

**SUPREME COURT OF THE STATE OF NEW YORK**  
***Appellate Division, Fourth Judicial Department***

**964.2**

**CAE 18-01577**

PRESENT: WHALEN, P.J., SMITH, DEJOSEPH, TROUTMAN, AND WINSLOW, JJ.

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IN THE MATTER OF DONALD S. BUTTENSCHON AND  
MARIANNE BUTTENSCHON, PETITIONERS-RESPONDENTS,

V

MEMORANDUM AND ORDER

CHRISTOPHER J. SALATINO, RESPONDENT-APPELLANT,  
ET AL., RESPONDENTS.  
(APPEAL NO. 2.)

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DONALD R. GERACE, UTICA, FOR RESPONDENT-APPELLANT.

BOUVIER LAW LLP, BUFFALO (JEFFREY T. BOCHIECHIO OF COUNSEL), FOR  
PETITIONERS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Herkimer County  
(Charles C. Merrell, J.), dated August 17, 2018 in a proceeding  
pursuant to Election Law article 16. The order, inter alia,  
invalidated the Democratic Party designating petition of respondent  
Christopher J. Salatino.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs.

Same memorandum as in *Matter of Buttenschon v Salatino* ([appeal  
No. 1] - AD3d - [Sept. 7, 2018] [4th Dept 2018]).

Entered: September 7, 2018

Mark W. Bennett  
Clerk of the Court