

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

935

CAE 17-01477

PRESENT: CENTRA, J.P., NEMOYER, TROUTMAN, AND WINSLOW, JJ.

IN THE MATTER OF TODD J. CASELLA,
PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

YATES COUNTY BOARD OF ELECTIONS, ROBERT F.
BRECHKO AND AMY J. DAINES, COMMISSIONERS
CONSTITUTING THE BOARD OF ELECTIONS,
RESPONDENTS-RESPONDENTS,
AND PENELOPE J. MARCHIONDA, RESPONDENT-APPELLANT.
(APPEAL NO. 2.)

SINNREICH, KOSAKOFF & MESSINA LLP, CENTRAL ISLIP (JOHN CIAMPOLI OF
COUNSEL), FOR RESPONDENT-APPELLANT.

BOUVIER LAW LLP, BUFFALO (JEFFREY T. BOCHIECHIO OF COUNSEL), FOR
PETITIONER-RESPONDENT.

Appeal from an order of the Supreme Court, Steuben County (John J. Ark, J.), entered August 17, 2017 in a proceeding pursuant to Election Law article 16. The order granted the petition, validated the designating petitions of petitioner and ordered respondent Yates County Board of Elections to place petitioner's name on the ballot as a candidate for the office of District Attorney of Yates County for the Independence Party and Reform Party primaries on September 12, 2017.

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

Same memorandum as in *Matter of Marchionda v Casella* ([appeal No. 1] ___ AD3d ___ [Aug. 23, 2017]).

Entered: August 23, 2017

Frances E. Cafarell
Clerk of the Court