DEFAULT

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

Objections of: OLLIE TURNER JR	)	
	)	
	)	
To the Nomination	)	No.: 24-EB-WC-025
Papers of: CB JOHNSON	)	
	)	
Candidate for election to the office	)	
DEMOCRATIC Party Ward	)	
Committeeperson, 29th 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 OLLIE TURNER JR ("Objector") to the nomination papers ("Nomination Papers") of CB JOHNSON, candidate for election to the office DEMOCRATIC Party Ward Committeeperson of the 29th Ward, 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 registered or certified mail and by Sheriff's service, as provided by statute or statutory service was waived and service by email was authorized.

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 Mary Celeste Meehan for further hearings and proceedings.

5. The Objector and the Candidate were directed by the Electoral Board 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. The following persons answered and were present at such hearing: the Objector, OLLIE TURNER JR, by Attorney PERICLES ABBASI.

6. The Candidate, CB JOHNSON, did not answer to the Call nor did he appear at the hearing. The case was called again at least one more time at least 15 minutes apart on December 18, 2023, and at no time did the Candidate or any person purporting to represent the Candidate appear.

7. The Electoral Board finds that after the first day of hearing, the Candidate submitted a Withdrawal of Candidacy affidavit to the Electoral Board, but said Withdrawal was not filed with the Cook County Clerk as required by 10 ILCS 5/7-12(9), thus rendering the Withdrawal of Candidacy legally invalid and a violation of Electoral Board Rule 13(a). Nonetheless, the Electoral Board finds that the Candidate's submission of an executed Withdrawal of Candidacy does evidence his intent to no longer defend against the Objection, nor to seek election to the office specified in his Nomination Papers.

8. The Electoral Board finds that the Candidate, CB JOHNSON, did not appear at any of the duly called meetings and hearings, nor did the Candidate properly file his Withdrawal of Candidacy. 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.

9. Therefore, the Electoral Board finds that the Candidate, CB JOHNSON, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

IT IS THEREFORE ORDERED that the Objections of OLLIE TURNER JR OLLIE TURNER JR to the Nomination Papers of CB JOHNSON are hereby SUSTAINED, said Nomination Papers are hereby declared INVALID, and the name of CB JOHNSON, candidate for election to the office DEMOCRATIC Party Ward Committeeperson, 29th 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.