

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE CENTRAL DISTRICT OF ILLINOIS  
 SPRINGFIELD DIVISION**

**ALLAN STEVO,**

**Plaintiff,**

**v.**

**JOHN R. KEITH, WILLIAM M.  
 MCGUFFAGE, ROBERT J. WALTERS,  
 PATRICK A. BRADY, WANDA L.  
 REDNOUR, JESSIE R. SMART,  
 ALBERT PORTER, and BRYAN  
 SCHNEIDER, in their official capacities  
 as Board Members for the Illinois State  
 Board of Elections,**

**Defendants.**

**Case No.** \_\_\_\_\_

**Judge** \_\_\_\_\_

**PRELIMINARY INJUNCTION  
 REQUESTED**

**COMPLAINT**

**INTRODUCTION**

Plaintiff, Allan Stevo, is an independent candidate for Congress. He is running for election to Illinois's Tenth Congressional seat.

Defendants are sued in their official capacities as Board Members sitting on the Illinois State Board of Elections. Defendants' are specifically empowered by Illinois law to determine the validity of nominating petitions and issue certificates of nominations.

Plaintiff submitted over 7200 valid voters' signatures to Defendants on June 23, 2008 in order to qualify for the Tenth Congressional District ballot. Within five days of that submission, Plaintiff's candidacy was challenged by Patrick LeBeau of DesPlaines, Illinois.

Defendants on July 21, 2008 concluded that Plaintiff had not complied with Illinois's requirement that independent candidates for Congressional seats in election years that do not immediately follow the federal census submit signatures equal in number to 5% of the total number of persons who voted in the last general election within the congressional district. *See* 10 Ill. Comp. Stat. § 5/10-3. Applying this requirement to the Tenth Congressional District, Defendants ruled that independent candidates must submit between 10,285 and 16,455 signatures, *see* Exhibit 1, and that Plaintiff had not met that standard. *See* Exhibit 2.

In the above-styled action, Plaintiff challenges Defendants' application of Illinois's signature-requirement to his candidacy as violating the First and Fourteenth Amendments to the United States Constitution. In particular, Plaintiff claims that Illinois law violates both the First Amendment and the Equal Protection Clause.

### **PARTIES**

1. Plaintiff, Allan Stevo, is an Illinois resident who lives outside Chicago and who satisfies the qualifications for House membership spelled out in Article I, § 2, cl. 2, of the United States Constitution.
2. Plaintiff seeks ballot access to run for Congress in Illinois's Tenth Congressional District. .
3. Defendants are Board Members sitting on Illinois's State Board of Elections.
4. Defendants are sued in their official capacities for enforcing Illinois's ballot access law and for applying 10 Ill. Comp. Stat. § 5/10-3 to Plaintiff.
5. At all times relevant to this action Defendants were engaged in state action and were acting under color of state law.

6. Defendants are being sued in their official capacities for declaratory and injunctive relief under 42 U.S.C. § 1983 and 28 U.S.C. § 2201, as well as costs and attorney's fees under 42 U.S.C. § 1988(b).

### **JURISDICTION**

7. Jurisdiction in this case is predicated on 28 U.S.C. § 1331, this being a case arising under the Constitution of the United States and 42 U.S.C. § 1983.

### **VENUE**

8. Venue is proper under 28 U.S.C. 1391(b) because the Defendants reside in the Central District of Illinois, Springfield Division, have their principal place of business in the Central District of Illinois, Springfield Division, and a substantial part of the events giving rise to Plaintiffs' claims occurred in the Central District of Illinois, Springfield Division.

### **FACTS**

9. Illinois law requires that independent candidates for Congress in election years that do not immediately follow the federal census petition for ballot access by collecting a number of signatures equal to 5% of the total number of persons who voted at the last regular general election within the congressional district. *See* 10 Ill. Comp. Stat. § 5/10-3.

10. Illinois law states that "[f]or the first election following a redistricting of congressional districts, nomination papers for an independent candidate for congressman shall be signed by at least 5,000 qualified voters of the congressional district." 10 Ill. Comp. Stat. § 5/10-3.

11. Under Illinois law, independent candidates running for Congress in 1972, 1982, 1992, 2002, and in 2012 are only required to gather signatures from 5,000 qualified voters in the congressional district in which they are running.

12. Candidates for Congress running in 2008, including Plaintiff, must collect signatures from a far greater number of qualified voters in the congressional district in which they are running; specifically, independent candidates in the Tenth Congressional District must collect no fewer than 10,285 signatures from qualified voters in the congressional district. *See* Exhibit 1.

