

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, COUNTY DIVISION**

Tedora Brown,)	
)	
Candidate-Petitioner)	
)	No: 2026COEL000003
v.)	
State Officers Electoral Board)	
Laura K. Donahue)	Hon. Anna M. Loftus
Rick S. Terven, Sr.)	Judge Presiding
Jennifer M. Ballard)	
Cristina D. Cray)	
Tonya L. Genovese)	
Catherine S. McCrory)	
Jack Vrett)	
Casandra B. Watson, and)	
)	
Blanca Souders, Objector)	
)	
Respondents)	

MEMORANDUM OPINION AND ORDER

This matter comes before the court on Petitioner-Candidate Fedora Brown’s (“Candidate”) Petition for Judicial Review of the decision of the State Board of Elections (the “Board”). The court has reviewed the Petition, the parties’ written submissions, and the record before the Board. The court heard and considered oral argument on January 29, 2026 in this matter and reviewed the relevant law. Based on the foregoing review, the court denies the Candidate’s Petition and affirms the Board’s decision that the Candidate’s name not appear on the ballot in the upcoming March 17, 2026 general primary election.

I. STANDARD OF REVIEW

Judicial review of an electoral board’s decision is considered to be administrative review. *Wiesner v. Brennan*, 2016 IL app (2d) 160115, ¶ 14. The standard of review of an electoral board’s decision depends on the question presented. *Corbin v. Schroeder*, 2021 IL 127052, ¶ 32. The Candidate suggests that the issue is whether an objector, hearing officer or election board can raise and rely on objections not raised in the objector’s petition. Memo. pg. 2. However, the

parties do not dispute the well settled law that an electoral board will only consider written objections and the written specifications of such objections set forth in the original petitions and that it is improper for an electoral board to raise its own objections to a nominating petition. 10 ILCS 5/10-10; See *Samuelson v. Cook County Officers Electoral Board*, 2012 IL App (1st) 120581, ¶ 14; see also, *Delay v. Board of Election Commissioners of the City of Chicago*, 312 Ill. App. 3d 206, 210 (2000). There is no controversy about the law.

In addition, this ruling alone will not afford the Candidate the relief she seeks — to reverse the Board’s decision and order the Candidate’s name be printed on the ballot to be voted at the general primary election to be held on March 17, 2026. Memo. pg. 17. Instead, the court must determine whether, in fact, the Objector, Hearing Officer and/or the Board in this case raised and relied upon objections not included in the Objector’s Petition in violation of the law.¹ The answer to that question requires an examination of the facts and arguments relied upon by the Board to determine if the Board improperly embraced a “new” objection.

An election board may consider new objections to nomination papers so long as they fall within the nature of the objection made. *Delay*, 312 Ill. App. 3d at 210. The Election Code does not authorize any amendments to objections and does not authorize an electoral board to raise its own objections to nominating petitions *sua sponte*. *Id.* An election board exceeds its statutory authority when it invalidates a candidate's nomination papers on a ground never raised in the original petition. *Id.*

The question raised by Candidate’s petition is whether the statutory standard barring the Board from raising objections *sua sponte* was maintained by the Board. Where the historical facts are admitted or established, the controlling rule of law is undisputed, and the issue is whether the facts satisfy the statutory standard, the case presents a mixed question of fact and law for which the standard of review is “clearly erroneous.” *Wiesner v. Brennan*, 2016 IL App (2d) 160115, ¶14. An administrative agency's decision is deemed "clearly erroneous" when the reviewing court is left with the definite and firm conviction that a mistake has been committed. *Cinkus v. Stickney Mun. Officers Electoral Bd.*, 228 Ill. 2d 200, 211 (2008).

II. BACKGROUND

On November 3, 2025, Candidate filed her nomination papers as a Candidate of the Republican Party for nomination for the office of Representative in the United States Congress for the 11th Congressional District of the State of Illinois. The vote will take place at the general primary election to be held on March 17, 2026. The nomination papers included 151 petition sheets containing signatures.

¹ The court will refer only to “the Board” going forward for convenience, unless specifically referring to the actions of the Objector or the Hearing Officer.

