NBCON-RGA

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

Objections of: RYAN SIMAS	)
	)
To the Nomination	)
Papers of: MARLOW H. COLVIN	)
	) No. 04-EB-RGA-16
Candidate for the office of Representative of the 33rd	)
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 RYAN SIMAS to the nomination papers ("Nomination Papers") of MARLOW H. COLVIN, candidate for the nomination of the Democratic Party to the office of Representative in the General Assembly for the 33rd 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 Casandra B. Watson 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 Candidate, MARLOW H. COLVIN, by his attorney.

7. The Electoral Board finds that the Objector, RYAN SIMAS; did not appear although the record and file establishes that the Objector was properly served with the Call to the Electoral Board meeting as shown by Board Group Exhibit C.

8. Based upon the Objector's failure to appear, the Objector is defaulted and the Objections are dismissed pursuant to Rule 1 of the Rules of Procedure.

IT IS THEREFORE ORDERED, that the Objections of RYAN SIMAS to the Nomination papers of MARLOW H. COLVIN, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 33rd Representative District, State of Illinois are hereby DISMISSED and said Nomination Papers are hereby declared VALID and the name of MARLOW H. COLVIN, candidate for nomination of the Democratic Party to the office of Representative in the General Assembly for the 33rd 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 6th day of February, 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.