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DEC 20 2018

LOGAN COUNTY CLERK

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DATE REQUEST RECEIVED 12-20-18

RESPONSE DATE 12-20-18

Request denied, and reason: _____

STATE OF ILLINOIS)
) ss.
COUNTY OF LOGAN)

ATLANTA PUBLIC LIBRARY DISTRICT TRUSTEE

IN THE ATLANTA PUBLIC LIBRARY DISTRICT, COUNTY OF LOGAN, STATE OF ILLINOIS

IN THE MATTER OF THE OBJECTION)
OF GEORGE MENKEN)
TO THE)
NOMINATING)
PETITIONS OF ROBERT E. LETTERLY, AS A)
CANDIDATE FOR ELECTION)
FOR THE OFFICE OF)
ATLANTA PUBLIC LIBRARY DISTRICT TRUSTEE, 4 YEAR TERM)
IN THE ATLANTA PUBLIC LIBRARY DISTRICT)
IN THE COUNTY OF LOGAN)
IN THE STATE OF ILLINOIS)
TO BE VOTED ON AT)
THE APRIL 02, 2019 CONSOLIDATED ELECTION)

*rec'd by
Christina Vannoy
12/22/18 2:45pm*

VERIFIED OBJECTOR'S PETITION OF GEORGE MENKEN

TO THE NOMINATING PETITIONS OF ROBERT E. LETTERLY

NOW COMES George Menken, hereinafter referred to as the "Objector", and respectfully represent that your Objector make the following objections to the nominating petition of Robert E. Letterly as a candidate for election to the office of Atlanta Public Library District Trustee, 4 Year Term in the Atlanta Public Library District, in the County of Logan in the State of Illinois, and files the same herewith, and states that the nominating petition is insufficient in law and in fact for the following reasons:

1. Objector George Menken resides at 2072 2100th St., Atlanta, County of Logan, located in the State of Illinois, zip code 61723, within the legal boundaries of the Atlanta Public Library District that the Objector is a duly qualified, registered, and legal voter at his respective address; that Objector's interest in filing the following objections is that of a citizen and candidate desirous of seeing to it that the laws governing the filing of nominating petitions in the April 02, 2019 Consolidated Election for the election of the office of Atlanta Public Library District Trustee 4 Year Term in the County of Logan in the State of Illinois are properly complied with, and that only qualified candidates have their names appear on the April 02, 2019 Consolidated Election ballot as candidates for that office.
2. Your Objector states that Candidate Robert E. Letterly has filed a packet of petitions that are not compliant with the Illinois Election Code under 10 ILCS 5/10-5, specifically the requirement that *"If the nomination papers of any candidate and the Statement of Economic Interest of that candidate*

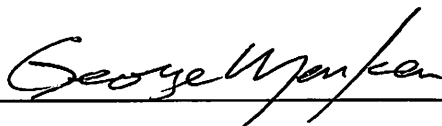
are not required to be filed with the same officer, the candidate must file with the officer with whom the nomination papers are filed a receipt from the officer with whom the Statement of Economic Interest is filed showing the date on which such statement was filed. Such receipt shall be so filed not later than the last day on which nomination papers may be filed." Also see page 20 of the State of Illinois Candidate's Guide 2019 Issued by the State Board of Elections. Candidate Robert E. Letterly's Statement of Economic Interest was not certified by the Logan County Clerk and Recorder nor was his signature line dated prior to the close of the petition filing period and no receipt was filed evidencing that the candidate filed the Statement of Economic Interest with the appropriate official. This requirement is also noted within the affidavit portion of the Statement of Candidacy. In order to preserve the integrity of the election process, the requirement that the Statement of Economic Interest be filed with the County Clerk and Recorder and a receipt of such filing should be included with the candidate's packet no later than the close of the petition period is a mandatory provision of the electoral code, and candidates in Illinois have been denied ballot access over failing to meet this requirement. The following cases illustrate as examples:

