

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Tuesday, January 16, 2024 4:35 PM

To: 'ad3motions@nycourts.gov'; 'ad3tsu@nycourts.gov'; 'AD3ClerksOffice'

Cc: 'dustin.brockner@ag.ny.gov'; 'jlang@ag.ny.gov'; 'Victor.Paladino@ag.ny.gov'; 'appeals.albany@ag.ny.gov'; 'Kiernan, Beezly'; 'jmcguire@hsgllp.com'; 'gdubinsky@hsgllp.com'; 'zkerner@hsgllp.com'; 'rglavin@glavinpllc.com'; 'richard.davis@rjdavislaw.com'

Subject: **Cuomo v. COELIG (CV-23-1778) -- Jan 12th notice of motion & moving affidavit for preference so that related appeals can be heard together & to prevent fraud**

Attachments: [preference-cuomo-notice-of-motion-1-12-24.pdf](#);
[preference-cuomo-affidavit-1-12-24.pdf](#)

TO: Appellate Division, Third Department – Motions Department/Clerk’s Office

At 2:45 pm today, upon discovering that the Clerk’s Office had NOT yet posted to [Cuomo v. COELIG \(CV-23-1778\)](#) my notice of motion, moving affidavit, & exhibits that I had digitally submitted 4 hour earlier, as reflected by the below e-mail, AND had “DELETED” that same notice of motion and moving affidavit from [CJA v. JCOPE, et al. \(CV-23-0115\)](#), where they were Exhibits 1 and 2 to my moving affidavit in support of my motion therein, I telephoned to find out the reason. Traci answered the call and told me that I would have to speak with Julianne, as she was handling my motions, but that Julianne had left for the day. She declined to give me Julianne’s last name or title, other than that Julianne heads the unit in which she works as principal appellate typist.

Traci said she would relay my message to Julianne – to which I replied that if I did not hear from her by 10:30 tomorrow morning – or from the Court’s Deputy Clerk or Clerk -- I would be calling.

As the actions of the Clerk’s Office plainly impede the *Cuomo v. COELIG* attorneys and *amici* and ASG Kiernan in *CJA v. JCOPE, et al.* from being able to prepare answering papers that are due by Friday, January 19th on the two motions, each returnable on Monday, January 22nd, above-attached are the “DELETED” documents, which, additionally, are accessible [here](#) and [here](#).

Thank you.

Elena Sassower,

Unrepresented individual petitioner-appellant in *CJA v. JCOPE, et al.*, “on behalf of the People of the State of New York & the Public Interest”.

914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Tuesday, January 16, 2024 10:51 AM

To: 'ad3motions@nycourts.gov' <ad3motions@nycourts.gov>; 'ad3tsu@nycourts.gov' <ad3tsu@nycourts.gov>; 'AD3ClerksOffice' <AD3ClerksOffice@nycourts.gov>

Cc: 'dustin.brockner@ag.ny.gov' <dustin.brockner@ag.ny.gov>; 'jlang@ag.ny.gov' <jlang@ag.ny.gov>; 'Victor.Paladino@ag.ny.gov' <Victor.Paladino@ag.ny.gov>; 'Kiernan, Beezly' <Beezly.Kiernan@ag.ny.gov>; 'jmcguire@hsgllp.com' <jmcguire@hsgllp.com>; 'gdubinsky@hsgllp.com' <gdubinsky@hsgllp.com>; 'zkerner@hsgllp.com' <zkerner@hsgllp.com>; 'rglavin@glavinpllc.com' <rglavin@glavinpllc.com>; 'richard.davis@rjdavislaw.com' <richard.davis@rjdavislaw.com>

Subject: Motion for Related Appeals to be Heard Together & to Prevent Fraud: CJA v. JCOPE, et al. (CV-23-0115) & Cuomo v. COELIG (CV-23-1778) -- or leave to file an amicus curiae submission

TO: Appellate Division, Third Department – Motions Department/Clerk’s Office

I left a voice mail about 15 minutes ago (518-471-4777) to advise that I uploaded, via “[Digital Submissions](#)”, my Jan 12th motion in [Cuomo v. COELIG \(CV-23-1778\)](#) for the granting of a preference to the appeal in [CJA v. JCOPE, et al. \(CV-23-0115\)](#), so that these two related appeals can be heard together & to prevent fraud. The uploaded documents consist of the notice of motion, my moving affidavit, and the four exhibits to the moving affidavit, which I had discussed a short time earlier with Julianne and her authorization to upload, so that the *Cuomo v. COELIG* parties and *amici* may be heard with respect to the requested relief.

