



State of New York
Court of Appeals
Clerk's Office
20 Eagle Street
Albany, New York 12207-1095
(518) 455-7700

November 6, 2024

Elena Ruth Sassower
10 Stewart Place
Apt. 2D-E
White Plains, NY 10603

Re: Matter of Center for Judicial Accountability
APL-2024-00149
Index No. 902654-24

Dear Ms. Sassower:

The Court has received your preliminary appeal statement and will examine its subject matter jurisdiction with respect to whether (1) the appeal was timely taken; (2) an appeal to another court is simultaneously pending; (3) the orders appealed from finally determine the proceeding within the meaning of the Constitution; and (4) a direct appeal lies pursuant to CPLR 5601(b)(2). This examination of jurisdiction shall not preclude the Court from addressing any jurisdictional concerns in the future.

You should file within 14 days after this letter's date your comments in letter format justifying the retention of subject matter jurisdiction ("Jurisdictional Response"). By copy of this letter, your adversary is likewise afforded the opportunity to submit a Jurisdictional Response within the same 14-day period after this letter's date. All letters shall be filed with proof of service of one copy of the letter on each party.

If applicable, the disclosure statement required to be filed by corporations and other business entities pursuant to section 500.1(f) of the Court of Appeals Rules of Practice shall be filed with the written submissions discussed above.

The times within which briefs on the merits must be filed are held in abeyance during the pendency of this jurisdictional inquiry. If this inquiry is terminated by the Court, the Clerk will notify counsel in writing and set a schedule for the perfecting of the appeal. This communication is without prejudice to any motion any party may wish to make.

Matter of Center for Judicial Accountability

November 6, 2024

-Page 2-

Digital Filing Requirement

Parties also are required to submit digital versions of each paper filing (see sections 500.2, 500.10 of the Rules) by uploading them to the Court of Appeals Companion Filing Upload Portal for Civil Motions and Rule 500.10 Jurisdictional Responses (the Portal) accessed through the Court's web site (<https://www.nycourts.gov/ctapps/>). Appellants also shall upload a digital version of the papers filed by each party in Supreme Court. A document containing the Technical Specifications and Instructions for Companion Filing Upload of Rule 500.10 Jurisdictional Responses (including Naming Conventions) is enclosed and available on the Court's web site.

For the Portal, parties to this appeal will use **92618** as the pin number and **APL-2024-00149** as the appeal number for uploading purposes. This pin number should not be shared with others who are not parties to this appeal. All companion digital filings must be submitted no later than the due date for the jurisdictional response letter.

For uploading purposes, appellants' digital Jurisdictional Response shall have the following file name: **MatterofCenterforJudicialAccountability-app-Sassower-JurRsp.pdf**. Appellants also shall follow the PDF file naming conventions with respect to the digital submission of additional materials, including Appellate Division records and briefs. All digital materials shall be submitted in separate files. Respondents' digital Jurisdictional Response shall have the following file name:

MatterofCenterforJudicialAccountability-res-CenterforJudicialAccountability-JurRsp.pdf.

The contents of the digital submissions must be identical to those filed in hard copy, with the exception that the digital version need not contain an original signature (see section 7 of the enclosed Technical Specifications and Instructions).

If you have any questions regarding this letter, you may contact either Margaret N. Wood at 518-455-7702 or Edward J. Ohanian at 518-455-7701.

Very truly yours,



Heather Davis
Deputy Clerk

HD/MNW/co

cc: Noah C. Engelhart, Esq.

