

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

740

CAE 19-01005

PRESENT: CENTRA, J.P., CARNI, DEJOSEPH, NEMOYER, AND WINSLOW, JJ.

IN THE MATTER OF MELANIE A. MCMAHAN,
PETITIONER-APPELLANT,

V

ORDER

ERIE COUNTY BOARD OF ELECTIONS,
RESPONDENT-RESPONDENT,
ET AL., RESPONDENT.

HOUSH LAW OFFICES, PLLC, BUFFALO (FRANK T. HOUSH OF COUNSEL), FOR
PETITIONER-APPELLANT.

MICHAEL A. SIRAGUSA, COUNTY ATTORNEY, BUFFALO (JEREMY C. TOTTH OF
COUNSEL), FOR RESPONDENT-RESPONDENT.

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered May 2, 2019 in a proceeding pursuant to Election Law article 16. The order upheld the determination of respondent Erie County Board of Elections and adjudged that petitioner candidate Melanie A. McMahan will not appear on the primary election ballot for the Democratic Party as a candidate for the City of Buffalo Common Council.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs for reasons stated in *Matter of Craig v Borrero* (- AD3d - [May 30, 2019] [4th Dept 2019]).

Entered: May 30, 2019

Mark W. Bennett
Clerk of the Court