13. Plaintiff collected and submitted to Defendants in a timely fashion signatures from over 7,000 qualified voters in the Tenth Congressional District to support his petition for ballot access.

14. Plaintiff's submission was contested by Patrick LeBeau of DesPlaines, Illinois within five days of Plaintiff's having filed with Defendants.

15. Defendants on July 21, 2008 ruled that Plaintiff's petition did not comply with Illinois law because it was not supported by the required number (10,285) of signatures.

16. Illinois's signature requirement for independent congressional candidates in election years that do not immediately follow the federal census represents the third most numerous signature requirement for congressional office (House) in the United States.

17. Only Georgia, which requires a number of signatures equal to 5% of the registered voters in the congressional district, South Carolina, which requires a number of signatures equal to 5% of the number of registered voters in the congressional district (but not to exceed 10,000 signatures) and North Carolina, which requires a number of signatures equal to 4% of the registered voters in the congressional district, equal or

exceed the number commonly required in election years not immediately following the federal census in Illinois.

18. No independent candidate for the United States House of Representatives has ever met a petition requirement exceeding 12,919 signatures in the United States.

19. Illinois's requirement that independent candidates in the Tenth Congressional District collect 10,285 signatures in order to qualify for the 2008 congressional ballot is not necessary to further any legitimate state interest.

20. Illinois's requirement that independent candidates in the Tenth Congressional District collect 10,285 signatures in order to qualify for the 2008 congressional ballot places a severe burden on the First Amendment rights of independent candidates, including Plaintiff, and their supporters.

21. Illinois's requirement that independent congressional candidates need only collect 5,000 signatures in election years immediately following the federal census proves that requiring twice as many signatures from Plaintiff is unnecessary, discriminatory and unconstitutional.

### **CAUSES OF ACTION AND DEMAND FOR RELIEF**

#### **FIRST CAUSE OF ACTION**

22. Plaintiff hereby incorporates all of the claims, allegations and assertions set forth in paragraphs 1-21 as if fully rewritten herein.

23. 10 Ill. Comp. Stat. § 5/10-3 is unconstitutional under the First and Fourteenth Amendments as applied to Plaintiff's independent candidacy in Illinois's Tenth Congressional District.

24. 10 Ill. Comp. Stat. § 5/10-3's application to Plaintiff violates the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1983.

### **SECOND CAUSE OF ACTION**

25. Plaintiff hereby incorporates all of the claims, allegations and assertions set forth in paragraphs 1-21 as if fully rewritten herein.

26. 10 Ill. Comp. Stat. § 5/10-3's requirement that independent candidates for congressional office collect signatures equal in number to 5% of the total number of persons who cast votes in the last general election in the district is facially unconstitutional under the First and Fourteenth Amendments.

27. Enforcement of 10 Ill. Comp. Stat. § 5/10-3 by Defendants violates the First and Fourteenth Amendments to the United States Constitution and 42 U.S.C. § 1983.

### **THIRD CAUSE OF ACTION**

28. Plaintiff hereby incorporate all of the claims, allegations and assertions set forth in paragraphs 1-21 as if fully rewritten herein.

29. Plaintiff has demonstrated by collecting over 7,200 signatures that he has a sufficient support in Illinois's Tenth Congressional District to justify his being on the ballot.

30. Defendants' excluding Plaintiff from the Illinois ballot notwithstanding the absence of a constitutionally acceptable signature requirement and notwithstanding Plaintiff's sufficient community support violates the First and Fourteenth Amendments and 42 U.S.C. § 1983.

**DEMAND FOR RELIEF**

31. Defendants' unconstitutional enforcement of 10 Ill. Comp. Stat. § 5/10-3 under color of law and in their official capacities renders them liable at equity for prospective declaratory and injunctive relief under 42 U.S.C. § 1983 and 28 U.S.C. § 2201.

