

Sloan vs New York State Board of Elections, Albany Supreme Court No. 4003-14: Decisions, Briefs and Record

Neil V. Grimaldi, Andrew G. Ceresia

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STATE OF NEW YORK
SUPREME COURT

APPELLATE DIVISION
THIRD DEPARTMENT

In the Matter of the Application of SAM SLOAN, as
Candidate for Governor of the State of New York,
NENAD BACH as Candidate for Lieutenant Governor of
the State of New York and GEETA RANKOTH as
Candidate for Comptroller of the State of New York

Petitioners-Appellants,

v

DOUGLAS A. KELLNER, ANDREW SPANO,
JAMES A. WALSH and GREGORY P. PETERSON
Commissioners and Constituting the NEW YORK
STATE BOARD OF ELECTIONS, ERIC T. SCHNEIDERMAN
as Attorney General of the State of New York


Respondents-Respondents


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Albany Supreme Court No. 4003-14,
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Neil Grimaldi, Esq.
Attorney for Appellants
2860 Buhre Avenue
Bronx NY 10461
646-229-7974

Kathleen O'Keefe, Esq.
Attorney for Respondents
New York State Board of Elections
40 N. Pearl Street
Albany NY 12207-2108

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Petitioners appeal from an August 12, 2014 judgment of the Supreme Court Albany County by Acting Supreme Court

Judge Andrew G. Ceresia. By that judgment Petitioner-Appellants were removed from the ballot confirming the ruling by the New York Board of Elections. which found petitioners had insufficient signatures. Petitioners Designating Petitions were filed timely on July 8, 2014. The Board of Elections marked them valid. The case presented at the Supreme Court failed to enter any specifications of objections required by Election Law 16-102 against Sam Sloan or Nenad Bach. There were no specifications of objections entered by Respondent as to insufficient signatures of these candidates. There were only Specifications of Objections filed against Geeta Rankoth for her insufficient age to be Comptroller which the petitioners accept. However, the petitioners want to replace her through the Committee on Vacancies on the Designating Petitions. The Petitioners hold that since there were no Objections or Specifications filed against the other candidates they should be permitted to be on the ballot. There were no Objections or Specifications filed at the Board against Sam Sloan or Nenad Bach so petitioners argue that there was no basis to exclude them from the ballot. To do so without any notice or a hearing in regard to their petitions violates their Due Process rights under the Fourteenth Amendment. The petitioners hold that the petition signers had United States Constitutional Rights to have candidates of their choices. There is no basis in this court to invalidate their constitutional rights as federal case law.

About the Author Neil Grimaldi has been a lawyer since 1974. Mr. Grimaldi has been an Assistant District Attorney in Bronx County and a New York City Special Narcotics Prosecutor. He has taught Social Studies in New York City Junior High Schools and a remedial reading teacher in Roman Catholic grammar schools under Title I. Neil has practiced criminal law, civil rights law, personal injury law, matrimonial law, immigration law election law, and real estate law. Neil is also a nondenominational ordained reverend since 1999, and has written a monumental book on wisdom and religions called The Book Of Life And Love. He has studied every major religion for many years and has participated in their services. Neil has been a candidate for U.S. Congress based on a platform of peace and establishing a U.S. Department of Peace (an idea which originated with President George Washington). He has also been a candidate for Bronx District Attorney for which he received over 13,000 petition signatures, and New York City Civil Court.