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: KENNETH JACKSON and QUINN DIXON	)	
To the Nomination Papers of: CHARLES E. "COSMOS" REYNOLDS	)	No.: 99-EB-ALD-083
Candidate for the office of Alderman of the 3rd 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 KENNETH JACKSON and QUINN DIXON to nomination papers ("Nomination Papers") of CHARLES E. "COSMOS" REYNOLDS, candidate for the office of Alderman of the 3rd 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 Objectors 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, KENNETH JACKSON and QUINN DIXON, by counsel. The Candidate, CHARLES E. "COSMOS" REYNOLDS, did not appear at the hearing.

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

7. The Hearing Examiner conducted an initial hearing of this case on December 28, 1998 at 11:00 a.m. The Objector was present by counsel. The Candidate did not respond to the call of the case on three occasions and was not otherwise present.

8. The Electoral Board finds that a deputy Cook County Sheriff attempted on December 23, 1998 at 8:20 a.m. to serve the Candidate, CHARLES E. "COSMOS" REYNOLDS, at the address shown on his Nomination Papers with a copy of the Objector's petition and a copy of the Electoral Board's Call to the December 28, 1998 Electoral Board meeting. The Sheriff's return of service indicates that the Candidate was not served and indicated the reason not served as "NO CONTACT – APT NOT LISTED." A deputy Cook County Sheriff attempted on December 30, 1998 at 12:30 p.m. to serve the Candidate, CHARLES E. "COSMOS" REYNOLDS, at the address shown on his Nomination Papers with a copy of a Notice of Continued Hearing to a January 6, 1998 hearing and also found that the Candidate was not listed at this address. A copy of the Electoral Board Call and a copy of the Notice of Continued Hearing was also served upon the Candidate, CHARLES E. "COSMOS" REYNOLDS, at the address shown on his Nomination Papers by certified mail, return receipt requested, on two separate occasions. However, no receipt has been returned to the Board for either mailing.

9. The Electoral Board finds that the Candidate, CHARLES E. "COSMOS" REYNOLDS, did not appear at the duly called meeting and hearing conducted in this matter and that the Board gave notice of the initial meeting of the Election Board as required by law.

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. Therefore, the Electoral Board finds that the Candidate, CHARLES E. "COSMOS" REYNOLDS, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED, that the Objections of KENNETH JACKSON and QUINN DIXON to the Nomination Papers of CHARLES E. "COSMOS" REYNOLDS, candidate for election to the office Alderman of the 3rd Ward for the City of Chicago are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of CHARLES E. "COSMOS" REYNOLDS, candidate for election to the office of Alderman of the 3rd 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 Twelfth 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.