OBJWD2-ALD

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

Objections of: James Wilson	)
	)
	)
To the Nomination	) No.: 11-EB-ALD-173
Papers of: Tommy O. Abina	)
	)
Candidate for the Office of	)
Alderman of the 37th 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 James Wilson ("Objector") to the nomination papers ("Nomination Papers") of Tommy O. Abina, candidate for the office of Alderman of the 37th Ward of 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 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 December 6, 2010 and was continued from time to time.

5. The Electoral Board assigned this matter to Hearing Officer Ernesto D. Borges, Jr. for further hearings and proceedings.

6. The Objector and the Candidate were directed by the Electoral Board 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, James Wilson, by attorney James Nally; and the Candidate, Tommy O. Abina.

7. The Electoral Board finds that on December 5, 2010, the Objector moved to withdraw 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 The Electoral Board grants the Objector's motion to withdraw the Objections and the Objections are withdrawn.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 no other objections pending against the candidate.

IT IS THEREFORE ORDERED that the Objections of James Wilson are withdrawn and this case is dismissed as moot and the Nomination Papers of Tommy O. Abina are declared VALID and the name of Tommy O. Abina SHALL be printed on the ballot as a candidate for the office of Alderman of the 37th Ward of the City of Chicago at the Municipal General Election to be conducted on February 22, 2011.

Dated: Chicago, Illinois, on January 7, 2011.

Dangdon 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.