

Meritless Challenge to Exclusion from an Election for County Judge

Ferone v. Board of Elections

(Andrew L. Carter, Jr., S.D.N.Y. 1:12-cv-6342)

An attorney contesting his exclusion from the ballot for Bronx County surrogate judge because of a defective ballot petition cover sheet filed a federal complaint in the Southern District of New York on August 20, 2012, on behalf of 21 supporters.¹

Judge Andrew L. Carter, Jr., heard the case on August 24,² at the end of which he denied the plaintiffs immediate relief.³ Judge Carter issued a voluntary dismissal of the case on September 12.⁴

1. [Proposed Order to Show Cause](#), *Ferone v. Bd. of Elections*, No. 1:12-cv-6342 (S.D.N.Y. Aug. 20, 2012), D.E. 3; *see Defendants' Brief* at 1–2, *id.* (Aug. 23, 2012), D.E. 5; *see also* Joe Stepansky & Jacob Hodes, *New Surrogate Joined Old Game*, Riverdale Press, Feb. 27, 2013.

2. [Docket Sheet](#), *id.* (Aug. 20, 2012).

3. [Transcript](#) at 66, *id.* (Aug. 24, 2012, filed Jan. 28, 2013), D.E. 7.

4. [Order](#), *id.* (Sept. 12, 2012), D.E. 6; *see* Stepansky & Hodes, *supra* note 1.