BCTON-ALD

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

Objections of: CARDELL HICKS	)	
	)	
To the Nomination	)	
Papers of: HENRY D. MOSES	)	No.: 03-EB-ALD-061
	)	
Candidate for the office of	)	[related to 03-EB-ALD-082]
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 CARDELL HICKS ("Objector") to the nomination papers ("Nomination Papers") of HENRY D. MOSES, candidate for the office of Alderman of the Thirty-fourth Ward of the City of Chicago ("Candidate") to be elected at the Municipal General Elections 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 JACQUELINE A. WALKER 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, CARDELL HICKS, by counsel; and the Candidate, HENRY D. MOSES, by counsel.

7. The Hearing Examiner ordered that an examination of the registration records be conducted by its clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board.

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

9. The Candidate or his duly authorized representative was present during the examination of the registration records at all times.

10. The Objector or his duly authorized representative was present during the examination of the registration records at all times.

11. The examination of the registration records of the Board was terminated after it was determined that the Candidate had at least 354 valid signatures.

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

13. The Electoral Board finds that the Candidate has a sufficient number of valid signatures on his Nomination Papers to be placed upon the ballot as a candidate for election to the office of Alderman of the Thirty-fourth Ward of the City of Chicago.

14. The Electoral Board further finds that the Candidate's Nomination Papers are valid.

15. The Electoral Board further finds that there are other objections filed against the Candidate's Nomination Papers in case number 03-EB-ALD-082 but that the objections in that case were withdrawn.

IT IS THEREFORE ORDERED that the Objections of CARDELL HICKS to the Nomination Papers of HENRY D. MOSES, candidate for 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 HENRY D. MOSES, candidate for election to the office of Alderman of the Thirty-fourth Ward of the City of Chicago, SHALL be printed on the ballot for the Municipal General Elections to be held on February 25, 2003.

Dated: Chicago, Illinois, this Tenth 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.