

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

-----X
LIDIA M. ORREGO,

Plaintiff-Appellant,

v.

26-899 (L)

26-1576 (Con)

Moving Affirmation

KEVIN KNIPFING, EMPLOYER,
aka KEVIN JAMES, *et al.*

Defendants-Appellees.
-----X

LIDIA M. ORREGO affirms the following to be true under penalties of perjury,
pursuant to CPLR §2106:

1. I am the *pro se* plaintiff-appellant, fully familiar with all the facts, papers, and proceedings heretofore had, and submit this affirmation in support of this motion, pursuant to [FRAP 27\(b\)](#),¹ for reconsideration and vacatur of the unsigned [September 30, 2026 Notice of Defective Filing](#) (Exhibit A) by the Clerk’s Office because it is a flagrant fraud – and to compel compliance by the Clerk’s Office with [Local Rule 25.1\(i\) entitled “Hyperlinks”](#), **dispositive of my rights**. The facts are as follows:

2. By a [September 28, 2026 letter addressed to Clerk O’Hagan Wolfe](#), I stated:

¹ Entitled “Disposition of a Motion for a Procedural Order”, FRAP 27(b) reads, in pertinent part:

“The court may act on a motion for a procedural order..and may, by rule or by order in a particular case, authorize its clerk to act on specified types of procedural motions. A party adversely affected by the court’s, or the clerk’s, action may file a motion to reconsider, vacate, or modify that action.”

“On September 25, 2026, I received an unsigned ‘Notice of Defective Filing’^{fn1} (Ex. A), not indicating who had rendered it, but identifying, at the top, your name as the ‘Clerk of Court’, and Raymond J. Lohier, Jr. as ‘Chief Judge’.

The Notice states that my September 25, 2026 motion for reconsideration/reconsideration *en banc* (Ex. B) ‘does not comply with the FRAP or the Court’s Local Rules for the following reason(s)’, identifying a single reason:

‘Other: hyperlinks and the email (last page) are considered exhibits. Exhibits are not permitted with the submission of a motion for reconsideration/reconsideration *en banc*. See Local Rule 40.1(c). Re-submit the motion without exhibits, removing all hyperlinks and the email.’^{fn2}

I have examined the cited-to [Local Rule 40.1\(c\)](#), entitled ‘Copy of Opinion or Summary Order Required.’ It says nothing about hyperlinks, nor that hyperlinks are considered exhibits. Rather, it reads:

“A petition for panel rehearing must include a copy of the opinion or summary order to which the petition relates, and must not include any other documents.”

How is my September 25, 2026 motion NOT in conformity therewith? It annexes, as required, the September 9, 2026 Order that is the subject of the motion, which is its SOLE exhibit. As for the ‘email’, not purported by the Notice to be an exhibit, it is nothing more than my e-mail to adverse counsel effecting service and part of the required ‘Certificate of Service’, which immediately precedes it.

Please further advise why the September 25, 2026 Notice does NOT cite to [Local Rule 25.1\(i\)](#), notwithstanding it explicitly pertains to hyperlinks....^{*} It reads:

“(i) **Hyperlinks.** A document filed under this rule may contain hyperlinks to (i) other portions of the same document or to other documents filed on appeal; (ii) documents filed in the lower court or agency from which the record on appeal is generated; and (iii) statutes, rules, regulations, and opinions. A hyperlink to a cited authority does not replace standard citation format.”

In other words, the September 25, 2026 Notice falsely purports that hyperlinks are not permitted, when, in fact, they are, so long as they meet one of the three above criteria – which my September 25, 2026 motion does throughout. The only exceptions are:

^{*} My September 28, 2026 letter here inadvertently added the words “and exhibits”, which, being erroneous, are now omitted.

- the hyperlink in footnote 3 to the author of the law review article “*The Right of Appeal*”, 91 N.CL. Rev 1219;
- some of the hyperlinks in footnote 10 pertaining to my judicial misconduct complaints to the Second Circuit’s Chief Judge and to the Second Circuit Judicial Council, filed pursuant to the 1980 Act; and
- the three hyperlinks in footnote 11 pertaining to the Center for Judicial Accountability’s March 6, 2008 Critique of the Breyer Committee Report.

As to footnotes 10 and 11, I assume I can simply replace the live hyperlinks they contain with NOT live hyperlinks indicating the direct internet address where the referred-to documents can be found.

Please advise, as soon as possible, so that I can make the appropriate resubmission by tomorrow’s cure deadline.

Thank you.” (hyperlinks, underlining, italics, capitalization in the original).

3. There was no response to this letter from Clerk O’Hagan Wolfe. Instead, the Clerk’s Office sent me an unsigned [September 28, 2026 Notice of Defective Filing](#), stating that my September 28, 2026 letter “does not comply with the FRAP or the Court’s Local Rules” – thereupon elaborating, without citation to the FRAP or Local Rules, that:

“requesting advice regarding the 09/25/2026 defective notice must be done in the format of a formal motion, as a motion for clarification.”

