DEFAULT-ALD

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

Objections of: PETE CRUMPTON	)	
	)	
To the Nomination	)	
Papers of: REBECCA A. SANKEY	)	No.: 03-EB-ALD-131
	)	
Candidate for the office of	)	
Alderman of the Fifth 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 PETE CRUMPTON ("Objector") to the nomination papers ("Nomination Papers") of REBECCA A. SANKEY, candidate for the office of Alderman of the Fifth 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. The Electoral Board assigned this matter to Hearing Examiner JOHN R. ASHENDEN for further hearings and proceedings.

5. 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 Call. However, in the Hearing Examiner's absence, this matter was assigned to a case management conference before the Board's General Counsel, James M. Scanlon, to be held at the same date and time as the hearing as set forth in the Trial Call. The case management conference held on these Objections commenced on January 2, 2003 at 11:00 AM. The following persons, among others, were present at such hearing; the Objector, Pete Crumpton, by counsel.

6. The Electoral Board finds that the Candidate, REBECCA A. SANKEY, was served with a copy of the Call and notice of hearing to the January 2, 2003 hearing by certified mail on December 28, 2002. A signed receipt acknowledging receipt of the certified mail item is included with Group Exhibit C. The signature on the certified mail receipt resembles that of the Candidate on her Statement of Candidacy filed with the Board of Election Commissioners.

7. The Electoral Board finds that the Candidate, REBECCA A. SANKEY, did not appear at the duly called hearing conducted in this matter on January 2, 2003 after having been duly served with a copy of the Call and having been notified of the meeting and hearing in this cause as required by law. The case was called three times in intervals of not less than fifteen minutes apiece, but the Candidate did not respond to the calls of the case.

8. The Electoral Board further finds that the Objector's petition, on its face, contains sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers. Indeed, the Candidate filed only 11 petition sheets containing not more than 166 purportedly valid signatures, far below the 240 signatures required by law.

9. Therefore, the Electoral Board finds that the Candidate, REBECCA A. SANKEY, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of PETE CRUMPTON to the Nomination Papers of REBECCA A. SANKEY, candidate for election to the office Alderman of the Fifth Ward of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of REBECCA A. SANKEY, candidate for election to the office of Alderman of the Fifth Ward of the City of Chicago, SHALL NOT be printed on the official ballot for the Municipal General Election to be held on February 25, 2003.

Dated: Chicago, Illinois, this Fourteenth 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.