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Brother Of Slain Councilman Will Run Unopposed In Primary

DIAL UP BROAD BAND

AUGUST 06TH, 2003

A judge has upheld the Board of Elections' disqualification of a candidate for the seat of slain Brooklyn City Councilman James Davis, leaving Davis' brother unopposed in the Democratic primary.

The board kicked Anthony Herbert off the ballot last week after determining that hundreds of signatures on his petition were invalid, leaving him short of the required number. Herbert challenged the decision in court, but a judge dismissed his lawsuit Wednesday, ruling Herbert failed to follow proper filing procedures.

Herbet's petition to get on the September primary ballot had been questioned by Councilman Davis before he was gunned in City Hall last month, by another man who had wanted to enter the race but couldn't obtain enough signatures.

In the event he lost his lawsuit, Herbet had said he would support the Working Families Party nominee, Letitia James, in the general election for the Council District 35 seat, but he backpedaled on that pledge Wednesday. James narrowly lost to Davis in 2001.

James will face Davis' brother, Geoffrey, the only Democrat now in the race, in November.

"He talks about a platform and says he is running on his brother's platform. Give us the opportunity to understand what that platform is," Herbert said of

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Geoffrey Davis. "We need to know that he knows what he is doing."

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