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State appeals court sets back attempt to remove judges

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ALBANY — The attempt to remove three local judges from the bench was dealt a serious blow yesterday by a state appeals court, which dismissed the case on procedural grounds.

The unanimous decision upheld the cross-endorsement of judicial candidates by Republicans and Dem-

ocrats in the Ninth Judicial District, which includes Westchester, Putnam, Rockland, Orange and Dutchess counties.

Judicial nominees under review were Westchester Surrogate Albert Emanuelli and Supreme Court Justices Francis Nicolai and Howard Miller. Also named in the suit, filed in the Appellate Division in Albany, were Westchester party leaders and elections officials in Westchester and

Albany.

Doris Sassower, counsel to the Ninth Judicial Committee, which challenged the endorsement process, said the group may take the case to the Court of Appeals. She maintained that voters were denied their rightful choice when judicial nominees were selected and cross-endorsed by party leaders.

Guy Parisi, counsel to the West-

chester Republican Committee, praised the decision. He was among those named in the suit.

While the lower court dismissed the case on its merits, the appeals court concentrated on procedural matters. It found that the challengers should have named election officials in each of the district's five counties as well as the two judicial candidates nominated at the same convention who were not cross-endorsed.