NBCON-ALD

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

Objections of: SHARON MAYDEN and KIMBERLY M. FRANKLIN	)	
To the Nomination Papers of: TIFFANY B. BURRELL	)	No.: 03-EB-ALD-057
Candidate for the office of Alderman of the Thirty-fourth 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 SHARON MAYDEN AND KIMBERLY M. FRANKLIN ("Objectors") to the nomination papers ("Nomination Papers") of TIFFANY B. BURRELL, candidate for the office of Alderman of the Thirty-fourth 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 Objectors 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 JACQUELINE A. WALKER for further hearings and proceedings.

6. The Objectors 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 Trial Call. The following persons, among others, were present at such hearing; the Objectors, SHARON MAYDEN and KIMBERLY M. FRANKLIN, by counsel; and the Candidate, TIFFANY B. BURRELL, by counsel.

7. The Objections allege that (a) the Candidate's Nomination Papers do not contain at least 240 valid signatures as required by law; and (b) the Candidate has not resided in the Thirty-fourth Ward for at least 2 years prior to the election.

8. The Hearing Examiner concluded that there were at least 354 signatures on the Candidate's nominating petition sheet to which no objection had been made. Therefore, the Hearing Examiner overruled the objections alleging that the Candidate had an insufficient number of valid signatures.

9. As to the Candidate's residency, the Candidate, in response to the Objectors' notice to produce documents, produced numerous documents. The Objectors produced no other evidence in support of their objections as to the Candidate's residency. After reviewing the documents submitted by the Candidate, the Hearing Examiner concluded that the Candidate has been a resident of the Thirty-fourth Ward for at least two years and overruled the Objections as to the Candidate's residency.

10. The Electoral Board hereby adopts the Hearing Examiner's recommended findings and finds that the Objections are overruled and that the Candidate's Nomination Papers are valid.

IT IS THEREFORE ORDERED that the Objections of SHARON MAYDEN AND KIMBERLY M. FRANKLIN to the Nomination Papers of TIFFANY B. BURRELL, candidate for election to the office of Alderman of the Thirty-fourth Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of TIFFANY B. BURRELL, candidate for election to the office of Alderman of the Thirty-fourth 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 Seventh day of February, 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.