

Has anyone seen this? >>>>>>

Corruption in the White Plains Courts-  
"Everybody Loves Raymond"

By Dan Murphy  
Martinelli Publications

Here is a chilling letter from one of our readers, which highlights her difficulties in the Westchester Court system.

"My ex-husband is Raymond Powers - the Law Secretary for Judge Nicholas Collabella, NYS Supreme Court. Thanks to Ray's political connections, I am the victim of the power abuse in our divorce courts.

"When Ray asked for divorce, he refused to leave our home. He spent the next eight months stealing my files and taking them into the courthouse. Ray rifled through my bags at night, and when I finally caught him in the act, Ray threw me into a wall.

"Judge Edlitz removed Ray from the house - I got an order of protection after going through the process legitimately for two days. Ray countered by walking into Frank Nicolai's office and immediately getting a counter order from Frank with no hearing, no evidence, no court reporter present, etc.

"Ray threatened to take me to trial with this order and put our kids on the stand if I didn't withdraw mine. I had no choice - no judge was going to go against an order from the administrative judge.

Also, Frank never entered his order into the county clerks system. I complained to Lenny Spano about Frank's cover-up; Len ignored me, too.

"Ray demanded a forensic psychologist be appointed in our case. Our judge, Will Sherwood, told us two months before he actually made the appointment that if he was to appoint forensics, he would appoint Dr. Pepper (yep, correct name!). I thought it was odd that Sherwood told us who in advance.

"I didn't realize that he was giving Ray a heads up. Ray took this advance notice and pulled forensic cases from the courthouse to study this psychiatrist. Ray inadvertently faxed me a letter pertaining to a forensic evaluation he removed from the courthouse - the fax has his home fax number on top! This concerned a Dr. Popper assigned to a case for Judge Tolbert. (Ray probably misspelled the name in his Lexis search, but its close enough to be obvious as to exactly what he was doing here).

"Ray had no authority to have this report - he works in civil, not matrimonial, and this wasn't his case! I complained to Frank Nicolai that Ray, having these reports, gave him an advantage that any other litigant would not have. Second, I reminded Judge Nicolai that forensic information pertains to psychological analyses and are governed by HIPPA privacy laws. I even documented to Jonathan Lippman about the dangers of removing court documents and the exposure for disaster recovery of removed documents. Yet again, I was completely ignored.

"I worked part-time for over 13 years in order to take care of our children. When Ray filed for divorce, he changed his work schedule to leave every day at

2:30 p.m. - to set himself up as a model Mr. Mom to contest custody and reduce his child support payments (a tactic that was rewarded!). Ray's abbreviated workday is with the full consent of Nick and Frank even though Ray's \$120,000 annual salary has not been reduced in the slightest.

"For the last 4 years, Ray has used the courthouse as his private office. I have faxes, emails, and phone calls from him sent on court equipment on taxpayers time. He makes copies of deposed documents and printouts using taxpayers equipment.

"I complained to OCA, the NYS auditors, and the Inspector General about this unfair advantage and abuse - they ignored me. I calculated that this, and Ray's abbreviated hours, have cost the taxpayers over \$100,000! Judge Collabella even gave Ray his \$3,000 courthouse laptop to take home for his personal use.

"Judge Horowitz has stated that judges talk to each other about their cases. Unfortunately, I've heard those conversations, even in my own home while entertaining members of the Courts. I am well aware my divorce is subject to water-cooler gossip in the courthouse. So is Ray.

"Ray has spread rumors about me that I am crazy and he has to get custody of our children for their safety. He knows such statements will eventually find their way to the judge on our case and the courthouse employees.

"I tried filing again in Family Court this July and managed to get an initial hearing in August. Ray responded by filing three counter petitions in Family Court, three motions to dismiss in Family Court, four

motions in the Appellate Division, and one motion in Supreme Court. He spread his legal assault against me out among three different courts to hide the cumulative impact upon me.

"All of my responses were due at the same time - an impossible feat. And my latest request to Family Court for a follow-up hearing to present my case was just denied again. I called the court clerk to plead my case, she refused to allow me a hearing.

"Les Adler once laughed in my face and admitted to me that everybody loves Raymond. Not only can I not get a hearing in court, even if I could afford an attorney, I cannot hire them. The local lawyers all have cases before Ray and they know that Nicky doesn't write his own decisions, Ray does. As one lawyer admitted to me - to take my case would be political suicide. They won't risk their other clients for me.

"I asked to get my case transferred out of the district - Frank merely transferred it to Rockland, where the majority of the judges are from White Plains. Any transfer within the 9th district is worthless due to all the incestuous political connections. The Republican judge on our case, Will Sherwood, is up for reelection next year.

"When NYS set up the matrimonial commission last year to investigate problems in the system, I applied to speak to this commission. Judge Miller, Ray's coworker in White Plains, denied my request. This commission was smoke screen. It had no litigants assigned to it!

"I spoke to Judge Ratner about the problems my children had with their Law Guardian (Kim Rayner) who wasn't advocating for them. Judge Ratner agreed my

teens were old enough to speak for themselves and advised me to have them write to the judge directly. Kim said their letter must have been coerced and charged me, with Ray's help, with child abuse. Kim worked on Will Sherwood's campaign. When he appointed her, he never put an hourly rate in the order so she set her own at three times the going rate (I found an appellate case where Will and Kim did this before). I was warned not to go up against a Law Guardian, a warning which proved true. When I dared question her bills, she filed a motion charging me with child abuse.

"I cannot get my case to settle even though my ex is handling his own legal work and blatantly using the court system facilities as if they were his own. In 4 years I have incurred \$160,000 in legal fees and over \$100,000 in other debts and have lost my job twice. Yet I was not awarded sufficient legal costs to level the playing field.

"Ray has managed to get court orders contradicting our custody ruling - he once had it overturned five times in as many months. Ray even got a court order the day before Christmas break taking my kids away from me for the holidays - he used our son to serve this order and the courts ignored this illegal act.

"Even though I have lost my job, I have still not been awarded full child support. At one point I was only given 6% of Rays income even though the NYS formula calls for 25% for two children. But most amazing of all, in the middle of this divorce, Ray got the judge to force me to take out an equity line against our home for \$75,000 - I took my share and

paid some of what was owed the Law Guardian.

"Ray took his share and paid off his dating expenses on his credit cards. Sherwood then ruled that since I was living in the house, I should make the full payments on the equity line. I am now court order to pay the costs of Ray's adultery!

"In short, I am the victim of power abuse.

Unfortunately I'm not the only one. A local lawyer told me he recently had a battered client who opted to go back to her abuser rather than continue to face the courts. Our system is so bad that women would rather be beaten physically than be battered in court.

"I also have a list on my home computer of lawyers and Republican Party contributors appointed by Ray with the help of Nick, to help handle cases.

If you wish to speak to me about this, or want a copy of what I call the kickback list, you can reach me,"

Catherine Wilson.

The letter speaks for itself and is similar to many complaints we have been receiving over the past year about the handling of matrimonial cases here in Westchester. Perhaps it is time for any prominent female elected official to take a serious look at this problem.

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