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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: BERTHA M. ARRINGTON	)	
	)	
To the Nomination	)	
Papers of: THEODORE THOMAS	)	No.: 99-EB-ALD-170
	)	
Candidate for the office of	)	
Alderman of the 15th 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 BERTHA M. ARRINGTON to nomination papers ("Nomination Papers") of THEODORE THOMAS, candidate for the office of Alderman of the 15th 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, BERTHA M. ARRINGTON, pro se; and the Candidate, THEODORE THOMAS, by counsel.

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

7. Paragraph H of the Objector's petition alleges that the Candidate's statement of candidacy is not in the proper form as required by law.

8. Paragraphs E-G, and I contain various allegations as to the validity of the signatures on the Candidate's nominating petitions.

9. Section 10-5 of the Election Code (10 ILCS 5/10-5) states in part that the statement of candidacy must include the address of the candidate, the office for which he is a candidate, that the candidate is qualified for such office, that the candidate has filed a statement of economic interests and a request that the candidate's name be placed on the ballot. Section 10-5 gives an example of a statement of candidacy and states such statement *may be in substantially* the following form.

10. The Electoral Board finds that the Candidate's statement of candidacy complies with and contains all the requirements set forth in Section 10-5 of the Election Code. The Electoral Board further finds that Section 10-5 of the Election Code does not require the statement of candidacy to include a particular heading on the document.

11. The Electoral Board finds, pursuant to the report of Robert Sawicki, Assistant Executive Director of the Chicago Board of Election Commissioners, that there are a total of 276 signatures on the Candidate's petition sheets without objections. The total number of legally required valid signatures for a Candidate for the office of Alderman of the 15th Ward is 240.

12. The Electoral Board therefore finds that even accepting as true all of the objections contained in paragraphs E-G of the Objector's Petition, the Candidate still has a sufficient number of valid signatures on his Nomination Papers to be placed on the ballot for the office of Alderman of the 15th Ward of the City of Chicago.

13. The Board further finds that the Candidate's Nomination Papers are valid.

IT IS THEREFORE ORDERED, that the Objections of BERTHA M. ARRINGTON, to the Nomination Papers of THEODORE THOMAS, candidate for election to the office of Alderman of the 15th Ward of the City of Chicago are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of THEODORE THOMAS, candidate for election to the office of Alderman of the 15th 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 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.