FEBRUARY 25, 2008

CASE

3 No. 106
In the Matter of Robert Fehrman et al.,
Petitioners,
v.
New York State Board of Elections et al.,
Respondents.

In the Matter of Darrel Aubertine,
Respondent,
v.
Oswego County Independence Party Interim County Organization et al.,
Respondents,

and
New York State Committee of the Independence Party of New York et al.,
Appellants.

Order, insofar as appealed from, reversed, without costs, proceeding to invalidate the nomination of Will Barclay dismissed and the injunction preventing the State Board and County Boards of Elections from placing Barclay's name on the ballot vacated, in a memorandum.
Chief Judge Kaye and Judges Ciparick, Graffeo, Read, Smith, Pigott and Jones concur.