A. Objections

On November 10, 2025, the Respondent, Blanca Souders (“Objector”) filed her objections to the Candidate’s nomination papers. On November 21, 2025, a records examination of the Candidate’s nomination papers was conducted and a detailed report was generated by the Board. R. pgs. C-318-351. Following the examination, the Board sustained the three objections at issue here, finding that the “signer not registered to vote at address shown.” R. pg. C-327, C-339. The relevant signature lines are:

1. Sheet 29, Line 5 (R. at C-33; Ex. A-8 in Board’s Decision)
2. Sheet 98, Line 2 (R. at C-102; Ex. A-14 in Board’s Decision)
3. Sheet 98, Line 3 (R. at C-102; Ex. A-15 in Board’s Decision)

B. Rule 9 Motion

On November 26, 2025, the Candidate filed her “Rule 9 Motion” seeking to rehabilitate 22 signatures. R. pgs. C-402-425; Bd. Decision, pg. 2, para 7. The Objector filed her response to the Candidate’s “Rule 9” motion on November 29. R. pgs. C-426- C-437. On December 11, 2025, a “Rule 9” Motion evidentiary hearing was held by the Board’s Hearing Officer. R. pgs. R-2-145. The parties proffered evidence, testimony and argument before the Hearing Officer, and on December 17, 2025, he issued his findings and recommendations, concluding that the Candidate failed to meet her burden of proof, specifically as to the three signatures, and denied the Candidate’s motion to rehabilitate them. R. pgs. C-456-457, C-458.

C. Motion for Exceptions and Hearing

The Candidate filed her Motion for Exceptions to the Hearing Officer’s findings and recommendations on December 18, 2025. R. pg. C-463-466. On January 7-8, 2026, a hearing was held by the Board on the Candidate’s Motion for Exceptions. R. pg. R. 146-679. Relevant here, the Board concurred with the Hearing Officer’s ruling to deny the Candidate’s motion to rehabilitate the three signatures at issue here: A-8, A-14 and A-15. R. pg. C-510; Bd. Decision, pg. 4, ¶ D. The Board concluded:

“Candidate collected and filed 798 valid signatures within her nomination papers, which is 1 signature below the minimum number of 799 required under Section 7-10(b) of the Election Code to qualify her for access to the ballot as a Republican candidate of the office of Representative in Congress for the 11th Congressional District of Illinois.

R. pg. C-510; Bd. Decision. pg. 4, ¶ F. As a result, the Board sustained the objection of Blanca Souders and concluded “the name of the Candidate Tedora Brown SHALL NOT be certified for the March 17, 2026 General Primary Election ballot.” R. pg. C-511; Bd. Decision, pg. 5.

III. ANALYSIS

A. The Board Did Not Exceed Its Authority

In her Petition for Judicial Review, the Candidate argues the decision of the Board should be reversed based upon the following:

1. An Objector's Petition, once filed, may not be amended;
2. An Objector bears and must carry the burden of their own objections; and
3. Absent a showing of fraud, a board cannot sustain an Objector's Petition for reasons not stated or plead in the Objector's Petition.

Petition for Judicial Review, pg. 4.

An electoral board is a creature of statute and may exercise only those powers conferred upon it by the legislature. *Samuelson v. Cook County Officers Electoral Bd.*, 2012 IL App (1st) 120581, ¶ 14. The parties do not dispute the law setting forth the Board's authority with respect to adjudicating objections:

It is the "unique province of the objector" to "raise issues [and] objections" to a candidate's petition and supporting papers. Section 10-8 of the Election Code provides that an "objector's petition *** shall state fully the nature of the objections to the certificate of nomination or nomination papers." An electoral board will only consider written objections and the written specifications of such objections to the original petitions, as set forth in the objector's petition. Section 10-8 contains no provision for amendments to objections.*** It is improper for an electoral board to raise its own objections to a nominating petition.

Id. [citations omitted].

The only objection in the petition to each of the three signatures at issue in this case was "signer not registered to vote at address shown."² R. pg. C-187, 230. The Candidate argues that the Objector raised, and the Hearing Officer and the Board considered and relied upon "new" objections for their Recommendation and Decision, respectively, including: the identity of the signer and genuineness of the signature (sheet 29, line 5) and that an address was "crossed out", or signer address is missing or incomplete (sheet 98, lines 2-3). Brief in Support, pg. 15. In addition, the Candidate argues that the Hearing Officer rejected the signers' certified voter registrations requiring the shifting of the burden and further failed to consider "any of the addresses noted" in violation of the Board's own rules. Brief in Support, pg. 12. She cites to the Rules of Procedure of the Board which provide, in part:

² Section 3-1.2 of the Election Code, titled "Eligibility to sign petition," states that a "qualified primary elector *** shall mean a person who is registered to vote *at the address shown opposite his signature on the petition,*" or who was registered at that address at the time of signing. (Emphasis added.) 10 ILCS 5/3-1.2 (West 2016).

