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

Objections of: RICHARD FLETCHALL	)
	)
To the Nomination	)
Papers of: WALTER KARCZ	)
	) No. 04-EB-WC-35
Candidate for the Office of Ward	)
Committeeman for the 23rd Ward of the	)
City of Chicago, 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 RICHARD FLETCHALL ("Objector") to the nomination papers ("Nomination Papers") of WALTER KARCZ, candidate for election to the office of Ward Committeeman for the 23rd Ward of the City of Chicago, DEMOCRATIC Party ("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's Call served upon them to appear before the Electoral Board on January 5, 2004.

7. The Hearing Examiner conducted an initial hearing of this case on January 6, 2004. The Objector was present. The Candidate did not respond to the call of the case on three occasions and was not otherwise present either in person or through an attorney.

8. The Electoral Board finds that the Candidate, WALTER KARCZ, was served with a copy of the Electoral Board's Call to the January 5, 2004 meeting.

9. The Electoral Board finds that the Candidate, WALTER KARCZ, did not appear at the duly called meeting of the Electoral Board nor at the initial hearing conducted in this matter 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.

10. The Electoral Board further finds that the Objector's petition, on its face, contained sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers.

11. Therefore, the Electoral Board finds that the Candidate, WALTER KARCZ, 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 RICHARD FLETCHALL to the Nomination papers of WALTER KARCZ, candidate for election to the office of Ward Committeeman for the 23rd Ward of the City of Chicago, DEMOCRATIC Party, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of WALTER KARCZ, candidate for election to the office of Ward Committeeman for the 23rd Ward of the City of Chicago, DEMOCRATIC Party, SHALL NOT 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.