NBCON-ALD

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

Objections of: MELVIN DELK and LARRY G. NELSON	)	
To the Nomination Papers of: SHARON DENISE DIXON	)	**No.: 07-EB-ALD-081 (rel. ALD-187)**
Candidate for the office of Alderman of the Twenty-fourth 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 MELVIN DELK and LARRY G. NELSON ("Objector(s)") to the nomination papers ("Nomination Papers") of SHARON DENISE DIXON, candidate for the office of Alderman of the Twenty-fourth 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(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 January 2, 2007 and was continued from time to time.

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

6. The Objector(s) and the Candidate were directed by the Electoral Board's Call served upon them 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(s), MELVIN DELK and LARRY G. NELSON, *pro se*, the Candidate, SHARON DENISE DIXON, by counsel.

7. The Hearing Examiner has tendered to the Electoral Board his report and recommended decision. The Hearing Examiner recommends that the Objections to the Candidate's Nomination Papers be overruled and that the Nomination Papers be found valid.

8. The Electoral Board, having reviewed the record of proceedings in this matter and having considered the report and recommendations of the Hearing Examiner, as well as all argument and evidence submitted by the parties, hereby adopts the Hearing Examiner's recommended findings and conclusions of law. A copy of the Hearing Examiner's Recommended Order is attached hereto and is incorporated herein as part of the decision of the Electoral Board.

9. For the reasons stated above, the Electoral Board overruled the Objections to the Candidate's Nomination Papers and finds that the Candidate's Nomination Papers are valid.

10. The Electoral Board finds that there was another objection to the Candidate's Nomination Papers filed in case 07-EB-ALD-187, but those objections were withdrawn.

IT IS THEREFORE ORDERED that the Objections of MELVIN DELK and LARRY G. NELSON to the Nomination Papers of SHARON DENISE DIXON, candidate for election to the office of Alderman of the Twenty-fourth Ward of the City of Chicago, are hereby OVERRULED and said Nomination Papers are hereby declared VALID and the name of SHARON DENISE DIXON, candidate for election to the office of Alderman of the Twenty-fourth Ward of the City of Chicago, SHALL be printed on the official ballot for the Municipal General Election to be held on February 27, 2007.

Dated: Chicago, Illinois, this 19th 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.

BOARD OF ELECTION COMMISSIONERS OF THE CITY OF CHICAGO
AS THE DULY CONSTITUTED ELECTORAL BOARD
FOR THE HEARING OF OBJECTIONS TO
NOMINATIONS PAPERS OF CANDIDATES FOR THE FEBRUARY 27, 2007
MUNICIPAL ELECTION FOR MAYOR, CLERK TREASURER AND ALDERMAN
IN THE CITY OF CHICAGO

MELVIN DELK and Larry G. NELSON	)	
Petitioner-Objector	)	**07-EB-ALD-081**
	)	**Hearing Officer: Gerald B. Mullin**
v.	)	
SHARON DENISE DIXON	)	
Respondent-Candidate	)	

SEP 5 AM 11:57

HEARIING EXAMINER'S RECOMMENDED ORDER

This matter was scheduled for evidentiary hearing at the hour of 3:00 PM on January 12, 2007. Counsel for the objectors and for the candidate were present.

Counsel for the objectors advised that there would be no testimony presented in support of the objectors, but that he had requested the board to produce the deputy registrar records for the candidate in order to determine whether the candidate while seeking to register voters had solicited signatures to the nominating papers.

Counsel for the objector further stated that after production of the deputy registrar records and review of those records, the objectors would rest their case. Counsel for the candidate objected to the request for the records as untimely and made not in accordance with rules. The objection was overruled.

The records were then produced. After production of the deputy registrar records for the candidate, it was apparent that the records did not disclose that the candidate had engaged in voter registration during the period in which the candidate was soliciting nominating papers. The objectors presented no contest as to whether the candidate had obtained sufficient signatures to sustain the candidate's nominating papers. Each party closed proofs.

Accordingly, it is recommended to the board that the objector's petition be overruled.

January 13, 2007

Gerald B. Mullin