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

Objections of: CARMELITA EARLS	)	
	)	
	)	
To the Nomination	)	No.: 23-EB-ALD-063
Papers of: JASON C. ERVIN	)	
	)	Rel.: 23-EB-ALD-078
Candidate for the office of Alderperson for	)	
the 28th 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 CARMELITA EARLS ("Objector") to the nomination papers ("Nomination Papers") of JASON C. ERVIN, candidate for the office of Alderperson for the 28th 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 Bryan A. Gutraj 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, CARMELITA EARLS, and the Candidate, JASON C. ERVIN, through his Attorney ED MULLEN.

6. The Hearing Officer has tendered to the Electoral Board his report and recommended decision. The Hearing Officer recommends that the Objections to the Candidate's Nomination Papers be dismissed and that the Nomination Papers be declared valid.

7. The Hearing Officer has tendered to the Electoral Board a report and recommended decision in which the Hearing Officer found that the Objector's Petition failed to contain the necessary elements of an Objector's Petition pursuant to 10 ILCS 5/10-8. Additionally, the Hearing Officer found that the Objector lacked standing to file the Objector's Petition as she is not a resident of the ward in which the Candidate is seeking election. As a result, the Hearing Officer recommends that the Objections to the Candidate's Nomination Papers be dismissed.

8. The Electoral Board, having reviewed the record of proceedings in this matter and having considered the report and recommendations of the Hearing Officer, as well as all argument and evidence submitted by the parties, hereby adopts the Hearing Officer's recommended findings and conclusions of law. A copy of the Hearing Officer Report and

Recommendations is attached hereto and is incorporated herein as part of the decision of the Electoral Board.

9. For the reasons stated above, the Electoral Board dismisses the Objections to the Candidate's Nomination Papers and finds that the Candidate's Nomination Papers are valid.

IT IS THEREFORE ORDERED that the Objections of CARMELITA EARLS to the Nomination Papers of JASON C. ERVIN candidate for the office of Alderperson for the 28th Ward, are hereby DISMISSED and said Nomination Papers are hereby declared VALID and the name of JASON C. ERVIN, candidate for the office of Alderperson for the 28th Ward, SHALL 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 Friday, December 30, 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.