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: LINDA LUMPKIN	)	
	)	
To the Nomination	)	
Papers of: ROBIN DYSON	)	No.: 99-EB-ALD-179
	)	
Candidate for the office of	)	
Alderman of the 15th 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 LINDA LUMPKIN to nomination papers ("Nomination Papers") of ROBIN DYSON, 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(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), LINDA LUMPKIN; and the Candidate, ROBIN DYSON.

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

7. Paragraph F of the Objections alleges that the Candidate's Nomination Papers contain the signatures of less than the number of qualified voters required by law.

8. Section 21-28 of the Illinois Municipal Code requires that the petitions for nomination of candidates for alderman be signed by such number of legal voters of the ward as will aggregate not less than 2% of the total number of votes cast for alderman in the ward at the last preceding general election (February 1995), except that in Wards 12, 13, 14, 15, 16, 17, 18, 21 and 23, which were redistricted pursuant to a consent decree entered on August 14, 1998, by the U.S. District Court for the Northern District of Illinois, Eastern Division, in *Barnett, et al., v. City of Chicago, et al.*, Nos. 92 C 1683 and 92 C 2104, the minimum shall be not less than 2% of the total number of votes cast for Mayor at the April 1995 municipal election, divided by the number of wards (5), or 240. 65 ILCS 20/21-28. Therefore, in the case of a candidate for the office of Alderman of the 15th Ward of the City of Chicago, the candidate's nominating petitions shall contain not less than 240 signatures of legal voters of the 15th Ward.

9. The Hearing Examiner recommends a finding, and the Electoral Board finds, that on the face of the Candidate's Nomination Papers and before consideration of any objections to the validity of individual signatures, the nominating petitions contain only 224 purportedly valid signatures of legal voters of the 15th Ward.

10. Therefore, the Electoral Board sustains paragraph F of the Objections and finds that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED, that the Objections of LINDA LUMPKIN to the Nomination Papers of ROBIN DYSON, candidate for election to the office Alderman of the 15th Ward for the City of Chicago are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of ROBIN DYSON, candidate for election to the office of Alderman of the 15th 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 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.