NBCON-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**

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| Objections of: (UNKNOWN) | ) | |
| | ) | |
| To the Nomination | ) | |
| Papers of: MYRA D. PENNY | ) | No.: 99-EB-ALD-151 |
| | ) | |
| 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 (UNKNOWN) to nomination papers ("Nomination Papers") of MYRA D. PENNY, 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 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 Candidate, MYRA D. PENNY. The unknown Objector was not present at the hearing.

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

7. The Electoral Board finds that an objection petition, consisting of two pages, was filed with the Electoral Board on December 21, 1998. The Electoral Board finds that said objection petition did not include the name and address of the objector.

8. Section 10-8 of the Election Code, (10 ILCS 5/10-8) states in part "The objector's petition shall give the objector's name and residence address, and shall state fully the nature of the objections to the certificate of nomination or nomination papers or petitions in question, and shall state the interest of the objector and shall state what relief is requested of the electoral board." The residence requirement of Section 10-8 is mandatory, not directory, and the failure to include the objector's residence address on the face of the objector's petition renders it void. *Pochie v. Cook County Officers Electoral Board*, 289 Ill.App.3d 585, 682 N.E.2d 259 (First Dist. 1997)

9. The Electoral Board finds that the Unknown Objector failed to include the objector's name and residence address on the face of the petition which renders the objectors petition void.

IT IS THEREFORE ORDERED, that the Objections of (UNKNOWN), to the Nomination Papers of MYRA D. PENNY, candidate for election to the office of Alderman of the 3rd Ward are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of MYRA D. PENNY, candidate for election to the office of Alderman of the 3rd Ward of the City of Chicago, SHALL 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 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.**