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

Objections of: BERENICE GARCIA-RIOS	)	
	)	
	)	
To the Nomination	)	No.: 24-EB-RGA-012
Papers of: CAMAXTLE "MAX" OLIVO	)	
	)	
	)	
Candidate for the office of Representative in	)	
the General Assembly, 1st Representative	)	
District, State of Illinois	)	

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 BERENICE GARCIA-RIOS ("Objector") to the nomination papers ("Nomination Papers") of CAMAXTLE "MAX" OLIVO, candidate for the office of Representative in the General Assembly of the 1st Representative District ("Candidate") at the General Election to be held on Tuesday, November 5, 2024, having convened on Monday, June 17, 2024, at 10:00 a.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 constituted under the laws of the State of Illinois.

1. 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 and service by email was authorized.

3. A public hearing held on these Objections commenced on Monday, June 17, 2024 and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Barbara Goodman for further hearings and proceedings.

4. 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, BERENICE GARCIA-RIOS, and/or her Attorney, KEVIN MORPHEW; and the Candidate, CAMAXTLE "MAX" OLIVO, and/or his Attorney JOHN FOGARTY JR.

5. 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 nominating papers contained an insufficient number of signatures on the face of the petitions. The Hearing Officer found, therefore, that the Candidate's Nomination Papers are invalid.

6. The Hearing Officer further found that the remaining objection contained in the Objector's Petition was moot as a result of the findings in paragraph 5 above.

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.

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

Berenice Garcia-Rios	)	
	)	
Objector	)	
	)	
v	)	24 EB RGA 012
	)	
Camaxtle "Max" Olivo,	)	
	)	
Candidate	)	

HEARING OFFICER'S REPORT AND RECOMMENDED DECISION

This matter was first heard on July 17, 2024. The Objector was represented by counsel Kevin Morphew and Michael J. Kasper and the Candidate was represented by counsel John Fogarty. The parties were given an opportunity to file preliminary motions. No preliminary motions were filed and the matter was set for further hearing.

Two objections were raised in the Objector's Petition. Paragraph 5 of the Objector's Petition alleged that the nomination papers, on their face, do not contain a sufficient number of signatures for placement on the ballot. No arguments were presented by the Candidate and a review of the nominating papers indicates that the objection was factually correct. The nominating papers, in fact, contain less than the statutory minimum number of signatures. Accordingly, the nominating papers are invalid for this reason. Given that this issue is dispositive, the remaining issue in the Objector's Petition is moot.

RECOMMENDATION

In light of the foregoing, it is my recommendation that the objections of Berenice Garcia-Rios to the nominating papers of **Camaxtle "Max" Olivo** be **sustained,** that the nominating papers of **Camaxtle "Max" Olivo**, Candidate for the Office of Representative in the General Assembly for the 1st Representative District of the State of Illinois be deemed **invalid** and that the name **Camaxtle "Max" Olivo** for said office **not be** printed on the ballot at the General Election to be held on November 5, 2024.

Respectfully submitted,



Barbara Goodman, Hearing Officer
7/16/24

IT IS THEREFORE ORDERED that the Objections of BERENICE GARCIA-RIOS to the Nomination Papers of CAMAXTLE "MAX" OLIVO, candidate for the office of Representative in the General Assembly of the 1st Representative District, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of CAMAXTLE "MAX" OLIVO, candidate for the office of Representative in the General Assembly for the 1st Representative District, SHALL NOT be printed on the official ballot for the General Election to be held on Tuesday, November 5, 2024.

Dated: Chicago, Illinois, on Friday, July 26, 2024.

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.