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# Ruling will be appealed

## East Palo Alto vote faces new challenge

Times Tribune staff

SAN FRANCISCO — A new legal challenge to the cityhood status of East Palo Alto has been set in motion by opponents of the newly incorporated area.

Local residents and absentee landlords claiming voter fraud in the June 7 election on incorporation have filed a notice of appeal in the state Court of Appeal in San Francisco.

Paul N. McCloskey, a lawyer and former congressman, is representing the opponents of cityhood. McCloskey has vowed to continue fighting East Palo Alto's incorporation, "even if it means going all the way to the state Supreme Court."

Tom Adams, who represents the East Palo Alto community, said that the appeal is an abuse of the judicial system.

He was quoted as saying that the entire case by opponents "has been nothing more than an ugly combination of bitterness and ill-concealed racism over the loss of an

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# APPEAL

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election. That will become apparent to the Court of Appeal." East Palo Alto officially became a city July 1 after 10 years of struggling to determine its own destiny. The city has about 18,000 people. The proposal to become a municipality narrowly

lost at the polls last year, but last June cityhood was endorsed by a margin of 13 votes. The original margin was 15 votes, but that number was later revised after several absentee ballots both for and against incorporation were declared invalid.

In September, visiting Superior Court Judge John Cruikshank upheld the election and the incorporation. Cruikshank said he was not convinced there had been fraud in the balloting. It is Cruikshank's ruling that McCloskey and opponents of cityhood status are now preparing to appeal.