

## DUI charge could mean special N.Y. vote

by UPI

NEW YORK -- Probable jail time is seen for U.S. Rep. Vito Fossella, R-N.Y., without a deal on his driving under the influence arrest, lawyers in the case say. Without a deal, Fossella likely would draw five days in jail before the end of the year, lawyers say, and if he steps down upon conviction a special election to replace him would depend on when he does it, The Hill, a Washington publication, reported. Under New York state law, any resignation before July 1 gives Democratic Gov. David Paterson the option of calling a special election -- and Republicans have lost three special House elections since March. However, if Fossella resigned after July 1, the seat would remain empty for the remainder of the term. Fossella's Staten Island seat is regarded as a traditional GOP stronghold. Fossella has indicated that he intends to plead innocent to his May 1 DUI arrest, The Hill said. Trial is scheduled for June 27. The U.S. House of Representatives ethics committee formally voted Wednesday to establish an investigative subcommittee to investigate Fossella's DUI after the criminal charge is settled.

Copyright © 2008, by United Press International. All Rights Reserved.

*DUI charge could mean special N.Y. vote by UPI*