MOOT-ALD

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

Objections of: Felix Cardona Jr. and Maksymilian Witold Nowak	)	
To the Nomination Papers of: Esteban Burgoa	)	No.: 11-EB-ALD-030
Candidate for the office of Alderman of the 31st Ward, City of Chicago	)	Related Case: 11-EB-ALD-238

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 Felix Cardona Jr.Maksymilian Witold Nowak ("Objectors") to the nomination papers ("Nominating Papers") of ESTEBAN BURGOA, candidate for the office of Alderman of the 31st 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 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.

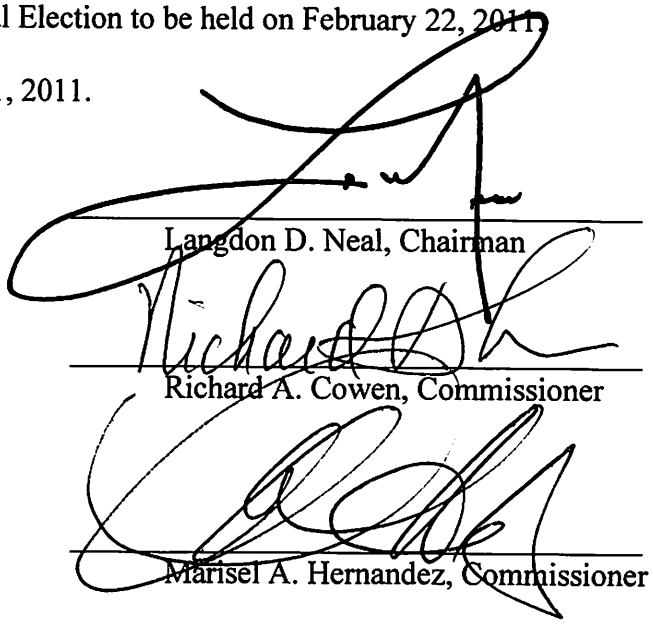
5. The Electoral Board assigned this matter to Hearing Officer Terence E. Flynn for further hearings and proceedings.

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, Felix Cardona Jr. and Maksymilian Witold Nowak, by attorney, Bonny Bumiller, and Thomas A. Jaconetty; and the Candidate, Esteban Burgoa, pro se.

7. The Board finds that this case is mooted by virtue of the decision rendered by the Electoral Board in case Related Case 11-EB-ALD-238, wherein the Candidate's Nomination Papers were found to be invalid.

IT IS THEREFORE ORDERED the name of Esteban Burgoa, candidate for election to the office of Alderman of the 31st 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 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.