- Hanning v. Lawrence, 07-EBALD052, CBEC, January 16, 2007, affirmed, Lawrence v. Board of Election Commissioners, et al., Circuit Court of Cook County, 2007 COEL0008, affirmed Illinois Appellate Court, No. 1-07-0286 (unpublished order) and Lawrence v. Board of Election Commissioners, 534 F.Supp.2d 1011 (N.D. Ill.2007)
- Rosales v. Wojkowski, 95 EB-ALD-54, affirmed, Wojkowski v. Hamblet, 95 CO 12 (Cir. Ct. Cook County, 1995, affirmed, Ill.App. Ct. No. 1-59-0374, Feb. 16, 1995)
- Bolger v. Electoral Board of City of McHenry, 210 Ill.App.3d 958, 569 N.E.2d 628 (Second Dist. 1991)

3. Your Objector states that the laws pertaining to the securing of ballot access require that certain requirements be met as established by law. Filings made contrary to such requirements must be voided, being in violation of the statutes in such cases made and provided. Violation of a mandatory requirement of the Election Code renders the petition fatally defective. *Bolger v. Electoral Board of City of McHenry*, 210 Ill.App.3d 958, 569 N.E.2d 628, 155 Ill.Dec. 447 (2d Dist. 1991); and *Powell v. East St. Louis Electoral Board*, 337 Ill.App.3d 334, 785 N.E.2d 1014, 271 Ill.Dec. 820 (5th Dist. 2003). The nomination papers and petitions are, therefore, NOT IN COMPLIANCE with the statutes in such cases made and provided.

CONCLUSION

WHEREFORE, your Objector prays that the purported nomination papers and nominating petitions of Robert E. Letterly as a candidate for election to the office of Atlanta Public Library District Trustee 4 Year Term in the Atlanta Public Library District in the County of Logan, in the State of Illinois be declared by this Honorable Electoral Board to be insufficient and not in compliance with the laws of the State of Illinois and that the candidate's name be stricken and that the Honorable Electoral Board enter its decision declaring that the name of Robert E. Letterly as a candidate for election to the office of Atlanta Public Library District Trustee 4 Year Term in the Atlanta Public Library District in the County of Logan, in the State of Illinois NOT BE PRINTED on the OFFICIAL BALLOT for the Consolidated Election to be held on April 02, 2019.



Date:

12/28/18

Objector George Menken
2072 2100th St., Atlanta, IL 61723

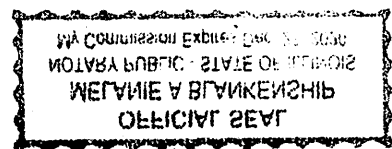
The undersigned as Objector, first being duly sworn on oath, now deposes and say that they have read this VERIFIED OBJECTOR'S PETITION and that the statements therein are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true and correct.

Date: 12/22/18

Subscribed to and Sworn before me, a Notary Public by George Menken, the Objector, on this the 22nd day of December 2018 at Atlanta, Illinois.

(Notary Seal)





STATE OF ILLINOIS)
) ss.
COUNTY OF LOGAN)

ATLANTA PUBLIC LIBRARY DISTRICT TRUSTEE

IN THE ATLANTA PUBLIC LIBRARY DISTRICT, COUNTY OF LOGAN, STATE OF ILLINOIS

IN THE MATTER OF THE OBJECTION)
OF GEORGE MENKEN)
TO THE)
NOMINATING)
PETITIONS OF KAREN E. HORN, AS A)
CANDIDATE FOR ELECTION)
FOR THE OFFICE OF)
ATLANTA PUBLIC LIBRARY DISTRICT TRUSTEE, 6 YEAR TERM)
IN THE ATLANTA PUBLIC LIBRARY DISTRICT)
IN THE COUNTY OF LOGAN)
IN THE STATE OF ILLINOIS)
TO BE VOTED ON AT)
THE APRIL 02, 2019 CONSOLIDATED ELECTION)

*rec'd by Vannoy
Christina
12/22/18 2:45pm*

**VERIFIED OBJECTOR'S PETITION OF GEORGE MENKEN
TO THE NOMINATING PETITIONS OF KAREN E. HORN**

NOW COMES George Menken, hereinafter referred to as the "Objector", and respectfully represent that your Objector make the following objections to the nominating petition of KAREN E. HORN as a candidate for election to the office of Atlanta Public Library District Trustee, 6 Year Term in the Atlanta Public Library District, in the County of Logan in the State of Illinois, and files the same herewith, and states that the nominating petition is insufficient in law and in fact for the following reasons:

1. Objector George Menken resides at 2072 2100th St., Atlanta, County of Logan, located in the State of Illinois, zip code 61723, within the legal boundaries of the Atlanta Public Library District that the Objector is a duly qualified, registered, and legal voter at his respective address; that Objector's interest in filing the following objections is that of a citizen and candidate desirous of seeing to it that the laws governing the filing of nominating petitions in the April 02, 2019 Consolidated Election for the election of the office of Atlanta Public Library District Trustee 6 Year Term in the County of Logan in the State of Illinois are properly complied with, and that only qualified candidates have their names appear on the April 02, 2019 Consolidated Election ballot as candidates for that office.
2. Your Objector states that Candidate Karen E. Horn has filed a packet of petitions that are not compliant with the Illinois Election Code under 10 ILCS 5/10-5, specifically the requirement that *"If the nomination papers of any candidate and the Statement of Economic Interest of that candidate*

are not required to be filed with the same officer, the candidate must file with the officer with whom the nomination papers are filed a receipt from the officer with whom the Statement of Economic Interest is filed showing the date on which such statement was filed. Such receipt shall be so filed not later than the last day on which nomination papers may be filed." Also see page 20 of the State of Illinois Candidate's Guide 2019 Issued by the State Board of Elections. Candidate Karen E. Horn's Statement of Economic Interest was not certified by the Logan County Clerk and Recorder nor was his signature line dated prior to the close of the petition filing period and no receipt was filed evidencing that the candidate filed the Statement of Economic Interest with the appropriate official. This requirement is also noted within the affidavit portion of the Statement of Candidacy. In order to preserve the integrity of the election process, the requirement that the Statement of Economic Interest be filed with the County Clerk and Recorder and a receipt of such filing should be included with the candidate's packet no later than the close of the petition period is a mandatory provision of the electoral code, and candidates in Illinois have been denied ballot access over failing to meet this requirement. The following cases illustrate as examples:

- Hanning v. Lawrence, 07-EBALD052, CBEC, January 16, 2007, affirmed, Lawrence v. Board of Election Commissioners, et al., Circuit Court of Cook County, 2007 COEL0008, affirmed Illinois Appellate Court, No. 1-07-0286 (unpublished order) and Lawrence v. Board of Election Commissioners, 534 F.Supp.2d 1011 (N.D. Ill.2007)
- Rosales v. Wojkowski, 95 EB-ALD-54, affirmed, Wojkowski v. Hamblet, 95 CO 12 (Cir. Ct. Cook County, 1995, affirmed, Ill.App. Ct. No. 1-59-0374, Feb. 16, 1995)
- Bolger v. Electoral Board of City of McHenry, 210 Ill.App.3d 958,569 N.E.2d 628 (Second Dist. 1991)

3. Your Objector states that the laws pertaining to the securing of ballot access require that certain requirements be met as established by law. Filings made contrary to such requirements must be voided, being in violation of the statutes in such cases made and provided. Violation of a mandatory requirement of the Election Code renders the petition fatally defective. Bolger v. Electoral Board of City of McHenry, 210 Ill.App.3d 958, 569 N.E.2d 628, 155 Ill.Dec. 447 (2d Dist. 1991); and Powell v. East St. Louis Electoral Board, 337 Ill.App.3d 334, 785 N.E.2d 1014, 271 Ill.Dec. 820 (5th Dist. 2003). The nomination papers and petitions are, therefore, NOT IN COMPLIANCE with the statutes in such cases made and provided.

CONCLUSION

WHEREFORE, your Objector prays that the purported nomination papers and nominating petitions of Karen E. Horn as a candidate for election to the office of Atlanta Public Library District Trustee 6 Year Term in the Atlanta Public Library District in the County of Logan, in the State of Illinois be declared by this Honorable Electoral Board to be insufficient and not in compliance with the laws of the State of Illinois and that the candidate's name be stricken and that the Honorable Electoral Board enter its decision declaring that the name of Karen E. Horn as a candidate for election to the office of Atlanta Public Library District Trustee 6 Year Term in the Atlanta Public Library District in the County of Logan, in the State of Illinois NOT BE PRINTED on the OFFICIAL BALLOT for the Consolidated Election to be held on April 02, 2019.



Date: 12/22/18

Objector George Menken
2072 2100th St., Atlanta, IL 61723

The undersigned as Objector, first being duly sworn on oath, now deposes and say that they have read this VERIFIED OBJECTOR'S PETITION and that the statements therein are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true and correct.

