

**IN THE EDUCATION OFFICERS ELECTORAL BOARD**  
**FOR COMMUNITY COLLEGE DISTRICT 509**

CODY HOLT,	)	
	)	
Objector,	)	
	)	
v.	)	Case No. _____
	)	
PATRICIA ARROYO,	)	
	)	
Candidate.	)	
_____	)	

**OBJECTOR’S PETITION**

NOW COMES the Objector, CODY HOLT, and for his Objector’s Petition objecting to the nomination papers and petition of the Candidate, PATRICIA ARROYO, for election to the office of Member of the Board of Trustees for Community College District 509, pursuant to 10 ILCS 5/10-8, states as follows:

1. The Objector, CODY HOLT, is a United States citizen, resident of the City of Elgin, County of Kane, State of Illinois, and is a registered voter residing at and registered to vote at 688 Scott Drive, within the City of Elgin, Elgin Township, Kane County, Illinois, interested in seeing that election laws are upheld and that only qualified candidates appear on the ballot.
  
2. The Candidate, PATRICIA ARROYO (“ARROYO”), is an individual purportedly residing at 1274 Larkspur Ct., Pingree Grove, Illinois 60140, who on or before December 14, 2022 filed with the Secretary of the Community College District 509 Board of Trustees her nomination papers and nominating petition for election to the office of Member of the Board of Trustees of Community College District 509 (the “Petition”).

3. There has been in full force and effect at all times relevant hereto Section 3-7(c) of the Community College Act which provides, regarding qualification of candidates for election to a community college board of trustees, that:

"(c) Each member must on the date of his election be a citizen of the United States, of the age of 18 years or over, and a resident of the State and the territory which on the date of the election is included in the community college district for at least one year immediately preceding his election."

110 ILCS 805/3-7(c).

4. There has been in full force and effect at all times relevant hereto Section 3-7.1 of the Community College Act which provides, in addition to the specified provisions for nomination and election of candidates for election to the board of trustees of a community college district set forth in the Act, that:

"Sec. 3-7.1. All elections held pursuant to this Act shall be governed by the provisions of the general election law."

110 ILCS 805/3-7.1.

5. There has been in full force and effect at all times relevant hereto Section 10-5 of the Election Code (the "general election law"), which, in prescribing the form of nominating papers a candidate must file to be qualified for the ballot, provides in pertinent part that:

**"Such certificate of nomination or nomination papers** in addition shall include as a part thereof, the oath required by Section 7-10.1 of this Act and **must include a statement of candidacy** for each of the candidates named therein, except candidates for electors for President and Vice-President of the United States. **Each such statement shall set out** the address of such candidate, the office for which he is a candidate, shall state that the candidate is qualified for the office specified and has filed (or will file before the close of the petition filing period) a statement of economic interests as required by the Illinois Governmental Ethics Act, shall request that the candidate's name be placed upon the official ballot and shall be subscribed and sworn to by such candidate before some officer authorized to take acknowledgments of deeds in this State, **and may be in substantially the following form:**

State of Illinois)

) SS.

County of.....)

I,....., being first duly sworn, say that I reside at.... street, in the city (or village) of.... in the county of.... State of Illinois; and **that I am a qualified voter therein**; that I am a candidate for election to the office of.... to be voted upon at the election to be held on the.... day of.....,.....; and that I am legally qualified to hold such office and that I have filed (or will file before the close of the petition filing period) a statement of economic interests as required by the Illinois Governmental Ethics Act, and I hereby request that my name be printed upon the official ballot for election to such office.

Signed.....

Subscribed and sworn to (or affirmed) before me by.... who is to me personally known, this.... day of.....,.....

Signed.....

(Official Character)

(Seal, if officer has one.)”

10 ILCS 5/10-5 (emphasis supplied).

6. Section 3-1.2 of the Election Code defines a qualified voter as “**a person who is registered to vote at the address shown opposite his signature** on the petition or was registered to vote at such address when he signed the petition.” 10 ILCS 5/3-1.2 (emphasis supplied).
7. The requirements in a statement of candidacy must be satisfied at the time the candidate’s statement is signed. See: Goodman v. Ward, 241 Ill.2d 398 (2011).
8. The Candidate, ARROYO, verily states in her Statement of Candidacy on December 10, 2022, “...that I reside at 1274 Larkspur Ct. in the City of Pingree Grove... Zip Code 60140, in the County of Kane, State of Illinois, **that I am a qualified voter therein**... and that I am legally qualified to hold such office [Member of Community College District 509 Board of Trustees” (emphasis supplied).
9. The Candidate, ARROYO, was not on December 10, 2022, and is not now a qualified voter in that she is not registered to vote at 1274 Larkspur Ct., Pingree Grove, Illinois 60140.
10. The Candidate, ARROYO, is not a registered voter anywhere within Community College District 509.

11. The Candidate, ARROYO's, statement of candidacy contains false sworn statements.
12. The Candidate, ARROYO, is not legally qualified to hold the office of Member of the Board of Trustees for Community College District 509.
13. The Candidate, ARROYO, signed the nominating petition of Community College District 509 board of trustees candidate, Patrick E. Parks, at page 18, line 9 thereof, averring that she is a qualified voter and listing her voting address as 1274 Larkspur Ct., Pingree Grove, IL.
14. The Candidate, ARROYO, has engaged in a pattern of fraud and false swearing by signing both her statement of candidacy and candidate Parks' nominating petition averring that she is a qualified voter at 1274 Larkspur Ct., Pingree Grove, IL.
15. All nine (9) pages of Candidate, ARROYO's, nominating petition are signed by her as circulator.
16. All pages of Candidate, ARROYO's, nominating petition she verily avers as having circulated should be stricken because of the pattern of fraud and false swearing described above, leaving her with fewer than the minimum required fifty (50) valid signatures of qualified voters in her nominating petition.
17. As is more fully set out above, the Candidate, ARROYO, has failed to file nominating papers for election to the office of Member of the Board of Trustees for Community College District 509 which comply with the Community College Act and the Election Code, which renders the Candidate's nominating papers defective or invalid.

WHEREFORE, the Objector, CODY HOLT, respectfully requests that this Education Officers Electoral Board for Community College District 509 enter an order affording the following relief:

- A. Sustaining the Objector, CODY HOLT's, Objection to the nominating papers and petition of the Candidate, PATRICIA ARROYO;
- B. Finding that the Candidate, PATRICIA ARROYO, has failed to file a nominating petition and nominating papers for election to the office of Member of the Board of Trustees for Community College District 509 which comply with the Community College Act and the Election Code;
- C. Declaring that the Candidate, PATRICIA ARROYO's, nominating papers and petition for nomination for election to the office of Member of the Board of Trustees for Community College District 509 are defective or invalid;
- D. Striking and/or barring the Candidate, PATRICIA ARROYO's, name from being printed on the ballot for election to the office of Member of the Board of Trustees for Community College District 509; and,
- E. Granting any other relief that is just or equitable under the circumstances.

Respectfully submitted,

---

CODY HOLT