B. Signer Not Registered at Address Shown

The voter's registration information shall be examined. If the address on the voter's registration record does not match the address opposite their name on the petition, the objection shall be sustained. An affidavit from the voter attesting to their registration address will be deemed insufficient to rebut voter registration information supplied by the Board or local election authority.

"NOTE: To the extent a voter may have moved during the period of time between the beginning of petition circulation and the close of petition filing, the programming used by the SBE will note all addresses at which the voter was registered during the time period in question. If the address opposite the voter's name on the petition matches any of the addresses noted, the objection will be overruled, and the burden placed upon the objector at the Rule 9 Signature Rehabilitation/Challenge Hearing to prove that the voter did not reside at such address on the date they signed the petition."

(R. pg. C-290) Rules of Procedure, Appendix B. A determination as to whether the Board relied upon "new" objections in violation of the Election Code or violated its Rules requires a review of the issues Board analyzed in order to resolve the objections.

B. Board Acted Within Its Authority to Consider the Identity of the Signer Which Was Necessary to Resolve Objection

The sustained objection for sheet 29, line 5 was "signer not registered to vote at address shown." R. at C-187. The name of the signer on sheet 29, line 5 was not decipherable from the signature, and there was no printed name. R. at C-33. The address listed on line 5 is "2286 Tremont Avenue, Aurora, DuPage." *Id.* The Candidate obtained a certified voter registration which showed Adam Faber was registered to vote at the address listed on line 5. R. at C-410. The certified voter registration included a signature that is indecipherable. *Id.*

Candidate points to the Hearing Officer's recommendation that the signer's certified voter registration be rejected, ruling that the Candidate "could not confirm that the signature on Line 5 [of the petition] was that of Adam J. Fabor." R. pg. C-456; Brief in Support, pg.14. Candidate notes the Objector's petition raised no issue about the identity of the signer or the genuineness of the signer's signature. *Id.*; Brief In Support, pg. 12. Thus, she argues the Board relied upon an objection not raised by the Objector.

However, this argument misses the mark. Candidate attempted to rebut the objection that the signer on line 5 was not registered at the address shown by proffering the certified voter registration for the address listed on line 5. While the evidence established that Adam Fabor was registered to vote at the address printed on the petition, Candidate still needed to establish that Adam Fabor was the signer on the petition sheet at line 5 of sheet 29. The *name of the signer* is essential to the question of whether *signer* is registered to vote at the stated address.³ Thus, the identity of the signer was not a "new" objection but fell within the nature of the objection made.

³ Confirming the name associated with a signature is different than addressing the genuineness of the signature which goes to whether the signer actually signed his or her name on the petition or were forgeries.

Delay v. Board of Election Comm'rs., 312 Ill. App. 3d 206, 210 (2000) (noting board does not exceed its authority when the basis for determining that the candidates' nominating petitions were invalid fell within the nature of the objection made); see *Samuelson v. Cook County Officers Electoral Bd.*, 2012 IL App (1st) 120581, ¶ 17.

The Board's consideration of the identity of the signer on sheet 29, line 5 in its decision did not constitute a "new" objection, and thus, the Board did not exceed its statutory authority.

C. Candidate Failed To Establish Board Alleged Rule Violation

Candidate further argues that pursuant to the Board's own Rules, only a voter's registration from the Board or local authority can overturn the record examiner's ruling. Not an affidavit or anything else from the voter. Brief in Support, pg. 13. Candidate argues that she complied with the Board's Rule by obtaining a certified voter registration proving that the signer was in fact, registered to vote at the address shown across from the signature. Brief in Support, pg. 14. The burden of proof should have shifted back to the Objector. *Id.*

Indeed, the Rule provides that the voter's registration information shall be examined, and if the address on the voter's registration record does not match the address opposite their name on the petition, the objection shall be sustained. But here, the *name* on the petition is indecipherable while the addresses matched. It was still the Candidate's burden to establish that the name of the signer on line 5 matched the name of the registered voter on the certificate, Adam Faber. Without that, the burden would not shift.⁴

The Hearing Officer concluded:

"Candidate testified she personally obtained Exhibit A-8 (voter registration information for Adam J. Faber). Candidate testified she personally obtained Exhibit A-8 from the DuPage Clerk. Candidate testified she did not circulate Sheet 29, and could not confirm that the signature on Line 5 was that of Adam J Faber. The objector objected to Candidate's testimony relating to Candidate's conversation with circulator, Birttany [sic] Scopa, about the identify [sic] of the signer on Sheet 29, which the Hearing Officer sustained as improper hearsay.

