

**BEFORE THE DULY CONSTITUTED ELECTORAL BOARD**

IN THE MATTER OF THE OBJECTIONS OF: )

ARIAN AHMADPOUR, )

Objector, )

v. )

TIFFANY STEPHENS, )

Candidate. )

CASE NO. \_\_\_\_\_



**OBJECTOR'S PETITION**

NOW COMES, Arian Ahmadpour, (the "Objector"), and pursuant to §10-8 of the Illinois Election Code, 10 ILCS 5/1-1, *et seq.*, states as follows:

The Objector, Arian Ahmadpour, states that he resides at 4715 Torphin Hill Court, in the City of Naperville, Zip Code 60564, County of Will, State of Illinois, and that he is a duly qualified, registered, and legal voter in the City of Naperville, State of Illinois, the political subdivision or district in which Candidate, Tiffany Stephens (the "Candidate") is to be voted upon. Objector states that Objector's interest in filing the following objections is that of a citizen desirous of seeing that the election laws governing the filing of nomination papers for the office of mayor of the City of Naperville, State of Illinois are properly complied with and that only qualified candidates appear on the ballot for said office as a candidate at the February 28, 2023, Consolidated Primary Election ("Election").<sup>1</sup>

Therefore, the Objector makes the following objections, upon information and belief, to the Nomination Papers of Tiffany Stephens as a candidate for the office of mayor for the City of Naperville, State of Illinois, to be voted upon at the February 28, 2023, Consolidated Primary Election.

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<sup>1</sup> Provided that if no primary election is required, this Objector's Petition shall also apply to the April 4, 2023, Consolidated Election for said office and term.

### ***Introduction***

1. Nomination Papers must truthfully allege the qualifications of the candidate, must contain the statutorily required minimum amount of true and genuine signatures of duly qualified, registered, and legal voters in the political subdivision or district in which the Candidate seeks nomination or election, must be gathered and presented in the manner provided for in the Illinois Election Code, and must be otherwise executed in the form provided by law.
2. The Candidate has filed Nomination Papers that purport to contain signatures of duly qualified, legal, and registered voters of the political subdivision or district in which the Candidate seeks elective office in excess of the statutory minimum and, further purport to have been gathered, presented and executed in the manner provided by the Illinois Election Code.
3. 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 and found invalid, being in violation of the statutes, and/or established case law, in such cases made and provided. Statute and established case law hold these provisions to be mandatory and strictly construed; failing to comply with even one of them will result in the petitions' invalidation.
4. As set forth herein, the Nomination Papers are insufficient in law and fact for the following reasons:

### ***Objections to Nomination Papers & Candidacy***

5. Section 3.1-10-5 of the Illinois Municipal Code, 65 ILCS 5/1-1-1, *et seq.*, provides, *inter alia*:
    - (a) A person is not eligible for an elective municipal office unless that person is a qualified elector of the municipality and has resided in the municipality at least one year next preceding the election or appointment, except as provided in Section 3.1-20-25, subsection (b) of Section 3.1-25-75, Section 5-2-2, or Section 5-2-11.
- 65 ILCS 5/3.1-10-5.
6. On information and belief, prior to July 2022, the Candidate was and had been a resident of the City of Aurora and not the City of Naperville.
  7. Candidate has not resided at an address located within the boundaries of the City of Naperville for more than one year prior to the February 28, 2023, Consolidated Primary Election or the April 4, 2023, Consolidated Election.

8. Because the Candidate does not meet the durational residency requirements, the Candidate is not qualified to seek or hold the office of Mayor of the City of Naperville, the office for which the Nomination Papers were filed.
9. The Candidate is not, and was not at the time of signing the Statement of Candidacy, legally qualified to hold the office for which the Nomination Papers were filed and, therefore, the Statement of Candidacy is false and invalid, which renders the Nomination Papers void in their entirety.

**WHEREFORE**, Objector prays that the nomination papers of Tiffany Stephens as a candidate for the office of Mayor of the City of Naperville, State of Illinois, to be voted upon at the February 28, 2023, Consolidated Primary Election (or, if no primary election is required, the April 4, 2023 Consolidated Election) be declared to be insufficient and not in compliance with the laws of the State of Illinois, and that the Candidate's name be stricken and **NOT** appear on the February 28, 2023, Consolidated Primary Election ballot (or, if no primary election is required, the April 4, 2023 Consolidated Election ballot), and that this Honorable Electoral Board enter its decision declaring that the name of Tiffany Stephens as a candidate for the office of Mayor of the City of Naperville, State of Illinois, be **NOT** printed upon the official ballot for the Consolidated Primary Election to be held on February 28, 2023 (or, if no primary election is required, the April 4, 2023 Consolidated Election).

Respectfully Submitted,  
**OBJECTOR, ARIAN AHMADPOUR**

By: /s/ Ross D. Secler  
One of his Attorneys

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