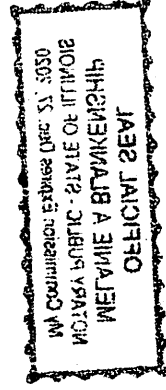
Date: 12/22/18

COUNTY OF LOGAN)
) SS.
STATE OF ILLINOIS)

Melanie & Blackwing

My Commission expires: 12-27-2020

OFFICIAL SEAL
MELANIE A BLANKENSHIP
NOTARY PUBLIC - STATE OF ILLINOIS
My Commission Expires Dec. 27, 2020



STATE OF ILLINOIS)
) ss.
COUNTY OF LOGAN)

ATLANTA PUBLIC LIBRARY DISTRICT TRUSTEE

IN THE ATLANTA PUBLIC LIBRARY DISTRICT, COUNTY OF LOGAN, STATE OF ILLINOIS

IN THE MATTER OF THE OBJECTION)
OF GEORGE MENKEN)
TO THE)
NOMINATING)
PETITIONS OF RANDY L. BROOKS, AS A)
CANDIDATE FOR ELECTION)
FOR THE OFFICE OF)
ATLANTA PUBLIC LIBRARY DISTRICT TRUSTEE, 6 YEAR TERM)
IN THE ATLANTA PUBLIC LIBRARY DISTRICT)
IN THE COUNTY OF LOGAN)
IN THE STATE OF ILLINOIS)
TO BE VOTED ON AT)
THE APRIL 02, 2019 CONSOLIDATED ELECTION)

rec'd by
Christine
Vannoy
12/22/18 2:45pm

VERIFIED OBJECTOR'S PETITION OF GEORGE MENKEN

TO THE NOMINATING PETITIONS OF RANDY L. BROOKS

NOW COMES George Menken, hereinafter referred to as the "Objector", and respectfully represent that your Objector make the following objections to the nominating petition of RANDY L. BROOKS as a candidate for election to the office of Atlanta Public Library District Trustee, 6 Year Term in the Atlanta Public Library District, in the County of Logan in the State of Illinois, and files the same herewith, and states that the nominating petition is insufficient in law and in fact for the following reasons:

1. Objector George Menken resides at 2072 2100th St., Atlanta, County of Logan, located in the State of Illinois, zip code 61723, within the legal boundaries of the Atlanta Public Library District that the Objector is a duly qualified, registered, and legal voter at his respective address; that Objector's interest in filing the following objections is that of a citizen and candidate desirous of seeing to it that the laws governing the filing of nominating petitions in the April 02, 2019 Consolidated Election for the election of the office of Atlanta Public Library District Trustee 6 Year Term in the County of Logan in the State of Illinois are properly complied with, and that only qualified candidates have their names appear on the April 02, 2019 Consolidated Election ballot as candidates for that office.
2. Your Objector states that Candidate Randy L. Brooks has filed a packet of petitions that are not compliant with the Illinois Election Code under 10 ILCS 5/10-5, specifically the requirement that *"If the nomination papers of any candidate and the Statement of Economic Interest of that candidate*

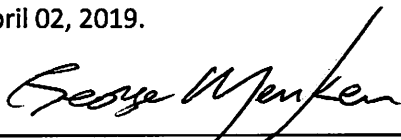
are not required to be filed with the same officer, the candidate must file with the officer with whom the nomination papers are filed a receipt from the officer with whom the Statement of Economic Interest is filed showing the date on which such statement was filed. Such receipt shall be so filed not later than the last day on which nomination papers may be filed." Also see page 20 of the State of Illinois Candidate's Guide 2019 Issued by the State Board of Elections. Candidate Randy L. Brook's Statement of Economic Interest was not certified by the Logan County Clerk and Recorder nor was his signature line dated prior to the close of the petition filing period and no receipt was filed evidencing that the candidate filed the Statement of Economic Interest with the appropriate official. This requirement is also noted within the affidavit portion of the Statement of Candidacy. In order to preserve the integrity of the election process, the requirement that the Statement of Economic Interest be filed with the County Clerk and Recorder and a receipt of such filing should be included with the candidate's packet no later than the close of the petition period is a mandatory provision of the electoral code, and candidates in Illinois have been denied ballot access over failing to meet this requirement. The following cases illustrate as examples:

- Hanning v. Lawrence, 07-EBALD052, CBEC, January 16, 2007, affirmed, Lawrence v. Board of Election Commissioners, et al., Circuit Court of Cook County, 2007 COEL0008, affirmed Illinois Appellate Court, No. 1-07-0286 (unpublished order) and Lawrence v. Board of Election Commissioners, 534 F.Supp.2d 1011 (N.D. Ill.2007)
- Rosales v. Wojkowski, 95 EB-ALD-54, affirmed, Wojkowski v. Hamblet, 95 CO 12 (Cir. Ct. Cook County, 1995, affirmed, Ill.App. Ct. No. 1-59-0374, Feb. 16, 1995)
- Bolger v. Electoral Board of City of McHenry, 210 Ill.App.3d 958, 569 N.E.2d 628 (Second Dist. 1991)

3. Your Objector states that the laws pertaining to the securing of ballot access require that certain requirements be met as established by law. Filings made contrary to such requirements must be voided, being in violation of the statutes in such cases made and provided. Violation of a mandatory requirement of the Election Code renders the petition fatally defective. Bolger v. Electoral Board of City of McHenry, 210 Ill.App.3d 958, 569 N.E.2d 628, 155 Ill.Dec. 447 (2d Dist. 1991); and Powell v. East St. Louis Electoral Board, 337 Ill.App.3d 334, 785 N.E.2d 1014, 271 Ill.Dec. 820 (5th Dist. 2003). The nomination papers and petitions are, therefore, NOT IN COMPLIANCE with the statutes in such cases made and provided.

CONCLUSION

WHEREFORE, your Objector prays that the purported nomination papers and nominating petitions of Randy L. Brooks as a candidate for election to the office of Atlanta Public Library District Trustee 6 Year Term in the Atlanta Public Library District in the County of Logan, in the State of Illinois be declared by this Honorable Electoral Board to be insufficient and not in compliance with the laws of the State of Illinois and that the candidate's name be stricken and that the Honorable Electoral Board enter its decision declaring that the name of Randy L. Brooks as a candidate for election to the office of Atlanta Public Library District Trustee 6 Year Term in the Atlanta Public Library District in the County of Logan, in the State of Illinois NOT BE PRINTED on the OFFICIAL BALLOT for the Consolidated Election to be held on April 02, 2019.



Date: 12/22/18

Objector George Menken
2072 2100th St., Atlanta, IL 61723

The undersigned as Objector, first being duly sworn on oath, now deposes and say that they have read this VERIFIED OBJECTOR'S PETITION and that the statements therein are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true and correct.

Date: 12/22/18

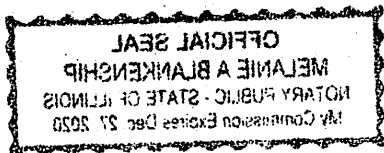
COUNTY OF LOGAN)
)
) SS.
STATE OF ILLINOIS)

Subscribed to and Sworn before me, a Notary Public by George Menken, the Objector, on this the 22nd day of December 2018 at Atlanta, Illinois.

(Notary Seal)

My Commission expires: 12-27-2020





STATE OF ILLINOIS)
) ss.
COUNTY OF LOGAN)

ATLANTA PUBLIC LIBRARY DISTRICT TRUSTEE

IN THE ATLANTA PUBLIC LIBRARY DISTRICT, COUNTY OF LOGAN, STATE OF ILLINOIS

IN THE MATTER OF THE OBJECTION)
OF GEORGE MENKEN)
TO THE)
NOMINATING)
PETITIONS OF MARJORY L. DYER, AS A)
CANDIDATE FOR ELECTION)
FOR THE OFFICE OF)
ATLANTA PUBLIC LIBRARY DISTRICT TRUSTEE, 6 YEAR TERM)
IN THE ATLANTA PUBLIC LIBRARY DISTRICT)
IN THE COUNTY OF LOGAN)
IN THE STATE OF ILLINOIS)
TO BE VOTED ON AT)
THE APRIL 02, 2019 CONSOLIDATED ELECTION)

rec'd by
Christina Vannoy
12/22/18
2:45pm

VERIFIED OBJECTOR'S PETITION OF GEORGE MENKEN

TO THE NOMINATING PETITIONS OF MAJORY L. DYER

NOW COMES George Menken, hereinafter referred to as the "Objector", and respectfully represent that your Objector make the following objections to the nominating petition of Marjory L. Dyer as a candidate for election to the office of Atlanta Public Library District Trustee, 6 Year Term in the Atlanta Public Library District, in the County of Logan in the State of Illinois, and files the same herewith, and states that the nominating petition is insufficient in law and in fact for the following reasons:

