

An Accusation of Widespread Fraudulent Registrations

Golisano v. Pataki (John Gleeson, E.D.N.Y. 1:02-cv-4784)

The district judge denied enhanced identification requirements at a minor party's primary election for governor on allegations of widespread recent fraudulent registrations.

Subject: Voter identification. *Topics:* Registration challenges; voter identification; primary election; matters for state courts.

Twelve days before the September 10, 2002, Independence Party gubernatorial primary election in New York, a candidate for governor, a candidate for lieutenant governor, and three voters filed a federal complaint in the Eastern District of New York complaining that the incumbent governor was leading a scheme to create large numbers of fraudulent Independence Party registrations in an effort to win the party's nomination.¹

On the day after the complaint was filed, Judge John Gleeson signed an order that defendants show cause on September 5 why newly registered Independence Party voters should not show proof of identification.² At the hearing, Judge Gleeson denied the plaintiffs immediate relief.³ Following the lead plaintiff's victory in the primary election, Judge Gleeson granted the plaintiffs a voluntary dismissal.⁴

1. Complaint, *Golisano v. Pataki*, No. 1:02-cv-4784 (E.D.N.Y. Aug. 29, 2002), D.E. 1.

2. Order, *id.* (Sept. 4, 2002), D.E. 3.

Judge Gleeson resigned on March 9, 2016. Federal Judicial Center Biographical Directory of Article III Federal Judges, www.fjc.gov/history/home.nsf/page/judges.html.

3. Order, *Golisano*, No. 1:02-cv-4784 (E.D.N.Y. Sept. 5, 2002, filed Sept. 10, 2002), D.E. 26; see Tom Precious, *Candidates Clash Over Calls About Sabres*, Buffalo News, Sept. 6, 2002, at C1 (reporting that a state-court action also was unsuccessful).

4. Order, *Golisano*, No. 1:02-cv-4784 (E.D.N.Y. Sept. 30, 2002), D.E. 74.