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BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO AS THE DULY CONSTITUTED ELECTORAL BOARD

Objections of: CHARLES G. MORROW III	)
	)
To the Nomination	)
Papers of: ANTHONY HARRISON	)
	) No. 02-EB-RGA-19
Candidate for the office of Representative in the	)
General Assembly, 32nd Representative District,	)
Democratic Party	)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal, Theresa M. Petrone and Richard A. Cowen, 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 CHARLES G. MORROW III ("Objector") to the nomination papers ("Nomination Papers") of ANTHONY HARRISON, candidate for nomination to the office of Representative in the General Assembly for the 32nd Representative District, Democratic Party ("Candidate"), having convened on January 8, 2002, 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 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 January 8, 2002 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner LYNNE R. OSTFELD for further hearings and proceedings.

6. The Objector 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, CHARLES G. MORROW III, by counsel; and the Candidate, ANTHONY HARRISON, *pro se*.

7. The Hearing Examiner ordered that an examination of the registration records be conducted by clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board. The hearing was in this matter was continued to January, 2002 at 2 PM.

8. The Hearing Examiner directed all parties to appear and be present, either personally and/or by their authorized representatives during the record examination.

9. The Candidate was present during the examination of the registration records.

10. The Objector or his duly authorized representative(s) were present during the examination of the registration records.

11. The examination of the registration records of the Board was terminated after completing 2 pages of the Candidate's petition. Candidate's nominating petition contained a total of 303 purportedly valid signatures. When the record examination was terminated after examining 2 pages of the Candidate's petition, 39 of the objections had been sustained and the Candidate had only 264 purportedly valid signatures. Even if the rest of the objections were ruled in the Candidate's favor, the petition would still be short 36 signatures short of the minimum signature requirement of 300. Therefore, the record examination was not completed.

12. At the January 16 hearing, the Objector and the Objector's attorney were present, but the Candidate did not appear. The Hearing Examiner ordered a 15 minute delay to allow the Candidate to appear. The hearing was reconvened at approximately 2:40 PM, that call was again made, and was no person answered present on behalf of the Candidate. Chicago Board of Election Commissioner employee Otis Chism testified that he had called the Candidate at the telephone number listed on his appearance form but the listed telephone number was not functional. Mr. Chism also sent to the Candidate a fax indicating the date and time of the continued hearing and learned that the fax number listed on the Candidate's appearance form belonged to an unrelated and unknown person. The hearing was continued without the Candidate's attendance.

13. The Electoral Board has considered all evidence and arguments tendered by the parties.

14. The Electoral Board finds that the Candidate has an insufficient number of valid signatures on his Nomination Papers to be placed upon the ballot as a candidate for nomination to the office of Representative in the General Assembly for the 32nd Representative District, Democratic Party.

15. The Electoral Board further finds that the Candidate's Nomination Papers are not valid.

IT IS THEREFORE ORDERED that the Objections of CHARLES G. MORROW III to the Nomination Papers of ANTHONY HARRISON, candidate for nomination to the office of Representative in the General Assembly for the 32nd Representative District, Democratic Party, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of ANTHONY HARRISON, candidate for nomination to the office of Representative in the General Assembly for the 32nd Representative District, Democratic Party, SHALL NOT be printed on the official ballot for the General Primary Election to be held on March 19, 2002.

Dated: Chicago, Illinois, this 22nd day of January, 2002.

Langdon D. Neal, Chairman

Theresa M. Petrone, Commissioner

Richard A. Cowen, 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.