NBCON-ALD

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

Objections of: ANDREW V. HOLMES JR.	)	
	)	
To the Nomination	)	
Papers of: TYRONE DE ANDRE HAWTHORNE	)	No.: 03-EB-ALD-038
	)	
Candidate for the office of	)	
Alderman of the Seventeenth 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, 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 ANDREW V. HOLMES JR. ("Objector") to the nomination papers ("Nomination Papers") of TYRONE DE ANDRE HAWTHORNE, candidate for the office of Alderman of the Seventeenth Ward of the City of Chicago ("Candidate") to be elected at the Municipal General Election to be held on February 25, 2003, having convened on December 30, 2002, at 10:00 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 December 30, 2002 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner JOSEPH A. MORRIS for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board to appear before the Hearing Examiner on the date and at the time designated in the Trial Call. The following

persons, among others, were present at such hearing; the Objector, ANDREW V. HOLMES JR., by counsel; and the Candidate, TYRONE DE ANDRE HAWTHORNE, pro se.

7. The Candidate filed a motion to strike and dismiss the Objections, arguing that even if all of the individual sheet and line objections in the Objector's appendix-recapitulation were sustained, the Candidate would still have more than the minimum 240 valid signatures required by law. The Board's staff determined that there were at least 275 signatures on the Candidate's Nomination Paper against which no objection had been made. Accordingly, the Hearing Examiner recommends that the Candidate's motion to strike and dismiss the Objections should be granted.

8. The Electoral Board hereby adopts the Hearing Examiner's recommended findings and finds that the Candidate's motion to strike and dismiss the Objections is granted and the Objections are stricken and dismissed. The Electoral Board finds, therefore, that the Candidate's Nomination Papers are presumptively valid.

IT IS THEREFORE ORDERED that the Objections of ANDREW V. HOLMES JR. to the Nomination Papers of TYRONE DE ANDRE HAWTHORNE, candidate for election to the office of Alderman of the Seventeenth Ward of the City of Chicago, are hereby STRICKEN AND DISMISSED and said Nomination Papers are hereby declared VALID and the name of TYRONE DE ANDRE HAWTHORNE, candidate for election to the office of Alderman of the Seventeenth Ward of the City of Chicago, SHALL be printed on the official ballot for the Municipal General Election to be held on February 25, 2003.

Dated: Chicago, Illinois, this Twenty-Eighth day of January, 2003.

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.