WHEREFORE, Plaintiff demands that judgment be entered against Defendants and that:

32. 10 Ill. Comp. Stat. § 5/10-3 be declared facially unconstitutional and/or unconstitutional as applied to Plaintiff under 28 U.S.C. § 2201;

33. Defendants be preliminarily enjoined from enforcing 10 Ill. Comp. Stat. § 5/10-3;

34. Defendants be permanently enjoined from enforcing 10 Ill. Comp. Stat. § 5/10-3;

35. Defendants be ordered to place Plaintiff's name on Illinois's official ballot for Illinois's Tenth Congressional District for the 2008 general election;

36. Defendants be ordered to pay to Plaintiff costs and a reasonable attorney's fees under 42 U.S.C. § 1988(b); and

37. Defendants be directed to provide to Plaintiff any additional relief the Court deems just.

Respectfully submitted,



Mark R. Brown  
Ohio # 0081941  
303 E. Broad Street  
Columbus, OH 43215  
(614) 236-6590  
(614) 236-6956 (FAX)  
[mbrown@law.capital.edu](mailto:mbrown@law.capital.edu)

*Exhibit 1*

OFFICE: U.S. REPRESENTATIVE IN CONGRESS

MINIMUM AGE: 25 years

RESIDENCY: United States citizen for seven years. Inhabitant of Illinois at the time of the election and a registered voter.  
(U.S. Constitution, Article I, Section 2)

SIGNATURE REQUIREMENTS: ESTABLISHED PARTY CANDIDATES  
Not less than .5% (.005) of the qualified primary electors of his party in the congressional district. The actual number of signatures required is compiled by the State Board of Elections. [10 ILCS 5/7-10(b)] (See Signature Requirements Section.)

INDEPENDENT CANDIDATES  
Not less than 5% nor more than 8% (or 50 more than the minimum) of the total number of persons who voted at the last regular General Election within the congressional district. The actual number of signatures required is compiled by the State Board of Elections. [10 ILCS 5/10-3] (See Signature Requirements Section.)

NEW PARTY CANDIDATES  
Not less than 5% of the total number of persons who voted at the last regular General Election within the congressional district. There is **no maximum** signature requirement. The actual number of signatures required is compiled by the State Board of Elections. [10 ILCS 5/10-2] (See Signature Requirements Section.)

PETITIONS: ESTABLISHED PARTY: SBE No. P-11

INDEPENDENT: SBE No. P-3

NEW PARTY: SBE No. P-8

STATEMENT OF CANDIDACY: ESTABLISHED PARTY: SBE No. P-1

INDEPENDENT: SBE No. P-1B

NEW PARTY: SBE No. P-1D

STATEMENT OF ECONOMIC INTERESTS: Not required for federal office.

LOYALTY OATH: (Optional) Filed with nomination papers. SBE No. P-1C

**FILING DATES:** ESTABLISHED PARTY: Not more than 99 nor less than 92 days prior to the General Primary, October 29 – November 5, 2007.

INDEPENDENT: Not more than 141 nor less than 134 days prior to the General Election, June 16-23, 2008.

NEW PARTY: Not more than 141 nor less than 134 days prior to the General Election, June 16-23, 2008.

**WHERE TO FILE:** State Board of Elections, 1020 South Spring Street, P.O. Box 4187, Springfield, Illinois 62708. (Use P.O. Box for mailing)

**CAMPAIGN FINANCIAL DISCLOSURE:** Filed with the Federal Election Commission, 999 “E” Street N.W., Washington, DC 20463 (Telephone: 800/424-9530).

**NOTE: These filing requirements are subject to change by the FEC. We advise that you contact the FEC for the latest information on filing requirements.**

**TERM BEGINS:** Noon, January 3, 2009 (U.S. Constitution, Amendment XX, Section 2)

**TERM OF OFFICE:** 2 years

FILING INFORMATION DOCUMENTPETITION FILING DATA CARDP-28 NOTICE OF NAME CHANGECODE OF FAIR CAMPAIGN PRACTICES ACTP-2A CERTIFICATE OF DELETIONS (Established Party and Independent candidates)P-2B CERTIFICATE OF ATTACHED LIST OF DELETIONS (Independent candidates)P-8C CERTIFICATE OF OFFICERS (NEW PARTY VACANCY IN NOMINATION)**U. S. CONGRESS**

District	Democratic .5%	Republican .5%	Green .5%	Independent 5% - 8%	New Party 5%
<b>1</b>	1,233	238	600	9,089 - 14,541	9,089
<b>2</b>	1,203	220	600	8,880 - 14,207	8,880
<b>3</b>	891	502	600	8,691 - 13,904	8,691
<b>4</b>	553	139	600	4,293 - 6,868	4,293
<b>5</b>	951	397	600	7,713 - 12,340	7,713
<b>6</b>	827	696	600	9,016 - 14,424	9,016

