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

Objections of: CARMEN RIOS-RODRIGUEZ	)
	)
To the Nomination	)
Papers of: JOSE ANTHONY ALVAREZ	)
	) No. 04-EB-RGA-01
Candidate for the office of Representative in the	)
General Assembly, 3rd Representative District, State	)
of Illinois, Democratic Party	)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Chicago Board of Election 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 CARMEN RIOS-RODRIGUEZ ("Objector") to the nomination papers ("Nomination Papers") of JOSE ANTHONY ALVAREZ, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 3rd Representative District, State of Illinois ("Candidate"), having convened on January 5, 2004, at 2:00 p.m., in the City Council Chambers, 121 North LaSalle Street, 2nd Floor, 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 January 5, 2004 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner Christopher Agrella for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board to appear before the Hearing Examiner for a hearing on the date and at the time designated on the Electoral Board's docket. The following persons, among others, were present at such hearing: the Objector, CARMEN RIOS-RODRIGUEZ, by his attorneys; and the Candidate, JOSE ANTHONY ALVAREZ, pro se.

7. The Electoral Board finds that on January 15, 2004, the Candidate filed papers with the State Board of Elections withdrawing as a candidate and requesting that his name not be printed on the ballot, thus rendering the Objections moot.

IT IS THEREFORE ORDERED that the name of JOSE ANTHONY ALVAREZ, candidate for the nomination of the Democratic Party to the office of Representative in the General Assembly for the 3rd Representative District, State of Illinois, SHALL NOT be printed on the official ballot for the General Primary Election to be held on March 16, 2004.

Dated: Chicago, Illinois, this 27th day of January 2004.

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.