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

Objections of: CARLOS CHAVEZ	)	
	)	
To the Nomination	)	
Papers of: ROBERTO CEPEDA	)	
	)	No. 06-EBB-NPP-1
Candidate for the office of Representative in the	)	
General Assembly, 2nd Representative District, State	)	
of Illinois, Green 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 CARLOS CHAVEZ ("Objector") to the nomination papers ("Nomination Papers") of ROBERTO CEPEDA, candidate for nomination of the Green Party to the office of Representative in the General Assembly for the 2nd Representative District, State of Illinois ("Candidate"), having convened on July 11, 2006, at 10:00 a.m., in the Room 800 Conference Room, 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(s) 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 July 11, 2006 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Examiner TERENCE E. FLYNN 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 July 12, 2006. The following persons, among others, were present at such hearing: the Objector, CARLOS CHAVEZ, by and through his attorneys; and the Candidate, ROBERTO CEPEDA, pro se.

7. At the hearing before the Hearing Examiner, the Candidate stipulated and agreed that his Nomination Papers had no more than 779 presumably valid signatures. The Hearing Examiner independently reviewed the Nomination Papers and came to the same conclusion.

8. The parties further agreed that the minimum number of valid signatures required by law is 1,035, although the Candidate argued that the number of signatures required by law were too high.

9. The Electoral Board finds that the number of valid signatures required by law for candidates of the Green Party for the office of Representative in the General Assembly for the 2nd Representative District of the State of Illinois is 1,035.

10. The Electoral Board finds that the number of valid signatures on the Candidate's Nomination Papers does not exceed 779, as stipulated and agreed to by the Candidate, and therefore are insufficient as a matter of law.

11. Therefore, the Electoral Board sustains the Objections to the Candidate's Nomination Papers and finds that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of CARLOS CHAVEZ to the Nomination papers of ROBERTO CEPEDA, candidate for nomination of the Green Party to the office of Representative in the General Assembly for the 2nd Representative District, State of Illinois, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of ROBERTO CEPEDA, candidate for nomination of the Green Party to the office of Representative in the General Assembly for the 2nd Representative District, State of Illinois, SHALL NOT be printed on the official ballot for the General Election to be held on November 7, 2006.

Dated: Chicago, Illinois, this 9th day of August, 2006.

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.