



IN THE MATTER OF:

OBJECTORS PETITION OF JOHN SANCHEZ OBJECTION TO THE NOMINATION PAPERS OF FRANKIE PRETZEL, CANDIDATE FOR THE NOMINATION OF THE REPUBLICAN PARTY TO THE OFFICE OF WILL COUNTY BOARD DISTRICT 12.

CALL OF WILL COUNTY OFFICERS ELECTORAL BOARD

This call is hereby directed to Honorable Lauren Staley Ferry, County Clerk of Will County, Illinois; Honorable James Glasgow, State's Attorney of Will County, Illinois; Honorable Andrea Lynn Chasteen, Circuit Clerk of Will County, Illinois John Sanchez, individual who filed the Objector's Petition herein; and Frankie Pretzel, the candidate whose petitions are objected to:

Please be advised that the Will County Officers Electoral Board is required to meet and hear and pass upon the aforesaid Objection to Frankie Pretzel as a candidate for the nomination of the Republican Party to the office of Will County Board District 12, which said hearing is set for Thursday, June 11th, at 10:00 a.m. at the Will County Courthouse, 14 W. Jefferson St., Joliet in Courtroom 121 at which time the said County Officers Electoral Board will consider:

1. The question of whether or not said Electoral Board has jurisdiction under Illinois law to hear said Objector's Petition.
2. The question as to whether or not the Nomination papers of Frankie Pretzel as a candidate for the nomination of the Republican Party to the office of Will County Board District 12 are in proper form and whether or not the petition on file is valid and whether the objections thereto should be sustained.

at which said place and time you and any other interested person shall be present.

Will County Officers Electoral Board

By: Lauren Staley Ferry
County Clerk of Will County

DATED: 6/9/2020

BEFORE THE DULY CONSTITUTED BOARD FOR THE HEARING AND PASSING UPON OF OBJECTIONS TO THE NOMINATING PETITIONS FOR THE OFFICE OF WILL COUNTY BOARD MEMBER DISTRICT 12

JOHN SANCHEZ, JR.)
Plaintiff,)
)
Vs.)
)
FRANKIE PRETZEL,)
Respondent,)

Case No.

WILL COUNTY CLERK
WILL COUNTY, ILLINOIS

2020 JUN -8 PM 4:27

FILED

Now comes JOHN SANCHEZ, JR. hereinafter referred to as the ("Objector"), and states as follows:

1. JOHN SANCHEZ, JR. resides at 11706 W. 197th Street, Mokena, IL 60448, in the County of Will and State of Illinois, is duly qualified, registered and a legal voter at such address; and his interest in filing the following objections is that of a citizen desirous of seeing to it that the laws governing the filing of nomination papers for the office of County Board Member District 12, County of Will, State of Illinois are properly complied with, and that only qualified candidates who have followed the law appear upon the ballot for said office and that candidates and parties are not allowed to circumvent the law.
2. The 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.
3. The Objector makes the following objections to the purported nomination papers of FRANKIE PRETZEL, (hereinafter referred to "FRANKIE") as a candidates for the office of County Board Member District 12, County of Will, State of Illinois (hereinafter referred to as "CB 12") to be voted for at the General Election to be held on November 03, 2020, and states that the Nomination Papers are insufficient in law and in fact for the following reasons:

A. Candidate Pretzel did not file a properly notarized Statement of Candidacy with his nomination papers.

1. Candidate Pretzel's nomination papers are governed by 10 ILCS 5/7-61 and his Statement of Candidacy is governed by 10 ILCS 5-7-10.1. The Statement of Candidacy must be subscribed and sworn to by such candidate or nominee before some officer authorized to take acknowledgement of deeds in this State. 10 ILCS 5/7-10.1. *See also Bowe vs. Chicago Electoral Board, 79 Ill.2d 469. Knoblach vs. Electoral Board for City of Granite City, 788 N.E.2d 130.* Here Candidate Pretzel's Statement of Candidacy was notarized by Hannah Mayer, a Notary Public who is licensed in the State of Florida. There is no evidence in Candidate Pretzel's nomination papers that Ms. Mayer is a licensed notary in the State of Illinois.

