OBJWD-ALD

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

Objections of: Michelle Hemphill	)	
	)	
	)	
To the Nomination	)	No.: 11-EB-ALD-064
Papers of: Michele A. Tankersley	)	
	)	Related Cases: 11-EB-ALD-092,
	)	11-EB-ALD-149
Candidate for the office of	)	
Alderman of the 5th 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, Richard A. Cowen, and Marisel A. Hernandez, 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 Michelle Hemphill ("Objector") to the nomination papers ("Nomination Papers") of Michele A. Tankersley, candidate for the office of Alderman of the 5th Ward in the City of Chicago ("Candidate") to be elected at the Municipal General Election to be held on February 22, 2011, having convened on December 6, 2010, at 9:00 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 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 December 6, 2010 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer William P. Jones 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 Officer on the date and at the time designated in the Hearing Schedule. The following persons, among others, were present at such hearing: the Objector, Michelle Hemphill, by attorney, Jameika Williams Mangum; and the Candidate, Michele A. Tankersley, pro se.

7. The Electoral Board finds that on December 22, 2010 the Objector moved to withdraw her Objections against the Candidate's Nomination Papers. The Electoral Board grants the Objector's motion to withdraw the Objections and the Objections are withdrawn.

8. The Electoral Board further finds that there are additional Objections filed against the Candidate's Nomination Papers in 11-EB-ALD-092 and 11-EB-ALD=149 and that in both cases the Electoral Board declared the Candidate's Nomination Papers valid.

IT IS THEREFORE ORDERED that the Objections of Michelle Hemphill are withdrawn.

Dated: Chicago, Illinois, on December 29, 2010.

Langdon D. Neal, Chairman

Richard A. Cowen, Commissioner

Marisel A. Hernandez, 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 5 days after service of the decision of the Electoral Board.

BEFORE THE CHICAGO BOARD OF ELECTION COMMISSIONERS

Hearing Officer Report

BOARD OF ELECTION
POLLING PLACE DEPT
2010 DEC 23 A 9:51

MICHELLE HEMPHILL, Objector,	)	
vs.	)	NO. 11-EB-ALD-064
MICHELE A. TANKERSLEY, Candidate.	)	

HEARING OFFICER'S FINDINGS AND RECOMMENDATIONS

1. The initial hearing was called on December 6, 2010 at 1:45 p.m. The Candidate appeared *pro se*. The Objector was represented by legal counsel, Ms Jameika Mangum. The Candidate stated that she wished to file a Motion to Dismiss and a Rule 5 briefing schedule was ordered. A hearing date was scheduled for 9:30 a.m. on December 15, 2010. Also a directive was issued for a Records Examination.

2. The matter was called for hearing on December 15, 2010. The Records Examination had not taken place. A hearing on the Candidate's Motion to Dismiss proceeded. After hearing the Candidate's Motion the hearing officer denied the Candidate's Motion to Dismiss because in large part the bases for the Motion were "signature related", which would be subject to a subsequent evidentiary hearing. Further, the hearing officer found that the Objector's Petition was legally sufficient. The matter was continued to December 22, 2010 at 10:00 a.m. for status of Records Examination. Results and the evidentiary hearing on Objector's Petition.

3. This matter came to hearing on December 22, 2010. Board Exhibits E, F, and G were marked and admitted as Petition Summary Sheet., Worksheets with Page Detail, and Charles Holiday 12/20/10 Memorandum respectively, which memorandum stated that a total of

615 signatures were filed by the Candidate, that there were no objections to 161 signatures and after working 260 objections, the Candidate had 225 valid signatures whereas 181 signatures are the minimum required. Therefore, the Board suspended the record examination. At this same hearing the Objector filed her Motion to Withdraw, which was granted by the hearing officer and, therefore, the Objector's Petition is withdrawn and stricken.

Dated: December 23, 2010

William P. Jones
Hearing Officer