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NINTH JUDICIAL COMMITTEE

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FAX COVER SHEET

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FROM: Doris Sassower

MESSAGE: As discussed this morning
Please get this into
this weekend's edition
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Thanks!
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ELI VIGLIANO
CHAIRMAN, NINTH JUDICIAL COMMITTEE

Letters to the Editor
New York Times
Westchester Edition

Your October 17, 1990 story "Agreement on Judicial Candidates" was in error. No lawsuit was filed last year by the Ninth Judicial Committee. And, obviously, none was dismissed.

However, fraud and other Election Law violations in the Ninth Judicial District were the subject of complaint to Governor Cuomo last year. No investigation or corrective action was taken by the New York State Board of Elections to whom the Governor referred the matter.

This year, the complained-of violations at the Judicial Nominating Conventions of the Republican and Democratic parties were brazenly repeated. Such violations are detailed and documented in the case of Castracan v. Colavita, now pending in the Appellate Division, Third Department. An Order to Show Cause, returnable on Monday, October 29, 1990, will decide whether this Election Law case will be given the preference that the court's own rules provide so that it can be heard before the election.

This important case challenges the illegal contract entered into by the Republican and Democratic leaders of the Ninth Judicial District--whereby a Three Year Plan was adopted dividing up juddgeships and patronage appointments, in contravention of the Constitution, penal provisions of the Election Law, and Court Rules of Judicial Ethics.

This lawsuit has been brought in the public interest to enforce voting rights protected under the Constitution and the Election Laws of the State of New York. Approximately a million voters in the Ninth Judicial District, are directly affected by the final decision of this case. The profound and far-reaching ramifications of the case will transcend the upcoming election.

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ELI VIGLIANO

Chairman, NINTH JUDICIAL COMMITTEE

October 23, 1990