1. Objector George Menken resides at 2072 2100th St., Atlanta, County of Logan, located in the State of Illinois, zip code 61723, within the legal boundaries of the Atlanta Public Library District that the Objector is a duly qualified, registered, and legal voter at his respective address; that Objector's interest in filing the following objections is that of a citizen and candidate desirous of seeing to it that the laws governing the filing of nominating petitions in the April 02, 2019 Consolidated Election for the election of the office of Atlanta Public Library District Trustee 6 Year Term in the County of Logan in the State of Illinois are properly complied with, and that only qualified candidates have their names appear on the April 02, 2019 Consolidated Election ballot as candidates for that office.
2. Your Objector states that Candidate Marjory L. Dyer has filed a packet of petitions that are not compliant with the Illinois Election Code under 10 ILCS 5/10-5, specifically the requirement that *"If the nomination papers of any candidate and the Statement of Economic Interest of that candidate*

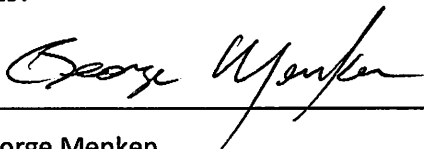
are not required to be filed with the same officer, the candidate must file with the officer with whom the nomination papers are filed a receipt from the officer with whom the Statement of Economic Interest is filed showing the date on which such statement was filed. Such receipt shall be so filed not later than the last day on which nomination papers may be filed." Also see page 20 of the State of Illinois Candidate's Guide 2019 Issued by the State Board of Elections. Candidate Marjory L. Dyer's Statement of Economic Interest was not certified by the Logan County Clerk and Recorder nor was his signature line dated prior to the close of the petition filing period and no receipt was filed evidencing that the candidate filed the Statement of Economic Interest with the appropriate official. This requirement is also noted within the affidavit portion of the Statement of Candidacy. In order to preserve the integrity of the election process, the requirement that the Statement of Economic Interest be filed with the County Clerk and Recorder and a receipt of such filing should be included with the candidate's packet no later than the close of the petition period is a mandatory provision of the electoral code, and candidates in Illinois have been denied ballot access over failing to meet this requirement. The following cases illustrate as examples:

- Hanning v. Lawrence, 07-EBALD052, CBEC, January 16, 2007, affirmed, Lawrence v. Board of Election Commissioners, et al., Circuit Court of Cook County, 2007 COEL0008, affirmed Illinois Appellate Court, No. 1-07-0286 (unpublished order) and Lawrence v. Board of Election Commissioners, 534 F.Supp.2d 1011 (N.D. Ill.2007)
- Rosales v. Wojkowski, 95 EB-ALD-54, affirmed, Wojkowski v. Hamblet, 95 CO 12 (Cir. Ct. Cook County, 1995, affirmed, Ill.App. Ct. No. 1-59-0374, Feb. 16, 1995)
- Bolger v. Electoral Board of City of McHenry, 210 Ill.App.3d 958, 569 N.E.2d 628 (Second Dist. 1991)

3. Your Objector states that the laws pertaining to the securing of ballot access require that certain requirements be met as established by law. Filings made contrary to such requirements must be voided, being in violation of the statutes in such cases made and provided. Violation of a mandatory requirement of the Election Code renders the petition fatally defective. Bolger v. Electoral Board of City of McHenry, 210 Ill.App.3d 958, 569 N.E.2d 628, 155 Ill.Dec. 447 (2d Dist. 1991); and Powell v. East St. Louis Electoral Board, 337 Ill.App.3d 334, 785 N.E.2d 1014, 271 Ill.Dec. 820 (5th Dist. 2003). The nomination papers and petitions are, therefore, NOT IN COMPLIANCE with the statutes in such cases made and provided.

