DEFAULT-ALD

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

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|---|---|---|
| Objections of: Denise Brown | ) | |
| | ) | |
| | ) | |
| To the Nomination | ) | No.: 11-EB-ALD-250 |
| Papers of: Johnnie Jamison | ) | |
| | ) | Related Cases: 11-EB-ALD-048, |
| | ) | 11-EB-ALD-268 |
| Candidate for the office of | ) | |
| Alderman of the 16th 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 Denise Brown ("Objector") to the nomination papers ("Nomination Papers") of Johnnie Jamison, candidate for the office of Alderman of the 16th 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 Yolanda Sayre 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. On such date and time, the Hearing Officer called the case by calling aloud the case number, the name of the Objector and the name of the Candidate. The following persons, among others, answered and were present at such hearing: the Objector, Denise Brown, pro se.

7. The Candidate, Johnnie Jamison, did not answer to the call nor did the Candidate appear at the hearing. The case was called again at least two more times at least 15 minutes apart on December 6, 2010 and at no time did the Candidate or any person purporting to represent the Candidate appear.

8. The Electoral Board finds that according to records of the United States Postal Service, the Candidate was served with a copy of the Call to the December 6, 2010 hearing in this cause via certified mail, return receipt requested, on December 4, 2010.

9. The Electoral Board finds that the Candidate, Johnnie Jamison, did not appear at the duly called hearing conducted in this matter on December 6, 2010 after having been served with a copy of the Call and the Objector's Petition by the means of service specified in the statute.

10. The Electoral Board further finds that the Objector's petition, on its face, contains sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers.

11. The Electoral Board further finds that the Candidate was also defaulted in 11-EB-ALD-048 and that the Candidate's Nomination Papers were found invalid in that case.

12. Therefore, the Electoral Board finds that the Candidate, Johnnie Jamison, is in default, that the Objections are neither sustained or overruled but are instead rendered moot.

IT IS THEREFORE ORDERED that the Objections of Denise Brown to the Nomination Papers of Johnnie Jamison, candidate for election to the office of Alderman of the 16th Ward of the City of Chicago, are hereby rendered MOOT.

Dated: Chicago, Illinois, on December 13, 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.**

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

| | | |
|---|---|---|
| **DENISE BROWN** | ) | |
| **Objector** | ) | |
| | ) | |
| **-v-** | ) | **11-EB-ALD-250** |
| | ) | |
| **JOHNNIE JAMISON** | ) | **Yolanda H. Sayre** |
| **Candidate** | ) | **Hearing Officer** |

BOARD OF ELECTIONS
2010 DEC -8 P 4:29

**HEARING OFFICER'S REPORT AND PROPOSED ORDER**

This cause came to be heard before this Hearing Officer on December 6, 2010. The matter was initially called at 2:15 p.m.; at which time the Objector appeared pro se, and the Candidate failed to appear. Several employees of the Board of Electors checked other waiting areas and hearings to verify that the Candidate hadn't failed to appear due to participation in a hearing being conducted simultaneously. Then, in a related case 11-EB-ALD-048, the Candidate was defaulted. As a result, the instant objections are rendered moot.

For the forgoing reasons, it is my recommendation that the Objections of DENISE BROWN to the Nomination Papers of JOHNNIE JAMISON be neither sustained nor overruled as the Objections are moot.

Respectfully submitted,

Yolanda H. Sayre
Hearing Officer