OBJWD-ALD

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

Objections of: MARGARITA COLON	)	
	)	
	)	
To the Nomination	)	No.: 23-EB-ALD-046
Papers of: DAVID HERRERA	)	
	)	
Candidate for the office of Alderperson of the	)	
36th Ward, City of Chicago	)	
	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of Election Commissioners of 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 MARGARITA COLON ("Objector") to the nomination papers ("Nomination Papers") of DAVID HERRERA, candidate for the office of Alderperson of the 36th Ward in the City of Chicago ("Candidate") to be elected at the Municipal General and Alderperson Elections to be held on February 28, 2023, having convened on 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 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 December 9, 2022, and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Demetrius Carney 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, MARGARITA COLON and/or her attorneys, BURTON S ODELSON AND ROSS D. SECLER; and the Candidate, DAVID HERRERA and his Attorney, ANDREW FINKO

6. The Electoral Board finds that on December 14, 2022 the Objector moved to withdraw her Objections against the Candidate's Nomination Papers. The Electoral Board hereby grants the motion to withdraw the Objections and the Objections are withdrawn.

7. The Electoral Board further finds that there are no additional Objections filed against the Candidate's Nomination Papers.

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IT IS THEREFORE ORDERED that, the Objections having been withdrawn and there being no other objections to the Candidate's Nomination Papers, the Nomination Papers are legally valid and the name of DAVID HERRERA candidate for election to the office of Alderperson of the 36th Ward of the City of Chicago, SHALL be printed on the official ballot for the Municipal General and Alderperson Elections to be held on February 28, 2023.

Dated: Chicago, Illinois, on 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.