CONCLUSION

WHEREFORE, your Objector prays that the purported nomination papers and nominating petitions of Marjory L. Dyer as a candidate for election to the office of Atlanta Public Library District Trustee 6 Year Term in the Atlanta Public Library District in the County of Logan, in the State of Illinois be declared by this Honorable Electoral Board to be insufficient and not in compliance with the laws of the State of Illinois and that the candidate's name be stricken and that the Honorable Electoral Board enter its decision declaring that the name of Marjory L. Dyer as a candidate for election to the office of Atlanta Public Library District Trustee 6 Year Term in the Atlanta Public Library District in the County of Logan, in the State of Illinois NOT BE PRINTED on the OFFICIAL BALLOT for the Consolidated Election to be held on April 02, 2019.



Objector George Menken
2072 2100th St., Atlanta, IL 61723

Date: 12/22/18

The undersigned as Objector, first being duly sworn on oath, now deposes and say that they have read this VERIFIED OBJECTOR'S PETITION and that the statements therein are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true and correct.

Date: 12/22/18

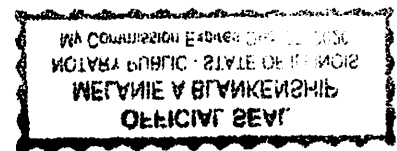
COUNTY OF LOGAN)
)
) SS.
STATE OF ILLINOIS)

Subscribed to and Sworn before me, a Notary Public by George Menken, the Objector, on this the 22nd day of December 2018 at Atlanta, Illinois.

(Notary Seal)

My Commission expires: 12-27-2020





STATE OF ILLINOIS)
) ss.
COUNTY OF LOGAN)

ATLANTA PUBLIC LIBRARY DISTRICT TRUSTEE

IN THE ATLANTA PUBLIC LIBRARY DISTRICT, COUNTY OF LOGAN, STATE OF ILLINOIS

IN THE MATTER OF THE OBJECTION)
OF GEORGE MENKEN)
TO THE)
NOMINATING)
PETITIONS OF JAMES E. WELCHEL, AS A)
CANDIDATE FOR ELECTION)
FOR THE OFFICE OF)
ATLANTA PUBLIC LIBRARY DISTRICT TRUSTEE, 4 YEAR TERM)
IN THE ATLANTA PUBLIC LIBRARY DISTRICT)
IN THE COUNTY OF LOGAN)
IN THE STATE OF ILLINOIS)
TO BE VOTED ON AT)
THE APRIL 02, 2019 CONSOLIDATED ELECTION)

rec'd by
Christina
Vannoy
12/22/18
2:45pm

VERIFIED OBJECTOR'S PETITION OF GEORGE MENKEN

TO THE NOMINATING PETITIONS OF JAMES E. WELCHEL

NOW COMES George Menken, hereinafter referred to as the "Objector", and respectfully represent that your Objector make the following objections to the nominating petition of JAMES E. WELCHEL as a candidate for election to the office of Atlanta Public Library District Trustee, 4 Year Term in the Atlanta Public Library District, in the County of Logan in the State of Illinois, and files the same herewith, and states that the nominating petition is insufficient in law and in fact for the following reasons:

1. Objector George Menken resides at 2072 2100th St., Atlanta, County of Logan, located in the State of Illinois, zip code 61723, within the legal boundaries of the Atlanta Public Library District that the Objector is a duly qualified, registered, and legal voter at his respective address; that Objector's interest in filing the following objections is that of a citizen and candidate desirous of seeing to it that the laws governing the filing of nominating petitions in the April 02, 2019 Consolidated Election for the election of the office of Atlanta Public Library District Trustee 4 Year Term in the County of Logan in the State of Illinois are properly complied with, and that only qualified candidates have their names appear on the April 02, 2019 Consolidated Election ballot as candidates for that office.
2. Your Objector states that Candidate James E. Welchel has filed a packet of petitions that are not compliant with the Illinois Election Code under 10 ILCS 5/10-4, specifically the requirement that *"Such sheets, before being presented to the electoral board for filing with the proper officer of the electoral district or division of the state or municipality, as the case may be, shall be neatly fastened*

together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively". Candidate James E. Welchel's petition sheets were not numbered and or not numbered consecutively. In order to preserve the integrity of the election process, the requirement that the petition sheets be numbered consecutively is a mandatory provision of the electoral code, and candidates in Illinois have been denied ballot access over failing to meet this requirement many times over the years. The following case illustrates an example: *Nader v. Illinois State Board of Elections* "801 N.E. 2d 1148 (2004 289 Ill. Dec. 348)"