Exhibit A-8 was admitted into evidence over Objector's objections of foundation, relevance and best evidence rule. But, the Candidate did not meet her burden and establish through admissible evidence that the signer on Sheet 29, Line 5 resides at the address indicated on Exhibit A-8.

R. pg. C-456.

⁴ The Candidate argues that the voter registration certificate was enough to shift the burden to the Objector and it was up to the Objector to produce counter-evidence or witnesses in rebuttal. Reply, pg. 1-2. Notably, the Candidate did not raise the question as to whether the signature on sheet 29, line 5 matched the signature on the voter registration certificate before the Hearing Officer in order to establish the name of the signer on the petition sheet. To the extent she attempts to do so here, the Candidate cannot raise an argument for the first time on Judicial Review. *Cinkus*, 2018 IL App (1st) 180391, ¶25.

This case is distinguishable from *Bass v. Township Officers Electoral Board*, 2025 IL App (1st) 250092, cited by the Candidate. Reply, pg. 2. In *Bass*, the candidate responded to the objection that he did not circulate certain petition sheets by testifying that he did and describing how he did it. The objector presented no evidence to rebut the candidate's testimony. The electoral board invalidated the candidate's nomination papers but was reversed by the court which noted "[a] finder of fact may not simply reject un rebutted testimony." *Id.* at ¶ 28.

Here, even though Candidate's testimony was un rebutted, the Hearing Officer concluded the testimony was not sufficient to meet her burden to establish that Adam Faber, who was registered at the address shown, was the person who signed the petition. As the Board members noted, there could be other voters registered at that same address. R. pg. R-612.

There is no support for Candidate's claim that the Rule prohibited her from providing further evidence as to the identity of the signer or that the Board was required to shift the burden based upon her insufficient evidence. Therefore, the Board's conclusion that the Candidate failed to meet her burden was not clearly erroneous.

D. Board Acted Within Its Authority in Considering the "Address Shown" on Petition Which Was Necessary to Resolve Objection to Sheet 98, Line 2

The objections to sheet 98, lines 2 and 3 were also "signer not registered to vote at the address shown." R. C-230. Here, Karl Abillar (line 2) and Karwynn Albillar (line 3) signed the petition and noted their addresses of 1436 Bangor Lane in Aurora in the "STREET ADDRESS" column. R. C-102. On line 2, a different address—what looks like 1436 Bar Harbour St.—is written in the "VOTER'S PRINTED NAME (optional)" column and is crossed-out. *Id.*

Candidate proffered the voter registration information for the Abillars which revealed that they were both registered to vote at 1436 Bar Harbour Road in Aurora. She argues that the Board improperly considered a "new" objection when it determined the Bar Harbour address was not the address "shown" on line 2 (Karl Abillar). Brief in Support, pg. 15-16. This issue could not be considered, according to the Candidate, unless Objector specifically included in her objections that the crossed-out address was not the "address shown." The "new" objection should not have been considered and relied upon by the Board according to the Candidate.

In order to address whether Karl Abillar was "registered to vote at the address shown," the Board had to determine what address was "shown" on sheet 98, line 2 to compare with the address on the registered voter certificate.⁵ The court rejects Candidate's argument that the Objector was required to state in her petition that the crossed-off address should *not* be considered by the Board or that the crossed-off address was invalid before the Board could

⁵ Candidate argues that the record clearly shows and the Hearing Officer admitted on the record that two addresses were discernible across from signer's signature on line 2—"1436 Bar Harbor" [sic] and "1436 Bangor Ln." Memo. pg. 15. First, no citation to the record is provided. Second, Candidate fails to set forth the import of this statement or fully develop any argument. Third, the issue is whether the Hearing Officer could review and decide which address was the "address shown" for purposes of analyzing the objection. This statement reveals that he did so and the court holds that he did not exceed his authority.

