, that the Objections of SEBASTIAN W. JAMES and ROBERT J. KLOVSTAD to the Nomination Papers of GLEN BROOKS, JR., candidate for election to the office of Alderman of the 49th Ward of the City of Chicago are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of GLEN BROOKS, JR., candidate for election to the office of Alderman of the 49th Ward of 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 Twenty-Eighth 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.