3. Your Objector states that Candidate James E. Welchel has filed a packet of petitions that are not compliant with the Illinois Election Code under 10 ILCS 5/10-5, specifically the requirement that *"If the nomination papers of any candidate and the Statement of Economic Interest of that candidate are not required to be filed with the same officer, the candidate must file with the officer with whom the nomination papers are filed a receipt from the officer with whom the Statement of Economic Interest is filed showing the date on which such statement was filed. Such receipt shall be so filed not later than the last day on which nomination papers may be filed."* Also see page 20 of the State of Illinois Candidate's Guide 2019 Issued by the State Board of Elections. Candidate James E. Welchel's Statement of Economic Interest was not certified by the Logan County Clerk and Recorder nor was his signature line dated prior to the close of the petition filing period and no receipt was filed evidencing that the candidate filed the Statement of Economic Interest with the appropriate official. This requirement is also noted within the affidavit portion of the Statement of Candidacy. In order to preserve the integrity of the election process, the requirement that the Statement of Economic Interest be filed with the County Clerk and Recorder and a receipt of such filing should be included with the candidate's packet no later than the close of the petition period is a mandatory provision of the electoral code, and candidates in Illinois have been denied ballot access over failing to meet this requirement. The following cases illustrate as examples:
 - *Hanning v. Lawrence*, 07-EBALD052, CBEC, January 16, 2007, affirmed, *Lawrence v. Board of Election Commissioners, et al.*, Circuit Court of Cook County, 2007 COEL0008, affirmed Illinois Appellate Court, No. 1-07-0286 (unpublished order) and *Lawrence v. Board of Election Commissioners*, 534 F.Supp.2d 1011 (N.D. Ill.2007)
 - *Rosales v. Wojkowski*, 95 EB-ALD-54, affirmed, *Wojkowski v. Hamblet*, 95 CO 12 (Cir. Ct. Cook County, 1995, affirmed, Ill.App. Ct. No. 1-59-0374, Feb. 16, 1995)
 - *Bolger v. Electoral Board of City of McHenry*, 210 Ill.App.3d 958,569 N.E.2d 628 (Second Dist. 1991)
4. Your Objector states that the laws pertaining to the securing of ballot access require that certain requirements be met as established by law. Filings made contrary to such requirements must be voided, being in violation of the statutes in such cases made and provided. Violation of a mandatory requirement of the Election Code renders the petition fatally defective. *Bolger v. Electoral Board of City of McHenry*, 210 Ill.App.3d 958, 569 N.E.2d 628, 155 Ill.DEC. 447 (2d Dist. 1991); and *Powell v. East St. Louis Electoral Board*, 337 Ill.App.3d 334, 785 N.E.2d 1014, 271 Ill.Dec. 820 (5th Dist. 2003). The nomination papers and petitions are, therefore, NOT IN COMPLIANCE with the statutes in such cases made and provided.

WHEREFORE, your Objector prays that the purported nomination papers and nominating petitions of James E. Welchel as a candidate for election to the office of Atlanta Public Library District Trustee 4 Year Term in the Atlanta Public Library District in the County of Logan, in the State of Illinois be declared by this Honorable Electoral Board to be insufficient and not in compliance with the laws of the State of Illinois and that the candidate's name be stricken and that the Honorable Electoral Board enter its decision declaring that the name of James E. Welchel as a candidate for election to the office of Atlanta Public Library District Trustee 4 Year Term in the Atlanta Public Library District in the County of Logan, in the State of Illinois NOT BE PRINTED on the OFFICIAL BALLOT for the Consolidated Election to be held on April 02, 2019.

Date: 12/22/18

The undersigned as Objector, first being duly sworn on oath, now deposes and say that they have read this VERIFIED OBJECTOR'S PETITION and that the statements therein are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that she verily believes the same to be true and correct.

Date: 12/22/18

COUNTY OF LOGAN)
) SS.
STATE OF ILLINOIS)

Subscribed to and Sworn before me, a Notary Public by George Menken, the Objector, on this the 22nd day of December 2018 at Atlanta, Illinois.

Melanie J. Blakeslee
Notary Public
My Commission expires: 12-27-2020

(Notary Seal)



