NBCON-ALD

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

Objections of: DANIEL A. THOMPSON	)	
	)	
To the Nomination	)	
Papers of: WOODY T. REMBERT	)	No.: 03-EB-ALD-164
	)	
Candidate for the office of	)	
Alderman of the Twenty-first 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 DANIEL A. THOMPSON ("Objector") to the nomination papers ("Nomination Papers") of WOODY T. REMBERT, candidate for the office of Alderman of the Twenty-first 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, 2003, 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, 2003 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner FRANK A. TEDESSO 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 Call. The following

persons, among others, were present at such hearing; the Objector, DANIEL A. THOMPSON, by counsel; and the Candidate, WOODY T. REMBERT, pro se.

7. The Objector's Petition alleges that the Candidate is not a registered voter. The Candidate filed a motion to strike and dismiss the Objector's petition and provided a certified copy of the Candidate's voter registration record at 210 West 94th Street, Chicago, Illinois as of September 14, 2000. This proves conclusively that the Candidate is both a registered voter and that he is registered at the address set forth in this Statement of Candidacy. Therefore the Candidate's motion to strike paragraphs 4-12 of the Objector's Petition is granted and those paragraphs are dismissed.

8. Paragraph 13 of the Objector's Petition alleges that the Candidate's petition sheets were not numbered consecutively and that page 26 was missing. However, the Candidate's nominating petition sheets were, in fact, numbered consecutively and they did, in fact contain a page 26. Therefore, paragraph 13 of the Objector's Petition is stricken and dismissed.

9. Paragraph 21 of the Objector's Petition alleges that certain petition sheets bear a circulator's affidavit which signed by the circulator whose address is not the address listed in affidavit and that the affidavits are thus false and perjurious. The circulators of the sheets in question are the Candidate himself and Sheri Hal Rembert. However, the Board's registration records show that both the Candidate and Ms. Rembert are registered voters at the addresses shown in the circulator's affidavit on those sheets. Therefore, paragraph 21 of the Objector's Petition is stricken and dismissed.

10. Paragraphs 14-20 are dismissed because even if every objection in those paragraphs was sustained, the Candidate would still have well in excess of the 240 signatures required for placement on the ballot.

11. The Electoral Board, having reviewed the applicable law and having considered all evidence and arguments tended by the parties, as well as the Hearing Examiner's report and recommendations, finds that the Objection are overruled and at the Candidate's Nomination Papers are, therefore, valid.

IT IS THEREFORE ORDERED that the Objections of DANIEL A. THOMPSON to the Nomination Papers of WOODY T. REMBERT, candidate for election to the office of Alderman of the Twenty-first Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of WOODY T. REMBERT, candidate for election to the office of Alderman of the Twenty-first 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.