NBCOFF-MUN

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

Objections of: THOMAS ERICKSON	)	
	)	
	)	
To the Nomination	)	**No.: 07-EB-MUN-010**
Papers of: DOZIER THOMAS	)	**(rel. 07-EB-MUN-006)**
	)	
Candidate for the office of	)	
City Clerk of the 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 THOMAS ERICKSON, ("Objector") to the nomination papers ("Nomination Papers") of DOZIER THOMAS, candidate for the office of Clerk 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 Christopher Agrella 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 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, THOMAS ERICKSON, by his attorney Michael E. Lavelle. The Candidate, DOZIER THOMAS, did not appear at said hearing. No proof of service of the Call upon the Candidate was in the file. The Hearing Examiner ordered that a second attempt at service of the Call be made upon the Candidate and continued the hearing to January 5, 2007 at 10:00 a.m. for status.

7. On January 5, 2007, a hearing was conducted in this matter. Present was the Hearing Examiner, the Objector, by his and through his counsel, and the Candidate, DOZIER THOMAS, pro se. The Candidate had been served with a copy of the Electoral Board's Call by the Cook County Sheriff's office on January 3, 2007 at 6:00 p.m. at the address listed as his residence.

8. The Hearing Examiner noted that the Board's personnel had conducted a count, pursuant to the Hearing Examiner's directions, of the number of signatures appearing on the face of the Candidate's Nomination Papers and that such count revealed that the number of signatures appearing on the face of those papers totaled 11, 588, short of the 12,500 minimum required by

law for the office of City Clerk of the City of Chicago. The Candidate and the Objector stipulated to the accuracy of this number. Upon receipt of this information, the Hearing Examiner indicated his intention to rule upon the Objections and asked the Candidate if he had anything to add in opposition, whereupon the Candidate indicated he had nothing further to offer.

9. The Hearing Examiner found that nomination petitions for candidates for City Clerk of the City of Chicago must contain not less than 12,500 signatures of registered voters residing in the City of Chicago. (65 ILCS 20/21-28(b))

10. The Hearing Examiner further found that the Objection stated a justifiable basis for invalidating the Candidate's Nomination Papers in that the total number of signatures submitted by the Candidate totaled only 11,588, short of the 12,500 required by law.

11. The Hearing Examiner has recommended that the Objections be sustained and that the Candidate's Nomination Papers be declared invalid.

12. The Electoral Board hereby adopts the recommended findings and conclusions of the Hearing Examiner in this matter.

13. For the reasons stated above, the Electoral Board finds that the Candidate's Nomination Papers are invalid.

14. The Electoral Board reached the same result in another objection against the Candidate's Nomination Papers in related case 07-EB-MUN-006.

IT IS THEREFORE ORDERED that the Objections of THOMAS ERICKSON to the Nomination Papers of DOZIER THOMAS, candidate for election to the office Clerk of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of DOZIER THOMAS, candidate for election to the office of Clerk of the City of Chicago, SHALL NOT be printed on the official ballot for the Municipal General Election to be held on February 27, 2007.

Dated: Chicago, Illinois, this 9th 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.