4. Notwithstanding the Notice’s complete absence of substantiating FRAP or Local Rule citation, I did file – and on that same day – a [September 28, 2026 motion](#) for a:

“Court order directing Clerk O’Hagan Wolfe to answer Appellant’s Sept 28, 2026 letter for clarification of Sept 25, 2026 Notice of Defective Filing”

and, the next day, so as not to risk the striking of my September 25, 2026 reconsideration motion for non-compliance with the “09/29/2026” cure deadline of the September 25, 2026 Notice of Defective Filing, I filed a correcting [September 29, 2026 Motion for Reconsideration, with Suggestion for Reconsideration En Banc](#) (Exhibit B) identifying, on its cover, that it was

“consistent with [my] September 28, 2026 letter to Clerk O’Hagan Wolfe, the subject of [my] *sub judice* September 28, 2026 motion.”

5. **The Clerk’s Office does not deny this.** Instead, by an unsigned [September 30, 2026 Notice of Defective Filing](#), it conceals my September 28, 2026 letter, conceals my *sub judice* September 28, 2026 motion, and conceals Local Rule 25.1(i) so as to be able to repeat, as the SOLE reason why my September 29, 2026 reconsideration motion “does not comply with the FRAP or the Court’s Local Rules”:

“Other: hyperlinks are considered exhibits. Exhibits are not permitted with the submission of a motion for reconsideration/reconsideration en banc. See Local Rule 40.1(c). Re-submit the motion without exhibits, removing all hyperlinks.”

6. This is brazen fraud by the Clerk’s Office, evidentiarily-proven by the above-recited concealments – and must be dealt with accordingly by the Court on this motion by an order signed by the judges determining it.

7. Should determination be by a single judge,² it must be Chief Judge Lohier, not only because he is identified as “Present” on the [indefensible, appeal-dismissing, unsigned-by-any-judge September 9, 2026 Order](#) for which I am seeking reconsideration/reconsideration *en banc*, but because, pursuant to [Canon 3B\(6\) of the Code of Conduct for United States Judges](#) – and as reflected by the Notices of Defective Filing bearing his name at the top, along with that of Clerk

² [FRAP 27\(c\)](#), entitled “Power of a Single Judge to Entertain a Motion”, reads:

“A circuit judge may act alone on any motion, but may not dismiss or otherwise determine an appeal or other proceeding. A court of appeals may provide by rule or by order in a particular case that only the court may act on any motion or class of motions. The court may review the action of a single judge.”

O'Hagan Wolfe – he has mandatory administrative/supervisory responsibilities over the Clerk's Office, here urgently requiring discharge.³

8. Although I reasonably believe that a motion pursuant to [FRAP 27\(b\)](#) for reconsideration/vacatur of the September 30, 2026 Notice of Defective Filing (Exhibit A) stays its “10/02/2026” cure date, I am nonetheless separately filing, out of an abundance of caution and expressly without prejudice to [my hyperlinking rights pursuant to Local Rule 25.1\(i\)](#), **here sought to be enforced**, an October 2, 2026 motion for reconsideration/reconsideration *en banc*, removing the Local Rule 25.1(i)-compliant LIVE hyperlinks that my September 29, 2026 reconsideration/reconsideration *en banc* motion had preserved (Exhibit B).

9. The hyperlinks are simply a convenience for the Court, so that it can have the speediest means by which to verify the facts in the record, dispositive of my entitlement to the granting of my September 29, 2026 motion for reconsideration/reconsideration *en banc*, of the September 9, 2028 Order, asserted therein as:

“NOT a ‘panel decision’, but...the product of the Clerk’s Office, which here – and in other cases – operates unconstitutionally, unlawfully, and by fraud to deprive litigants of due process and the rule of law, particularly where the litigants’ claims, by appeal, by mandamus/prohibition, or by judicial misconduct complaints, involve judicial misconduct, judicial disqualification, and judicial filing injunctions and other sanctions imposed upon them.” (Exhibit B, at p. 2, capitalization in the original)

³ In addition to the above-recited concealments and other frauds of the three Notices of Defective Filing, none identify that I could “file a motion to reconsider, vacate, or modify” the Notice pursuant to FRAP 27(b) – or even, without citing to [FRAP 27\(b\)](#), that I could make a motion requesting permission to include hyperlinks in my motion for reconsideration/reconsideration *en banc* of the September 9, 2026 Order. As to the latter, *see*, for example, the unsigned [March 29, 2024 Notice of Defective Filing](#) in *In Re Lidia M. Orrego* (#23-7643), stating:

“a motion for reconsideration must include a copy of the order to which the motion relates, and must not include any other documents, refer to LR 40.2 and LR 40.1. The exhibits must be removed, **or you must file a motion requesting permission to attach exhibits to the motion for reconsideration/reconsideration en banc....**” (bold added).

Lidia M. Orrego, Plaintiff-Appellant *Pro Se*
95-08 Queens Boulevard, Apt. 3E
Rego Park, New York 11374
347-453-2234
liorrego@gmail.com

October 2, 2026