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

Objections of: INGLESA TONEY	)	
	)	
	)	
To the Nomination	)	No.: 24-EB-WC-018
Papers of: LARRY G. NELSON	)	
	)	
Candidate for election to the office of	)	
DEMOCRATIC Party Ward	)	
Committeeperson 24th Ward, City of	)	
Chicago, State of Illinois	)	

FINDINGS AND DECISION

The duly constituted Electoral Board, consisting of the Board of the 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 INGLESA TONEY ("Objector") to the nomination papers ("Nomination Papers") of LARRY G. NELSON, candidate for election to the office of DEMOCRATIC Party Ward Committeeperson, 24th Ward in the City of Chicago, State of Illinois ("Candidate") at the General Primary Election to be held on Tuesday, March 19, 2024, having convened on December 18, 2023, at 9:30 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 were duly and timely filed.

2. The Electoral Board was constituted according to 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 email transmission, in accord with statutory service waivers signed by the parties and filed with the Cook County Clerk's office. In said waivers, the parties waived their statutory right to service by registered or certified mail and by Sheriff's service, and in lieu thereof authorized service by email to the addresses they or their representatives provided.

4. A public hearing held on these Objections commenced on December 18, 2023, and was continued from time to time. The Electoral Board assigned this matter to Hearing Officer Rodney Stewart for further hearings and proceedings.

5. The Objector and the Candidate were directed by the Electoral Board Call to appear before the Hearing Officer on the date and at the time designated in the Hearing Schedule. On such date and time, the Hearing Officer called the case by calling aloud the case number, the name of the Objector and the name of the Candidate. An appearance was filed on behalf of the Objector, INGLESA TONEY, by attorney Kevin Morphew. The Candidate failed to appear.

6. The Candidate, LARRY G. NELSON, did not answer to the call nor did he appear at the hearing. The case was continued and then called two more times on December 18, 2023, but at no time did the Candidate nor any person purporting to represent the Candidate appear.

7. The initial hearing was continued to December 22, 2023, to allow additional time for the Candidate to appear. However, the Candidate did not appear for the second hearing. The Electoral Board finds that the Candidate waived formal service, consented to service via email, and provided the Electoral Board with an email address to which the Call was transmitted.

8. The Electoral Board finds that the Candidate, LARRY G. NELSON, did not appear at any of the duly called meetings and hearings conducted in this matter after sufficient

service to the Candidate, as authorized by the Candidate, with which a copy of the Call and the Objector's Petition was given.

9. A candidate cannot evade the effects of a duly filed objection to his or her nomination papers by simply being unavailable for service of papers nor should the objections be rendered moot by virtue of the fact that a candidate cannot be found by the statutory methods of service. If this were permitted, candidates would simply go into "hiding" until the objection process had run its course, thereby frustrating the statutory scheme for testing whether the candidate is eligible to be on the ballot.

10. The Electoral Board further finds that the Objector's Petition, on its face, contains sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers.

11. Therefore, the Electoral Board finds that the Candidate, LARRY G. NELSON, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

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IT IS THEREFORE ORDERED that the Objections of INGLESA TONEY INGLESA TONEY to the Nomination Papers of LARRY G. NELSON, are hereby SUSTAINED, and said Nomination Papers are hereby declared INVALID, and the name of LARRY G. NELSON, candidate for election to the office of DEMOCRATIC Party Ward Committeeperson, 24th Ward of the City of Chicago, State of Illinois, SHALL NOT be printed on the official ballot for the General Primary Election to be held on Tuesday, March 19, 2024.

Dated: January 5, 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 by 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.