**U. S. CONGRESS**

District	Democratic .5%	Republican .5%	Green .5%	Independent 5% - 8%	New Party 5%
<b>7</b>	1,202	226	600	8,588 - 13,739	8,588
<b>** 8</b>	869	767	600	9,296 - 14,872	9,296
<b>9</b>	1,005	406	600	8,644 - 13,829	8,644
<b>10</b>	1,001	673	600	10,285 - 16,455	10,285
<b>11</b>	969	814	600	10,132 - 16,210	10,132
<b>12</b>	939	699	600	9,739 - 15,581	9,739
<b>13</b>	1,033	886	600	10,480 - 16,768	10,480
<b>14</b>	863	793	600	9,995 - 15,991	9,995
<b>15</b>	842	888	600	10,364 - 16,582	10,364
<b>16</b>	910	842	600	10,217 - 16,346	10,217
<b>17</b>	943	697	600	10,344 - 16,549	10,344
<b>18</b>	928	906	600	11,422 - 18,274	11,422
<b>19</b>	833	951	600	12,205 - 19,526	12,205

\*\* District 8 - Moderate Party - 600 Signatures

*Exhibit 2*

**BEFORE THE STATE BOARD OF ELECTIONS SITTING AS THE STATE  
OFFICERS ELECTORAL BOARD  
FOR THE HEARING AND PASSING UPON OF OBJECTIONS  
TO NOMINATION PAPERS  
OF CANDIDATES FOR THE NOVEMBER 4, 2008  
GENERAL ELECTION**

IN THE MATTER OF OBJECTIONS BY	)	
	)	
Patrick LeBeau,	)	
	)	
v.	)	<b>No. 08 SOEB GE 508</b>
	)	
Allan Stevo,	)	
	)	
Candidate	)	

**DECISION**

The State Board of Elections, sitting as the duly constituted electoral board pursuant to Sections 10-9 and 10-10 of the Election Code (10 ILCS 5/10-9 and 5/10-10), and having convened on July 21, 2008 at 1020 S. Spring St., Springfield Illinois, and having heard and considered the objections filed in the above-titled matter, hereby determines and finds that:

1. The State Board of Elections has been duly and legally constituted as the State Officers Electoral Board for the purpose of hearing and passing upon the objections filed in this matter and as such, has jurisdiction in this matter;
2. On June 30, 2008, Patrick LeBeau filed an objection to the nominating petition of Allan Stevo for United States Representative for the 10<sup>th</sup> Congressional District as an Independent candidate.
3. A call for the hearing on said objection was duly issued and was served upon the Members of the Board, the objector and the candidate by registered mail as provided by statute.
4. On the basis of the findings of the Board's appointed hearing examiner and the General Counsel, the Board finds that the candidate's nominating petition did not contain the required number of signatures necessary to place him on the ballot. The candidate was required to file a petition which contained no fewer than 10,285 signatures. His petition contained only 6,978 signatures.

5. The Board makes no ruling on the constitutional issues raised by the candidate. Lacking the authority to do so.

IT IS HEREBY ORDERED that the objection of Patrick LeBeau to the nomination papers of Allan Stevo, Independent Candidate for the office of United States Representative in the 10<sup>th</sup> Congressional District, is SUSTAINED.

A handwritten signature in black ink, appearing to read "Albert S. Porter".

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Albert S. Porter, Chairman

Tuesday, 29 July, 2008 12:46:52 PM  
Clerk, U.S. District Court, ILCD

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

Allan Stevo

## DEFENDANTS

John R. Keith, William M. McGuffage, Robert J. Walters,  
Patrick Brady, Wanda Rednour, Jessie Smart, Albert Porter, +

(b) County of Residence of First Listed Plaintiff Cook County County of Residence of First Listed Defendant Central District of Illinois  
(EXCEPT IN U.S. PLAINTIFF CASES) (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Mark R. Brown, 303 E. Broad Street, Columbus, OH 43215  
(614) 236-6590

Attorneys (If Known)

Terrence J. Corrigan, Illinois Attorney General's Office, 500 S.  
Second Street, Springfield, IL 62706 +

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 2 U.S. Government Defendant  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | PTF                        | DEF                        |   | PTF                        | DEF                        |
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input checked="" type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

## V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district (specify)  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 USC 1983

Brief description of cause:

constitutional challenge to Illinois's ballot access restrictions

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

0.00

CHECK YES only if demanded in complaint:

JURY DEMAND:

☐ Yes ☒ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

07/25/2008

SIGNATURE OF ATTORNEY OF RECORD



FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_