

AFFIRMATIVE DEFENSE

(Objector failed to comply with mandatory requirements of Section 10-8 of the Election Code)

4. Objector's petition failed to comply with the mandatory requirements of Section 10-8, specifically, **failed to state what relief objector requested of the electoral board.** *Robies v. Hill et. al. No. 1-04-0512 (Ill.App.Ct.2004)*, and *Hagen v. Stone, 277 Ill. App. 3d 288, 390, 213 Ill. Dec. 932, 660 N.E. 2d 189 (1995)*. Additionally, this issue is waived if it is not raised by respondent. *Hagen, 277 Ill. App. 3d at 390, 213 Ill. Dec. 932, 660 N.E. 2d 189.*
5. **Failure to plead a prayer for relief is an affirmative defense, which must be raised by the respondent.** *Hagen v. Stone, 277 Ill. App. 3d 288, 390, 213 Ill. Dec. 932, 660 N.E. 2d 189 (1995)*. This respondent, Larry Syfert, pleads this affirmative defense as stated in paragraph 4.

ADDITIONAL DEFENSES RESERVED

6. Larry Syfert hereby gives notice that he may rely on other defenses if and when such defenses become known during the course of this hearing.

RELIEF REQUESTED

WHEREFORE, Mr. Syfert prays this Honorable Electoral Board enter a decision in his favor and against Objector Matt Forcum for failing to comply with the mandatory requirements of Section 10-8 of the Election Code, and that this Board Strike and Dismiss Matt Forcum's Objector's Petition as invalid on its face.


Date: 2-7-2017
CANDIDATE Larry Syfert
853 N 2190 East Rd.
Mode, IL. 62444

STATE ILLINOIS COUNTY Shelby
SIGNED BEFORE ME 7th DAY February 2017
NOTARY PUBLIC Cheryl J. Clark

