

Bond Case Briefs

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ELECTIONS - NEW YORK

Hall v. Dussault

Supreme Court, Appellate Division, Third Department, New York - August 15, 2013 - N.Y.S.2d - 2013 N.Y. Slip Op. 05651

Appeal was taken from order of the Supreme Court granting applications to invalidate designating petitions for two candidates for town office in upcoming primary election.

The Supreme Court, Appellate Division, held that:

- Failure of subscribing witnesses to inform signers that, by signing the petition, they affirmed the truth of the matter to which they subscribed rendered the signatures invalid;
- Subscribing witness' mistaken execution of the statement intended for a notary public or commissioner of deeds rather than that meant for party members on nominating petition rendered signatures on the petition invalid, but
- Such mistakes were technical irregularities that did not preclude giving voters an opportunity to ballot.