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

Objections of: CARLOS VAZQUEZ	)	
	)	
	)	
To the Nomination	)	No.: 24-EB-RGA-014
Papers of: JUVANDY A. RIVERA	)	
	)	
Candidate for the office of	)	
Representative in the General Assembly in	)	
the 3rd Representative District of the 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 CARLOS VAZQUEZ ("Objector") to the nomination papers ("Nomination Papers") of JUVANDY A. RIVERA, candidate for the office of Representative in the General Assembly, 3rd Representative District in the State of Illinois ("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., 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 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.

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. Appearances were filed by or on behalf of the following persons: the Objector, CARLOS VAZQUEZ, by Attorney KEVIN MORPHEW; and the Candidate, JUVANDY A. RIVERA, by Attorney JOHN FOGARTY JR.

6. The Hearing Officer ordered that an examination of the voter registration records be conducted by clerks and agents under the Board's direction and supervision, in accordance with the laws of Illinois and the rules of the Board.

7. The Hearing Officer directed all parties to appear and be present, either personally and/or by their authorized representatives, during this records examination.

8. The Candidate and/or his duly authorized representative was present during the examination of the registration records or waived their right to do so.

9. The Objector and/or his duly authorized representative was present during the examination of the registration records or waived their right to do so.

10. The examination of the registration records was completed and the Electoral Board hereby adopts and incorporates by reference the results of the records examination conducted by its clerks and agents. The written report of the result of the registration records

examination is contained in the Electoral Board's file in this case and a copy has been provided or made available to the parties.

11. The results of the records examination indicate that:

A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 500;

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 838; (This figure is corrected from the Hearing Officer's report)

C. The number of signatures deemed invalid because of objections sustained as a result of the records examination total 409;

D. The remaining number of signatures deemed valid as a result of the records examination total 429. (This figure is corrected from the Hearing Officer's Report).

12. The Electoral Board finds that the number of valid signatures appearing on the Candidate's nominating petition following completion of the records examination was less than the minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for the office of Representative in the General Assembly of the 3rd Representative District, State of Illinois.

13. No motions were filed pursuant to Rule 8 of the Board's Rules of Procedure and no Rule 8 hearing was held.

14. 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 Candidate's Nomination Papers contained only 429 valid signatures, which is less than the

minimum number of valid signatures required by law to be placed upon the official ballot as a candidate for the office of Representative in the General Assembly, 3rd Representative District of the State of Illinois, and that the Candidate's Nomination Papers should be found invalid.

15. The Hearing Officer further found that the remaining objection in the Objector's Petition was moot as a result of the findings from the records examination.

16. 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.

17. For the reasons stated above, the Electoral Board finds that the Candidate has an insufficient number of valid signatures on his nominating petitions and that the Nomination Papers of JUVANDY A. RIVERA are, therefore, invalid.

IT IS THEREFORE ORDERED that the Objections of CARLOS VAZQUEZ to the Nomination Papers of JUVANDY A. RIVERA, candidate for election to the office of Representative in the General Assembly of the 3rd Representative District, State of Illinois, are hereby SUSTAINED and said Nomination Papers are hereby declared INVALID and the name of JUVANDY A. RIVERA, candidate the office of Representative in the General Assembly of

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

Carlos Vazquez,	)	
	)	
Objector	)	
	)	
v	)	24 EB RGA 014
	)	
Juvandy A. Rivera,	)	
	)	
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 sent for a records examination.

THE RECORDS EXAMINATION

The final results of the records examination were as follows:

A. The minimum number of valid signatures required by law for placement on the ballot for the office in question is 500.

B. The number of purportedly valid signatures appearing on the nominating petition filed by the Candidate total 836.

C. The number of signatures deemed invalid because of objections sustained in the records examination total 409.

D. The remaining number of signatures deemed valid because of objections sustained in the records examination total 419.

The results of the records examination indicated that the candidate had 71 signatures **below** the statutory minimum for placement on the ballot. No motions were filed pursuant to Rule 8 of the Board's Rules of Procedure. A subsequent hearing was held and neither party presented any further evidence or argument. The results of the records examination rendered all other objections in the Objector's Petition moot.

CONCLUSION

In light of the foregoing results of the records examination, it is my recommendation that the objections of Carlos Vazquez to the nominating papers of **Juvandy A. Rivera** be **sustained,** that the nominating papers of **Juvandy A. Rivera**, Candidate for the Office of Representative in the General Assembly for the 3rd Representative District of the State of Illinois be deemed **invalid** and that the name **Juvandy A. Rivera** 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

the 3rd Representative District, State of Illinois, SHALL NOT be printed on the official ballot for the General Election to be held on Tuesday, November 5, 2024.

Dated: 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 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.