

# **Bond Case Briefs**

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## **ELECTIONS - NEW YORK**

### **Hoerger v. Spota**

**Supreme Court, Appellate Division, Second Department, New York - August 16, 2013 - N.Y.S.2d - 2013 N.Y. Slip Op. 05661**

Plaintiffs brought action seeking to invalidate petitions designating incumbent as candidate for district attorney for county, based on county term limit law.

The Supreme Court, Appellate Division, held that:

- County lacked authority to restrict the number of consecutive years that a person could serve as district attorney for the county, and
- County government's ability to place term limits on office of district attorney for county is preempted by state law.