

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

654

**CAE 16-01389**

PRESENT: CARNI, J.P., LINDLEY, NEMOYER, CURRAN, AND SCUDDER, JJ.

---

IN THE MATTER OF THE APPLICATION OF BRENT P.  
SHELDON, OBJECTOR, PETITIONER-RESPONDENT,

V

MEMORANDUM AND ORDER

SALLY A. JAROSZYNSKI, PURPORTED CANDIDATE FOR  
CHAUTAUQUA COUNTY FAMILY COURT JUDGE, RESPONDENT,  
NORMAN P. GREEN, COMMISSIONER, CHAUTAUQUA COUNTY  
BOARD OF ELECTIONS, RESPONDENT-APPELLANT,  
AND BRIAN C. ABRAM, COMMISSIONER, CHAUTAUQUA COUNTY  
BOARD OF ELECTIONS, RESPONDENT-RESPONDENT.

---

MICHAEL ROBERT CERRIE, DUNKIRK, FOR RESPONDENT-APPELLANT.

SEAN W. CONNOLLY, FREDONIA, FOR PETITIONER-RESPONDENT.

ERICKSON WEBB SCOLTON & HAJDU, LAKEWOOD (PAUL V. WEBB, JR., OF  
COUNSEL), FOR RESPONDENT-RESPONDENT.

SALLY A. JAROSZYNSKI, FALCONER, RESPONDENT PRO SE.

---

Appeal from an order of the Supreme Court, Chautauqua County  
(Paul B. Wojtaszek, J.), entered August 12, 2016 in a proceeding  
pursuant to the Election Law. The order, insofar as appealed from,  
invalidated signatures on the designating petition of respondent Sally  
A. Jaroszynski.

It is hereby ORDERED that said appeal is unanimously dismissed  
without costs.

Memorandum: Respondent Norman P. Green, Commissioner of the  
Chautauqua County Board of Elections, appeals from an order that,  
inter alia, invalidated the designating petition of respondent Sally  
A. Jaroszynski by which Jaroszynski sought to be designated as a  
Conservative Party candidate for the office of Chautauqua County  
Family Court Judge in the September 13, 2016 primary election. We  
agree with petitioner that Green is not aggrieved by the order, and we  
therefore conclude that this appeal must be dismissed (*see Matter of  
Terranova v Fudoli*, 66 AD3d 1530, 1531; *Matter of Carney v Davignon*,  
289 AD2d 1096, 1097; *Matter of Mantello v Board of Elections of  
Rensselaer County*, 265 AD2d 592, 593; *Matter of Brown v Starkweather*,  
197 AD2d 840, 841, *lv denied* 82 NY2d 653). We further note that  
Jaroszynski did not take an appeal from the order (*see CPLR 5515 [1]*).  
Therefore, any contentions raised by her are beyond our review (*see*

*Hecht v City of New York*, 60 NY2d 57, 61; see also *Matter of Carroll v Chugg*, 141 AD3d 1106; see generally *Matter of Espinoza v Berbery*, 288 AD2d 934, 934).

Entered: August 17, 2016

Frances E. Cafarell  
Clerk of the Court