

At a Term of the Appellate Division of the Supreme Court of the State of New York, held in and for the Third Judicial Department, at the Justice Building, in the City of Albany, New York, commencing on the 18th day of March, 1991.

PRESENT:

HON. A. FRANKLIN MAHONEY,
Presiding Justice,

HON. ANN T. MIKOLL,
HON. HOWARD A. LEVINE
HON. D. BRUCE CREW III,
HON. NORMAN L. HARVEY,
Associate Justices.

-----x
In the Matter of the Application of MARIO M. CAS-
TRACAN AND VINCENT F. BONELLI, Acting *Pro*
Bono Publico,

Petitioners-Appellants,

- against -

ANTHONY J. COLAVITA, ESQ., Chairman, WEST-
CHESTER REPUBLICAN COUNTY COMMIT-
TEE, GUY T. PARISI, ESQ., DENNIS MEHIEL,
ESQ., Chairman, WESTCHESTER DEMO-
CRATIC COUNTY COMMITTEE, RICHARD L.
WEINGARTEN, ESQ., LOUIS A. BREVETTI,
ESQ., Hon. FRANCIS A. NICOLAI, HOWARD
MILLER, ESQ., ALBERT J. EMANUELLI, ESQ.,
R. WELLS STOUT, HELENA DONAHUE, EVE-
LYN AQUILLA, Commissioners constituting the
NEW YORK STATE BOARD OF ELECTIONS,
ANTONIA R. D'APICE, MARION B. OLDI, Com-
missioners constituting the WESTCHESTER
COUNTY BOARD OF ELECTIONS,

Respondents-Respondents,

COUNTY CLERK'S
INDEX No. 6056/90
(Albany County)

Supreme Court Report

MARIO M. CASTRACAN and VINCENT F. BONELLI, appellants, having appealed from an order of the Supreme Court of Albany County, entered on the 17th day of October, 1990, in the office of the clerk of Albany County, and said appeal having been presented during the above-stated term of this court, and having been argued by Doris L. Sassower, P.C., of counsel for appellants, and by Sanford S. Dranoff, Esq., of counsel, for respondent Howard Miller, and by David Geis, Hall, Dickler, Lawler, Kent & Friedman/Esq., of counsel for respondent Albert J. Emanuelli, and by Guy T. Parisi, Esq., of counsel for respondent Colavita, and by Hashmall, Sheer, Bank & Geist, Esqs.,/of counsel for respondents Alan D. Scheinkman, Esq., Dennis Mehiel and Richard L. Weingarten, and by Thomas J. Abinanti, Esq., of counsel for respondent Francis A. Nicolai, and by Scolari, Brevetti, Goldsmith & Weiss, P.C., of counsel for respondent Louis A. Brevetti, and; after due deliberation, the court having rendered a decision on the 2nd day of May, 1991, it is hereby

ORDERED that the order so appealed from be and is hereby affirmed, without costs.

/s/ Michael J. Novack
Clerk

DATED AND ENTERED: MAY 15 1991

A TRUE COPY
Michael J. Novack