OBJWD-RGA

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

Objections of: PATRICIA JONES	)
	)
To the Nomination	)
Papers of: JERRY WASHINGTON	)
	) No. 04-EB-RGA-03
Candidate for the office of Representative in the	)
General Assembly, 6th 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 PATRICIA JONES ("Objector") to the nomination papers ("Nomination Papers") of JERRY WASHINGTON, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 6th 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 ROBERT S. ANDREW 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, PATRICIA JONES, by her attorneys; and the Candidate, JERRY WASHINGTON, pro se. The Candidate was later represented by an attorney.

7. The Candidate filed a motion to strike the Objector's petition alleging that the Objector did not reside at the address stated on her petition. The Hearing Examiner set a briefing schedule and set a hearing date to hear and decide the Candidate's motion to strike for Monday, January 12, 2004.

8. Unknown to the Hearing Examiner and over the objection of the Candidate and his attorney, the Board scheduled and conducted a records examination on Saturday, January 10, 2004. Neither the Candidate nor his attorney participated in the records examination, contending that the Candidate's motion to strike the Objector's petition should be decided first before any records examination should occur.

9. The results of the records examination revealed that the Candidate's Nomination Papers contained 235 valid signatures, below the minimum number of valid signatures required by law for placement on the ballot for the office in question of 300.

10. At the January 12 hearing, the Candidate's attorney presented an oral motion to strike the results of the records examination because it was conducted prior to a ruling on the Candidate's motion to strike. The hearing was continued to January 16, 2004. On January 16, the hearing was continued again to January 20, 2004.

11. At the hearing on January 20, the Hearing Examiner, after reviewing transcripts of the January 6, 2004 hearing, determined that he had intended to decide the Candidate's motion to strike the Objector's petition before a records examination was conducted. Since this was not done, the Hearing Examiner recommended striking the results of the records examination. The Objector's attorney then moved to withdraw the Objector's petition. The Hearing Examiner accepted the Objector's motion to withdraw and concluded the hearing.

12. The Electoral Board finds that on January 20, 2004, the Objector filed a motion to withdraw her Objections against the Candidate's Nomination Papers.

13. The Electoral Board further finds that there are no additional Objections filed against the Candidate's Nomination Papers.

IT IS THEREFORE ORDERED that the Objector's motion to withdraw the Objections is granted and said Objections are withdrawn and the name of JERRY WASHINGTON, candidate for nomination of the Democratic Party to the office of

Representative in the General Assembly for the 6th Representative District, State of Illinois, SHALL 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.