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: BEVERLY J. CATHERINE and FLORENCE V. STREETER	)	
To the Nomination Papers of: MOSES JONES	)	No.: 99-EB-ALD-096
Candidate for the office of Alderman of the 20th 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 BEVERLY J. CATHERINE and FLORENCE V. STREETER to nomination papers ("Nomination Papers") of MOSES JONES, candidate for the office of Alderman of the 20th 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 Objectors BEVERLY J. CATHERINE and FLORENCE V. STREETER, by counsel; and the Candidate, MOSES JONES.

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

7. Paragraph 5a through 5x of the Objector's petition allege various deficiencies of the signatures on the Candidate's Nomination Papers.

8. Paragraph 9 of the Objector's petition alleges that the Candidate failed to file a Statement of Candidacy with his Nomination Papers as required by law.

9. Section 10-5 of the Election Code (10 ILCS 5/10-5) provides in part that "Such certificate of nomination or nomination papers in addition shall include as a part therof, the oath required by Section 7-10.1 of this Act and must include a statement of candidacy for each of the candidates named therein, except candidates for electors for President and Vice-President of the United States."

10. A records examination was conducted in this matter on January 8, 1999. The minimum number of legally valid signatures required to be on the ballot for the office of Alderman of the 20th Ward for the City of Chicago is 150 valid signatures. The Candidate filed nominating petitions containing 1031 signatures. The Electoral Board sustained 738 objections to signatures on the nominating petitions. The Candidate has 293 valid signatures remaining on his nominating petitions, which is more than the minimum requirement of 150 valid signatures.

11. The Electoral Board finds that the Candidate, MOSES JONES, failed to file a Statement of Candidacy with his Nomination Papers as required by Section 10-5 of the Election Code.

12. The Electoral Board finds that the failure to file a Statement of Candidacy invalidates the Candidate's Nomination Papers. *Purnell v. Alcozer,* 95-EB-ALD-028, CBEC, 1995; *Hernandez v. Alcozer,* 95-EB-ALD-039, CBEC, 1995; *Mobley v. Beard,* 95-EB-MUN-07, CBEC, 1995; *Lacy v. Sias,* 92-EB-WC-35, CBEC, 1992.

13. The Electoral Board finds, therefore, that the Nomination Papers of the Candidate, MOSES JONES, are invalid and sustains in part and overrules in part paragraphs 5a through 5x and sustains paragraph 9 of the Objectors' Petition.

14. In addition, the Electoral Board finds that the Candidate failed to appear at the records examination or at the January 11 or January 12, 1999 hearings scheduled in this matter.

IT IS THEREFORE ORDERED, that the Objections of BEVERLY J. CATHERINE and FLORENCE V. STREETER to the Nomination Papers of MOSES JONES, candidate for election to the office Alderman of the 20th Ward for the City of Chicago are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of MOSES JONES, candidate for election to the office of Alderman of the 20th 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.