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

Objections of: EDGAR ESPARZA	)	
	)	
	)	
To the Nomination	)	No.: 23-EB-ALD-022
Papers of: ANDREW A CLEAVER	)	
	)	Rel.: 23-EB-ALD-010 and 23-EB-ALD-015
	)	
Candidate for the office of Alderperson 30th	)	
Ward	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of Election Commissioners for the City of Chicago, Commissioners Marisel A. Hernandez, William J. Kresse, and June A. Brown, organized by law in response to a Call issued by Marisel A. Hernandez, Chair of said Electoral Board, for the purpose of hearing and passing upon objections ("Objections") of EDGAR ESPARZA ("Objector") to the nomination papers ("Nomination Papers") of ANDREW A CLEAVER, candidate for the office of Alderperson for the 30th Ward ("Candidate") at the Municipal General and Alderperson Elections to be held on Tuesday, February 28, 2023, having convened on Friday, December 9, 2022, at 4:00 p.m., 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 were duly and timely filed.

2. The Electoral Board was legally constituted under the laws of the State of Illinois.

3. A Call to the hearing on said Objections was duly issued by the Chair 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 or service was waived.

4. A public hearing held on these Objections commenced on Friday, December 9, 2022 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Jeanette Samuels for further hearings and proceedings.

5. 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, EDGAR ESPARZA, and/or his attorney, BURTON S ODELSON; and the Candidate, ANDREW A CLEAVER was not present at the initial hearing before the Hearing Officer but he did appear for subsequent proceedings.

6. The Hearing Officer has tendered to the Electoral Board a report and recommended decision. Based upon the evidence presented, the Hearing Officer found that the Candidate's Nomination Papers (specifically, the nominating petition sheets) contained no more than 450 signatures for an office that requires a minimum of 473 valid petition signatures. The Hearing Officer found, therefore, that the Candidate's Nomination Papers are invalid.

7. 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 and incorporates the Hearing Officer's recommended findings and conclusions of law.

8. For the reasons stated above, the Electoral Board finds that the Objections filed in this matter should be sustained and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of EDGAR ESPARZA to the Nomination Papers of ANDREW A CLEAVER, candidate for the office of Alderperson for the 30th Ward, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of ANDREW A CLEAVER, candidate for the office of Alderperson for the 30th Ward, SHALL NOT be printed on the official ballot for the Municipal General and Alderperson Elections to be held on Tuesday, February 28, 2023.

Dated: Chicago, Illinois, on Thursday, December 22, 2022.

Marisel A. Hernandez, Chair

William J. Kresse, Commissioner

June A. Brown, 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.