DEFAULTCAND-WC

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 MARCH 21, 2000 GENERAL PRIMARY ELECTION FOR STATE SENATOR, REPRESENTATIVE IN THE GENERAL ASSEMBLY AND WARD COMMITTEEMAN IN THE CITY OF CHICAGO

Objections of: WILLIAM F. HURLEY	)	
	)	
To the Nomination	)	
Papers of: SCOTT E. OLESUK	)	
	)	No. 00-EB-WC-021
Candidate for the Office of Ward Committeeman	)	
for the 47th Ward of	)	
the City of Chicago, Republican Party	)	
	)	

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 WILLIAM F. HURLEY ("Objector(s)") to the nomination papers ("Nomination Papers") of SCOTT E. OLESUK, candidate for election to the office of Ward Committeeman for the 47th Ward of the City of Chicago, Republican Party ("Candidate"), having convened on January 10, 2000, at 9:00 a.m., in Room 800, 69 West Washington Street, 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(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 January 10, 2000 and was continued from time to time.

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

6. The Objector(s) and the Candidate were directed by the Electoral Board's Call served upon them to appear before the Hearing Examiner on the date and at the time designated in the Call. The following persons, among others, were present at such hearing: the Objector(s), WILLIAM F. HURLEY; and the Candidate, SCOTT E. OLESUK.

7. The Hearing Examiner conducted an initial hearing of this case on January 10, 2000 at 10:30 a.m. The Objector was present. 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 on January 4, 2000, the sheriff attempted service on the Candidate, SCOTT E. OLESUK, at 10:10 a.m. and on January 5, 2000 at 7:45 p.m. but was unsuccessful in both attempts.

9. On January 10, 2000 the Electoral Board continued the hearing to January 14, 2000, at 1:40 p.m. On January 11, 200 at 9:56 p.m. and on January 12, 2000, at 1:30 p.m. the sheriff attempted service on the Candidate, SCOTT E. OLESUK, but was unsuccessful in both attempts.

10. The Candidate, SCOTT E. OLESUK, was also served with a copy of the Call to the January 14, 2000 meeting by certified mail on January 14, 2000 and a Domestic Return Receipt was signed by SCOTT E. OLESUK acknowledging receipt of the certified mail item.

11. The Electoral Board finds that the Candidate, SCOTT E. OLESUK, did not appear at the duly called meeting and hearing conducted in this matter after having been duly served with a copy of the Call and having been notified of the meeting and hearing in this cause as required by law.

12. The Electoral Board further finds that the Objector's petition, on its face, contained sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers.

13. Therefore, the Electoral Board finds that the Candidate, SCOTT E. OLESUK, 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 WILLIAM F. HURLEY to the Nomination papers of SCOTT E. OLESUK, candidate for election to the office of Ward Committeeman for the 47th Ward of the City of Chicago, Republican Party, are

hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of SCOTT E. OLESUK, candidate for election to the office of Ward Committeeman for the 47th Ward of the City of Chicago, Republican Party, SHALL NOT be printed on the official ballot for the General Primary to be held on March 21, 2000.

Dated: Chicago, Illinois, this 20th day of January, 2000.

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.