

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

RALPH M. MOHR

5622 Broadway Street
Lancaster, New York 14086

Plaintiff

against

Civil Action

File No.: 11-CV-559-S

ERIE COUNTY LEGISLATURE, Barbara
Miller-Williams, Chairperson; Robert M.
Graber, Clerk of the Legislature

**REPLY TO
BALLOT ACCESS ISSUES**

CHRISTOPHER C. COLLINS, as County
Executive of the County of Erie

and

COUNTY OF ERIE

Defendants

Plaintiff, Ralph M. Mohr, in response to the Ballot Access Issues submitted by Dennis E. Ward, respectfully submits as follows:

Suggested Use of Party Caucus

The use of party caucuses as a means to select the party's general election nominee for a public office, it is respectfully submitted, remains a viable alternative to the primary election. While the discussion of Dennis E. Ward implies the requirement that a party caucus would be conducted at a single venue within a legislative district, nothing prohibits the use of multiple venues for such purpose. Municipalities are divided into election districts which are defined by §4-100 of the election law of the state of New York as the basic political subdivision for purposes of registration and voting and county committees. Such election districts form the basic unit of representation of county party committees, and individually or on a consolidated basis, could form a practical basis by which party caucuses organized pursuant to party rules are held. [*see generally* Election Law §2-104 and §6-108].

Petition Calendar

Although, as of this date, the statutory deadline for the filing of designating petitions has expired by two weeks, the Erie County Board of Elections has not yet met to determine the validity of any designating petition filed with its office. Accordingly, it is respectfully submitted, an abbreviated court imposed petition

schedule would not seriously disrupt the normal process of said body certifying the primary election ballot, particularly if this Court were to retain jurisdiction over the board's determination in the historically few instances in which legislative petitions have been challenged.

Dated: Buffalo, New York
July 21, 2011

Respectfully submitted,

Ralph M. Mohr, *Plaintiff pro se*
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**Courtesy Copy of the foregoing provided
this 21st day of July, 2011 to:**

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