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

Objections of: ALICIA DURR and KENNETH CARPENTER	)	
To the Nomination Papers of: SANDRA L. MALLORY	)	No.: 03-EB-ALD-100
Candidate for the office of Alderman of the Fifteenth 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 ALICIA DURR and KENNETH CARPENTER ("Objectors") to the nomination papers ("Nomination Papers") of SANDRA L. MALLORY, candidate for the office of Alderman of the Fifteenth 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 KELLYE A. KEYES 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 Call. The following persons, among others, were present at such hearing; the Objectors, ALICIA DURR and KENNETH CARPENTER, by counsel; and the Candidate, SANDRA L. MALLORY, pro se.

7. The Objections allege that the Candidate's Nomination Papers were "not neatly fastened together in book form, nor were they fastened together at one edge in a secure and suitable manner," in violation of the Election Code.

8. Section 10-4 of The Election Code (10 ILCS 5/10-4) requires that petition sheets, before being presented to the electoral board or filed with the proper officer shall be neatly fastened together in book form and the sheets shall then be numbered consecutively.

9. The Candidate testified that when she filed her Nomination Papers they were bound. The Candidate's husband testified that he had gone to Kinkos and had his wife's Nomination Papers bound.

10. The Objectors and a Mr. Kindle testified that when they went to the Chicago Board of Election Commissioners both before and after Christmas to view the Candidate's Nomination Papers the papers were not bound.

11. Mr. Christopher Tomczech, a Board employee, testified that he accepted the Candidate's Nomination Papers when they were filed with the Board but he could not recall whether they were bound together.

12. After hearing the testimony and examining the Candidate's Nomination Papers, the Hearing Examiner concluded that the Candidate's Nomination Papers were not bound when they were filed.

13. When this matter came before the Electoral Board, the Board heard testimony from another Board employee, Mr. Mirza Omeragic, who testified that he clearly remembers that the Candidate's Nomination Papers were fastened together when they were filed because of the unusual manner in which they were bound and that they were subsequently unfastened so that they could be copied.

14. The Electoral Board finds that the Candidate's Nomination Papers were fastened together when filed with the Board of Election Commissioners in compliance with Section 10-4 of the Election Code. Therefore, the Electoral Board overrules the Objections and finds that the Candidate's Nomination Papers are valid.

IT IS THEREFORE ORDERED that the Objections of ALICIA DURR and KENNETH CARPENTER to the Nomination Papers of SANDRA L. MALLORY, candidate for election to the office of Alderman of the Fifteenth Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of SANDRA L.

MALLORY, candidate for election to the office of Alderman of the Fifteenth 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 Fifth 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.