Below is my notice to the attorneys, sent on January 13th. The documents I have today uploaded make only a handful of non-substantive typographic corrections, essentially typos and punctuation, to what I had furnished on January 13th.

Thank you.

Elena Sassower

Unrepresented individual petitioner-appellant in *CJA v. JCOPE, et al.*, “on behalf of the People of the State of New York & the Public Interest”.
914-421-1200

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Saturday, January 13, 2024 8:03 AM

To: 'AD3ClerksOffice' <AD3ClerksOffice@nycourts.gov>

Cc: 'dustin.brockner@ag.ny.gov' <dustin.brockner@ag.ny.gov>; 'jlang@ag.ny.gov' <jlang@ag.ny.gov>; 'Victor.Paladino@ag.ny.gov' <Victor.Paladino@ag.ny.gov>; 'Kiernan, Beezly' <Beezly.Kiernan@ag.ny.gov>; 'jmcguire@hsgllp.com' <jmcguire@hsgllp.com>; 'gdubinsky@hsgllp.com' <gdubinsky@hsgllp.com>; 'zkerner@hsgllp.com' <zkerner@hsgllp.com>; 'rglavin@glavinpllc.com' <rglavin@glavinpllc.com>; 'richard.davis@rjdavislaw.com' <richard.davis@rjdavislaw.com>

Subject: Motion for Related Appeals to be Heard Together & to Prevent Fraud: CJA v. JCOPE, et al. (CV-23-0115) & Cuomo v. COELIG (CV-23-1778) -- or leave to file an amicus curiae submission

TO: Appellate Division, Third Department Clerk's Office

**cc: AG James' Office (Asst. Solicitor General Dustin Brockner, Deputy Solicitor General Jeffrey Lang, also Sr. Asst. Solicitor General Victor Paladino & Asst. Solicitor General Beezly Kiernan)
Cuomo attorneys (James McGuire, Gregory Dubinsky, Zachary Kerner, Rita Glavin)
Amici attorney (Richard Davis)**

This follows my phone conversation with Julianne late yesterday afternoon (518-471-4777) regarding the two motions I would be making for a preference for the appeal in [CJA v. JCOPE, et al. \(CV-23-0115\)](#) so that it could be heard together with the appeal in [Cuomo v. COELIG \(CV-23-1778\)](#) by the same appellate panel. Despite my best efforts, I was unable to upload the motion for *Cuomo v. COELIG*, via "[Digital Submissions](#)", as Julianne explained was how I needed to do it. It took me a while to understand that, apparently, I needed to send an e-mail for a link, and to do so not from elena@judgewatch.org, but from a Microsoft email address – elena.sassower@outlook.com – which I did do. As it seems likely that the link or authorization will not be forthcoming until the Court next opens, on Tuesday, January 16th – too late to accommodate a motion returnable on Monday, January 22nd, with answering papers due on Friday, January 19th – I am sending the Court and the attorneys & amici in *Cuomo v. COELIG*, by the below links, the documents comprising the motion that I was unable to upload to *Cuomo v. COELIG*, all exhibits to my motion in *CJA v. JCOPE, et al.* that I successfully uploaded yesterday night at 11:40 pm (#26-#33).

[#28: January 12, 2024 Notice of Motion](#)

[#29: January 12, 2024 Moving Affidavit](#)

[#30: Exhibit A: CJA's July 8, 2022 complaint to JCOPE](#)

[#31: Exhibit B: CJA's October 6, 2022 supplement to complaint to JCOPE](#)

[#32: Exhibit C: CJA's March 29, 2023 testimony at COELIG hearing](#)

[#33: Exhibit D: CJA's October 2, 2023 complaint to JCOPE vs commissioners & staff.](#)

I anticipate making slight mostly non-substantive corrections on Tuesday, such as the addition of omitted "bookmarking" and links.

Thank you.

Elena Sassower,

Unrepresented individual petitioner-appellant in *CJA v. JCOPE, et al.*, "on behalf of the People of the State of New York & the Public Interest".

914-421-1200