OBJDIS-ALD

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

Objections of: YVETTE WILLIAMS	)
	)
	)
To the Nomination Papers of: TYRONE DE'ANDRE HAWTHORNE	) **No.: 07-EB-ALD-022**) **(rel. 07-EB-ALD-043)**
	)
	)
Candidate for the Office of Alderman of the Seventeenth Ward, City of Chicago	)
	)

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of Board of Election Commissioners of the City of Chicago Commissioners Langdon D. Neal 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 YVETTE WILLIAMS ("Objector") to the nomination papers ("Nomination Papers") of TYRONE DE'ANDRE HAWTHORNE, candidate for the office of Alderman of the Seventeenth Ward of the City of Chicago ("Candidate") to be elected at the Municipal General Election to be held on February 27, 2007, having convened on January 2, 2007, at 10:00 a.m., in Room 800, 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 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 2, 2007 and was continued from time to time.

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

6. The Objector and the Candidate were directed by the Electoral Board to appear before the Hearing Examiner on the date and at the time designated in the Call. The following persons, among others, were present at such hearing; the Objector, YVETTE WILLIAMS, *pro se*; and the Candidate, TYRONE DE'ANDRE HAWTHORNE, *pro se*.

7. The Candidate filed a motion to strike and dismiss the Objector's Petition, alleging that the Objector's Petition failed to state the Objector's residence address in violation of Section 10-8 of the Election Code. The Hearing Examiner granted the Candidate's motion.

8. Section 10-8 of the Code (10 ILCS 5/10-8) requires, among other things, that "the objector's petition give the objector's name and residence." In *Pochie v. Cook County Officers Electoral Board*, 289 Ill.App.3d 585, 682 N.E.2d 258 (First Dist. 1997), the court held that the residence address requirement of Section 10-8 is mandatory, not directory, and the failure to include the objector's residence address on the face of the objector's petition renders it void.

9. Because the Objector's Petition here fails to state the Objector's residence address as required by Section 10-8 of the Code, the Hearing Examiner was correct in granting the Candidate' motion to strike and dismiss the Objector's Petition.

10. The Electoral Board finds that the Objector's Petition is stricken and dismissed.

11. The Electoral Board further finds that there is another objection filed against the Candidate's Nomination Papers in case 07-EB-ALD-043 that is still pending and that will determine whether the Candidate's Nomination Papers are valid or invalid.

IT IS THEREFORE ORDERED that the Objections of YVETTE WILLIAMS are stricken and dismissed.

Dated: Chicago, Illinois, this 12th day of January 2007.

Langdon D. Neal, Chairman

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.