Enclosure

NEW YORK STATE COURT OF APPEALS

Technical Specifications and Instructions for Submission of Briefs and Record Material in Digital Format

1. Digital submissions shall be transmitted to the Clerk's Office by uploading them to the Court of Appeals Public Access and Search System (Court-PASS).
2. To upload digital submissions to Court-PASS, New York attorneys must be registered with the New York State Unified Court System's Attorney Online Services. Filers who are not New York attorneys must use "guest" login credentials, which will be provided by the Clerk's Office.
3. All digital submissions to the Court of Appeals shall be in text searchable portable document format (PDF). Filers are encouraged to submit documents in archival format (PDF/A).
4. The digital submissions shall be named in accordance with the conventions provided by the Clerk's Office.
5. Filers must complete the Court's confidential and sensitive materials attestation form when uploading digital submissions to Court-PASS. The form is intended to ensure compliance with the Court's sealing and redaction requirements.
6. Digital submissions may not exceed a file size of 100 megabytes. Filers are permitted to upload up to five documents per uploading session.
7. Removing metadata from digital submissions is the filer's responsibility.
8. To ensure effective redaction, the filer must use redaction methods that permanently remove sensitive content from all metadata and all document layers. Some PDF editing programs as well as specialized redaction tools can help ensure thorough redaction.
9. If a document does not conform to the Court's requirements, including sealing and redaction requirements, the Clerk's Office will direct the filer to resubmit the document. Such resubmission is mandatory and must be accomplished within the time set by the Clerk's Office.

10. A filer who has not been directed to resubmit a document, but wishes to do so, must obtain prior approval from the Clerk's Office.

11. Uploading digital submissions to Court-PASS does not satisfy the filing due dates set by the Clerk's Office in a scheduling letter or by operation of the Court's Rules of Practice. The filer is responsible for meeting applicable due dates by filing the required number of paper documents with the Clerk's Office. A document is "filed" with the Clerk's Office on the date of receipt of the paper document. The digital submissions shall be uploaded to Court-PASS no later than the filing due date for paper documents.

12. By uploading documents to Court-PASS, a filer attests that the digital submissions being uploaded are identical to the filed original printed material, except that the digital submissions do not contain an original signature.

NEW YORK STATE COURT OF APPEALS

Naming Conventions for Briefs and Record Material

The appropriate title of the action can be found in the briefing letter sent to parties.

These naming conventions use the parties' designation in the Court of Appeals (i.e. role), not the court of original instance or the intermediate appellate court.

Abbreviations:

appellant: app
respondent: res
amicus or amici: amic
brief: brf
reply brf: replybrf
record on appeal: Rec

amicus or amici brief: amicbrf
appendix: appdx
supplemental appendix: suppappdx
Appellate Division brief: ADbrf
Appellate Division reply brief: ADreplybrf
Appellate Division Record: ADRec
Brief in response to amicus brief: BrfRspAmic

PDF File Naming Conventions:

Briefs: title of action-role-name-brf.pdf

Reply Briefs: title of action-role-name-replybrf.pdf

Appendices: title of action-role-name-appdx.pdf

Court of Appeals Records: title of action-role-name-Rec.pdf

Multiple Volumes (if more than one volume of a record is filed, each volume should be a separate file): title of action-role-name-Rec-voll.pdf

Letter Briefs (for Rule 500.11 appeals): title of action-role-name-SSMltrbrf.pdf

Appellate Division materials:

title of action-role-name-ADbrf.pdf
title of action-role-name-ADreplybrf.pdf
title of action-role-name-ADRec.pdf

Examples

Title of Action: Smith v Jones (as found in briefing schedule letter from Clerk's Office)

Appellant: Smith

Respondents: Jones and Brown

Amici: Concerned Citizens et al.

Smith files a brief and a 4 volume record.

The PDF files would be named:

SmithvJones-app-Smith-brf.pdf

SmithvJones-app-Smith-Rec-vol1.pdf

SmithvJones-app-Smith-Rec-vol2.pdf

SmithvJones-app-Smith-Rec-vol3.pdf

SmithvJones-app-Smith-Rec-vol4.pdf

Jones files a brief.

The PDF file would be named:

SmithvJones-res-Jones-brf.pdf

Brown files a brief and supplemental appendix.

The PDF files would be named:

SmithvJones-res-Brown-brf.pdf

SmithvJones-res-Brown-suppappdx.pdf

Concerned Citizens et al. files an amici brief.

The PDF file would be named:

SmithvJones-amic-ConcernedCitizens-amicbrf.pdf