

Kings County
RULES FOR SPECIAL ELECTION PART

Orders to Show Cause in Election Law proceedings to validate or invalidate Designating Petitions for the June 25th 2024 Primary Election, required to be commenced on or before Thursday, April 18th, 2024, shall be returnable before Justice Peter P. Sweeney on Monday, April 22nd, 2024, at 10:00 A.M., in room 761 of the Courthouse located at 360 Adams Street, Brooklyn N.Y.

All pleadings, specifications of objections, offers of proof, answers, and motions to dismiss shall be filed no later than the time of the calendar call on the initial return date. Failure to file same shall be deemed a waiver and further proof shall be precluded. Proofs of service shall also be filed no later than the time of the calendar call on the first return date. Specifications of objections to Designating Petitions previously filed and served, in accordance with the Rules of the Board of Elections in the City of New York (the Board), need not be filed with the court.

In all proceedings to validate Designating Petitions commenced within 14 days of the last day to file the petition, Petitioners must, within 3 business days after the Board's final determination of invalidity, file with the court a Bill of Particulars which specifically identifies those signatures that are alleged to have been improperly invalidated by the Board. Petitioners will be deemed to have waived objections to the Board's rulings which are not timely identified in said Bill of Particulars. The Court reserves the right to commence line-by-line reviews of the specifications of objections filed against petitions prior to the filing of this Bill of Particulars.

In all proceedings to validate Designating Petitions commenced within 3 business days of a determination of invalidity by the Board, the Verified Petition and/or accompanying papers must be sufficiently particularized to give notice of which Board determinations are claimed to be erroneous and/or which signatures are claimed to have been improperly invalidated (*see Matter of Lacorte v Cytryn* (21 NY3d 1022 [2013])).

In any proceeding by an aggrieved candidate or party chairperson to invalidate a Designating Petition where specifications of objections have not been filed with the Board, a Bill of Particulars as to specifications of objections shall be filed with the Court no later than the time of the calendar call on the initial return date. Failure to file such specifications of objections shall be deemed a waiver and further proof shall be precluded.

In matters alleging a question of residency of a candidate, a complete written offer of proof shall be filed with the Court no later than the time of the calendar call on the first return date. Failure to serve and file same shall be deemed a waiver and further proof shall be precluded.

In matters alleging questions of fraud, a complete written offer of proof including a statement as to the number of witnesses expected to be called, the identification of each such witness (by name, address, volume, page and line) and the status of each such witness (i.e.,

candidate, signatory, subscribing witness, notary public, etc. . . .), shall be filed with the Court no later than the time the calendar call on the first return date. Failure to serve and file such offer of proof shall be deemed a waiver and further proof shall be precluded.