consider which address was “shown” and conclude it was the Bangor Lane address. Which “address [was] shown” for Karl Abillar on line 2 was not a “new” objection but fell explicitly within the nature of the objection made. *Delay, supra*. The Board was within its authority to review the petition to determine which address was “shown” on the petition.⁶

E. Candidate’s Reliance on A Note to the Rules Outside of Judicial Review

Candidate argues that the Board’s own Rules provide that all available addresses would be considered, and “[i]f the address opposite the voter’s name on the petition matches any of the addresses noted, the objection will be overruled, and the burden placed upon the objector at the Rule 9 Signature Rehabilitation/Challenge Hearing to prove that the voter did not reside at such address on the date they signed the petition.” R. pg. C-290 (Rules of Procedure, Appendix B). She contends that after she produced the registered voter certificate with the Bar Harbor address, the Board should have also considered the crossed-off Bar Harbour address on the petition per its Rule when comparing sheet 98, line 2 with the voter registration.

Even if this was properly raised before this court, the language Candidate relies upon comes from a Note in the Rule and is taken out of context and the argument lacks merit. As set forth in Section III.A. above, the note reads in full:

“NOTE: To the extent a voter may have moved during the period of time between the beginning of petition circulation and the close of petition filing, the programming used the SBE will note all addresses at which the voter was registered during the time period in question. If the address opposite the voter’s name on the petition matches any of the addresses noted, the objection will be overruled, and the burden placed upon the objector at the Rule 9 Signature Rehabilitation/Challenge Hearing to prove that the voter did not reside at such address on the date they signed the petition.” (R. pg. C-290)(Rules of Procedure, Appendix B)

This procedure set forth in the Rule comes into play when a voter moved during the petition circulation period; if the voter registration changed after the voter signed the petition, a process is in place to determine where the voter resided on the date they signed the petition. There is nothing in the record to establish that any of the signers moved such that another address should have been examined by the Board.

F. Candidate Identifies No “New” Objection Considered by the Board Regarding Sheet 98, Line 3

The Candidate adopted her argument with respect to sheet 98, line 2 as her argument with respect to line 3. However, there is no cognizable argument that the Board considered a “new”

⁶ Notably, the court was not asked to determine whether the Board’s conclusion that the Bangor Lane address was the address “shown” on the Petition—instead of the crossed-off address of Bar Harbour—was clearly erroneous. The only question before the court was whether the Board exceeded its authority in considering which address was “shown.” Similarly, other arguments in the Candidate’s briefs asking the court to reverse the Board’s factual findings were not raised in the petition and will not be addressed herein.

objection with respect to line 3. The crossed-off address was solely set forth in the “VOTER’S PRINTED NAME (optional) column on line 2. The candidate’s name and address on line 3 are set forth clearly and in the proper columns, and the address on the signer’s voter registration is different from the “address shown.” The Board did not exceed its authority by relying upon any “new” objection for its ruling on line 3.

IV. CONCLUSION

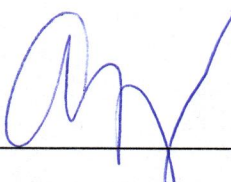
Wherefore, the Court denies the Candidate’s Petition for Judicial Review and affirms the Board’s decision. The Board did not exceed its authority when it reviewed and considered the name of the signer with respect to Sheet 29, Line 5 and the “address shown” with respect to Sheet 98, Lines 2-3 when addressing the objection “signer not registered to vote at address shown.” This ruling leaves the Candidate 1 signature below the minimum number of 799 required under Section 7-10(b) of the Election Code to qualify her for access to the ballot. The court is cognizant that access to a place on the ballot is a substantial right not lightly to be denied (*Cunningham v. Schaefflein*, 2012 IL App (1st) 120529, ¶ 42) and that the consequences of this decision will be harsh. In this case, however, the Board acted within its authority to consider the information necessary to complete its full analysis of the objections.

It is hereby ordered that the Candidate’s name not appear on the ballot for the office of Representative in the United States Congress for the 11th Congressional District of the State of Illinois for the March 17, 2026 General Primary Election ballot.

This is a final and appealable order.

Dated: January 30, 2026

ENTERED:



Judge Anna M. Loftus

