

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) [elena@judgewidth.org]
Sent: Friday, September 14, 2012 2:56 PM
To: 'jantonel@courts.state.ny.us'
Cc: 'Andrew Meier'; 'mnusenbaum@courts.state.ny.us'; 'jrossett@courts.state.ny.us'
Subject: Missing Records: NY Co. #401988/2012: Center for Judicial Accountability, Inc. v. Cuomo

DATE: September 14, 2012

TO: NY County Chief Clerk Joseph F. Antonelli

FROM: Elena Sassower

RE: Missing Records: NY Co. #401988/2012: Center for Judicial Accountability, Inc. v. Cuomo

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Following up our phone conversation earlier today in which you assured me that you would personally supervise the Clerk's Office's intake of the lawsuit *Center for Judicial Accountability, Inc. v. Cuomo, et al*, transferred from Bronx County (Index #302951/2012) on Monday, September 10th (NY log #0114) this is to reiterate my belief that the five boxes of materials, four decorated in red-white-and-blue, stars and stripes wrapping, and all five bearing motion labels from the New York Court of Appeals should not be taken apart, as they are ORIGINAL RECORDS, delivered by me to the Court of Appeals, in those very boxes, on May 1, 2002. The three large boxes contain a FULL COPY OF THE LOWER COURT RECORD in the separate case *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico v. Commission on Judicial Conduct of the State of New York*. The two smaller boxes contain additional documents submitted to the Court of Appeals in the *Commission* case in support of my May 1, 2002 motion to disqualify its judges.

I also believe that the motion papers before the Court of Appeals in the *Commission* case – contained in a redweld which I did not see and which may be among the missing documents – should also not be taken apart, as such redweld and motion papers are also ORIGINAL documents.

The aforesaid five boxes of the *Commission* case is the bulk of what was shipped to New York County by Bronx County. What was not shipped, apparently, is MOST of the record of *Center for Judicial Accountability, Inc. v. Cuomo* -- the case purported to be transferred and to which NY Co. index #401988/2012 was assigned. The following I also did not see – and may be missing:

- (1) the original Summons and Verified Complaint, dated March 30, 2012 – as opposed to the photocopy I saw;
- (2) ALL the exhibits to the Verified Complaint, *to wit*:
 - A. Exhibits A-Q, constituting a Compendium of Exhibits to the Verified Complaint
 - B. Chapter 567 of the Laws of 2010

9/14/2012

- C. the "Final Report of the Special Commission on Judicial Compensation", August 29, 2011
 - D. plaintiffs' October 27, 2011 "Opposition Report to the 'Final Report' of the Special Commission on Judicial Compensation", with its two-volume Compendium of Exhibits
 - E. the final two motions in *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico v. Commission on Judicial Conduct of the State of New York*, (a) October 15, 2002 motion for reargument, vacatur for fraud, lack of jurisdiction, disclosure & other relief; and (b) October 24, 2002 motion for leave to appeals -- with the Court of Appeals' December 17, 2002 decision/orders thereon;:
- (3) plaintiffs' March 30, 2012 order to show cause for a preliminary injunction with TRO;
 - (4) my April 16, 2012 affidavit in opposition to the Attorney General's April 13, 2012 cross-motion for transfer to NY County and in further support of plaintiffs' order to show cause;
 - (5) the two stenographic transcripts of the proceedings before Justice Mary Ann Brigante-Hughes on March 30, 2012 and April 16, 2012.

Please advise, at your earliest convenience, if you see any of the aforesaid documents that I believe to be missing, so that I can communicate same to the Bronx County Clerk's Office so that it does not waste time searching for them. Bronx Co. Transfer Clerk Victor Martinez has been endeavoring to hunt them down (718-618-3323) and has enlisted Records Management Officer Mark Nusenbaum (718-618-3377).

Thank you.

Elena Sassower
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