WHEREFORE, based upon the foregoing the Objector prays this Honorable Hearing Board for the following relief:

- A. That Frankie Pretzel's Statement of Candidacy be declared insufficient and stricken
- B. Frankie Pretzel's Nomination Papers for County Board District 12, be declared insufficient and not in compliance with the laws of the State of Illinois, that said Nominations Papers be invalidated, and that Frankie Pretzell's name not appear on the 2November 03, 2020 General Election ballot.

- C. That John Sanchez Jr's objection be sustained and that Candidate Pretzel's Nominating Petitions be declared invalid.
- D. Any other relief this Hearing Board deems equitable and just.

B. The Republican County Board District 12 Committee did not meet and nominate Frankie Pretzel in a timely manner and thus the Republican County Board District 12 Committee's nomination of Frankie Pretzel to fill the Republican County Board District 12 nomination is invalid.

1. Raymond Tuminello was one of the Republican winners for one of the Republican ballot spots for County Board District 12 on the November 03, 2020 General Election ballot.
2. The Will County Clerk certified the results of the March 17, 2020 primary election on April 07, 2020.
3. Here the Resolution to Fill a Vacancy in Nomination states that Raymond Tuminello resigned on April 27, 2020.
4. Raymond Tuminello's resignation on April 27, 2020 created a vacancy in nomination.
5. 10 ILCS 5/7-61 requires that vacancies created after the primary, after certification, and prior to fifteen (15) days before the general election shall be filled within eight (8) days after the event creating the vacancy.
6. Here the Will County Board District 12 Committee of the Republican Party met to appoint a replacement for Raymond Tuminello on May 18, 2020.
7. The Will County Board District 12 Committee of the Republican Party met more than eight (8) days after Raymond Tuminello's resignation created a vacancy in nomination.
8. The Will County Board District 12 Committee of the Republican Party did not have jurisdiction to appoint Frankie Pretzel to the vacancy and their appointment of Frankie Pretzel should have no legal effect on the Will County Clerk.
9. Upon information and belief the Will County Clerk has Frankie Pretzel filling the slot on the November 03, 2020 General Election ballot that was vacated by Raymond Tuminello.
10. Furthermore 10 ILCS 5/7-61 requires the resolution to fill the vacancy be transmitted to the Will County Clerk within three (3) days of being made.
11. The Resolution to Fill a Vacancy in Nomination and the Notice of Appointment to Fill a Vacancy in Nomination were filed with the Will County Clerk on May 26, 2020.
12. The Illinois Election Code provides no means to withdraw a resignation from the ballot once it has been made.

WHEREFORE, based upon the foregoing the Objector prays this Honorable Hearing Board for the following relief:

A. That the Resolution to Fill A Vacancy in Nomination and the Notice of Appointment and the be declared insufficient to nominate Frankie Pretzel to fill the vacancy created by the resignation of Raymond Tuminello, and that Frankie Pretzel's nomination be stricken.

B. Frankie Pretzel's Nomination Papers for County Board District 12, be declared insufficient and not in compliance with the laws of the State of Illinois, that said Nominations Papers be invalidated, and that Frankie Pretzel's name not appear on the November 03, 2020 General Election ballot.

C. That John Sanchez Jr's objection be sustained and that Candidate Pretzel's Nominating Petitions be declared invalid.

D. Any other relief this Hearing Board deems equitable and just.

The Objector in this matter will be represented by:

Joel P. Brown
Reeder & Brown, P.C.
58 N. Chicago Street, Suite 404
Joliet, IL 60432
Ph: 815-215-8208
Fx: 779-227-6135
joel@reederbrownlaw.com

All communications for the Objector, JOHN SANCHEZ, JR., should be directed to his attorney's attention.

Respectfully submitted,



JOHN SANCHEZ, JR.

