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

Objections of: MATTHEW PODGORSKI	)	
	)	
	)	
To the Nomination	)	No.: 24-EB-WC-033
Papers of: JAMES NELLES	)	
	)	
Candidate for election to the office of	)	
REPUBLICAN Party Ward	)	
Committeeperson, 41st Ward in the 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 MATTHEW PODGORSKI ("Objector") to the nomination papers ("Nomination Papers") of JAMES NELLES, candidate for election to the office of REPUBLICAN Party Ward Committeeperson, 41st 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 registered or certified mail and by Sheriff's service, as provided by statute, or statutory service was waived and service by email was authorized as evidenced in the record.

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 Frank Tedesso 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. An Appearance was filed on behalf of the Objector, MATTHEW PODGORSKI, by Attorney FRANK AVILA.

6. The Candidate, JAMES NELLES, did not answer to the call nor did he appear at the initial 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 the Candidate waived statutory service and agreed to accept service via email and was properly served via email in this matter, and that said email service was successfully performed.

8. The Electoral Board finds that the Objector's petition contains sufficient allegations, if accepted as true, to invalidate the Candidate's Nomination Papers.

9. The Electoral Board finds that the Candidate, JAMES NELLES, is in default, that the Objections are sustained, and that the Candidate's Nomination Papers are invalid.

10. 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 the Hearing Officer's recommended findings and conclusions of law and incorporates them herein.

IT IS THEREFORE ORDERED that the Objections of MATTHEW PODGORSKI to the Nomination Papers of JAMES NELLES are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of JAMES NELLES, candidate for election to the office of REPUBLICAN Party Ward Committeeperson of the 41st Ward, 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.