MOOT-ALD

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

Objections of: Dana Bryant	)	
	)	
	)	
To the Nomination	)	No.: 11-EB-ALD-232
Papers of: Angelo Townsend	)	
	)	Related Case: 11-EB-ALD-140
Candidate for the office of	)	
Alderman of the 21st 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 Dana Bryant ("Objector") to the nomination papers ("Nominating Papers") of ANGELO TOWNSEND, candidate for the office of Alderman of the 21st Ward for 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 Gerald B. Mullin 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, Dana Bryant, by attorney, Randy Crumpton; and the Candidate, Angelo Townsend, pro se.

7. The Objector's petition presented allegations that:

A. The Candidate is in arrears in the payment of a tax or indebtedness owed to the City of Chicago, is therefore ineligible to hold elective municipal office and that his Statement of Candidacy is false.

B. The Candidate's nominating papers were not bound; and

C. The Candidate did not reside at the address listed on his Nomination Papers.

8. The Objector did not present evidence or argument on his objection alleging that the Candidate's Nomination Papers were not bound and such objection is overruled.

9. The Candidate moved to strike and dismiss the objection that the Candidate is in arrears in the payment of tax or indebtedness and said motion to strike and dismiss this objection is granted.

10. Regarding the objection regarding residency, the Electoral Board finds, after review of the transcript and after hearing argument from counsel, that the objections alleging that the Candidate does not reside at the address listed on his nomination papers should be, and are, overruled.

11. The Board finds, however, that this case is mooted by virtue of the decision rendered by the Electoral Board in case Related Case: 11-EB-ALD-140, wherein the Candidate's Nomination Papers were found to be invalid.

IT IS THEREFORE ORDERED the name of Angelo Townsend, candidate for election to the office of Alderman of the 21st Ward of the City of Chicago, SHALL NOT be printed on the official ballot for the Municipal General Election to be held on February 22, 2011.

Dated: Chicago, Illinois, on January 13, 2011.

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.