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

Objections of: Rickey R. Hendon, Bernette Barnes and Anthony Johnson	)	
To the Nomination Papers of: Tyrone Carter	)	No.: 11-EB-MUN-044
	)	Related Case: 11-EB-MUN-056
Candidate for the office of Mayor 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, 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 Rickey R. Hendon, Bernette Barnes and Anthony Johnson ("Objectors") to the nomination papers ("Nomination Papers") of Tyrone Carter, candidate for the office of Mayor 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 Objectors 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 Rodney W. Stewart for further hearings and proceedings.

6. The Objectors 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 Objectors, Rickey R. Hendon, Bernette Barnes and Anthony Johnson, pro se; and the Candidate, Tyrone Carter, pro se.

7. Nomination petitions for candidates for Mayor 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))

8. Based upon the evidence presented, the Hearing Officer found that the Candidate filed a single nominating petition sheet containing no signatures of legal voters in the City of Chicago.

9. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. The Hearing Examiner 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 is less than the 12,500 required by law.

10. The Electoral Board, having considered the evidence and arguments tendered by the parties and the Hearing Officer's report of recommended findings and conclusions of law, hereby adopts the Hearing Officer's recommended findings and conclusions of law.

11. The Electoral Board finds that the Objections are sustained.

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

IT IS THEREFORE ORDERED that the Objections of Rickey R. Hendon, Bernette Barnes and Anthony Johnson to the Nomination Papers of Tyrone Carter, candidate for election to the office Mayor of the City of Chicago, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of Tyrone Carter, candidate for election to the office of Mayor 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 11, 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.