

COURT OF APPEALS  
STATE OF NEW YORK

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*Center for Judicial Accountability, et al. v. JCOPE, et al.*  
APL 2024-150 – Appeal of Right  
NYS Constitution Article VI, §3(b)(1); CPLR §5601(b)(1)

APL 2024-150  
APL 2024-149/175

*Center for Judicial Accountability, et al. v.*  
*Commission on Legislative, Judicial and Executive Compensation...*  
*Wilson, Zayas, et al.*  
APL 2024-149; APL 2024-175 – Direct Appeal of Right  
NYS Constitution, Article VI, §3(b)(2)

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**NOTICE OF MOTION  
for Enforcement of Court Rule 500.1(a)**

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PLEASE TAKE NOTICE that upon the annexed affirmation of Elena Ruth Sassower, the unrepresented individual appellant in the above two appeals of right, *Center for Judicial Accountability, et al. v. JCOPE, et al.* (APL 2024-150) and *Center for Judicial Accountability, et al. v. Commission on Legislative, Judicial and Executive Compensation...Wilson, Zayas, et al.* (APL 2024-149; APL 2024-175), the unrepresented appellants will make a motion before the New York Court of Appeals at Court of Appeals Hall, 20 Eagle Street, Albany, New York 12207 on Monday, January 6, 2025, or as soon thereafter as the parties or their counsel can be heard, for an order:

- (1) pursuant to [Court Rule 500.1\(a\)](#) and the referred-to “applicable statutes and rules, particularly the signing requirement of 22 NYCRR §130-1.1a”, taking appropriate action against New York Attorney General Letitia James, Solicitor General Barbara Underwood, Deputy Solicitor General Andrea Oser, Assistant Solicitor General Beezly Kiernan, and other culpable attorney staff, for the two December 4, 2024 letters, signed by ASG Kiernan, responding to Court Clerk Heather Davis’ two November 6, 2024 *sua sponte* jurisdictional inquiry letters;
- (2) for such other and further relief as may be just and proper, including:
  - (a) directing AG James to produce a sworn statement as to who, if anyone, made the determination, *if one was made*, as to the “interest of the state” pursuant to [Executive Law §63.1](#), on these two appeals of right, and determined appellants’ entitlement to the AG’s representation consistent therewith and pursuant to [State Finance Law, Article 7-A](#) (§123-a(3), §123-c(3), §123-d, §123-e(2)), including *via* independent counsel, with such findings of fact and conclusions of law as supported same;
  - (b) [pursuant to CPLR §8202](#), awarding appellants \$100 motion costs.

PLEASE TAKE FURTHER NOTICE that pursuant to [Court Rule 500.21\(c\)](#), opposition papers, with proof of service, are required to be filed with the Court on or before the January 6, 2025 return date.

Dated: White Plains, New York  
December 23, 2024



ELENA RUTH SASSOWER, unrepresented individual appellant,  
Director of the Center for Judicial Accountability, Inc. (CJA),  
on her own behalf, on CJA's behalf, and on behalf of the People  
of the State of New York & the Public Interest

10 Stewart Place, Apartment 2D-E  
White Plains, New York 10603  
914-421-1200  
[elena@judgewidth.org](mailto:elena@judgewidth.org)

TO: New York Attorney General Letitia James  
Solicitor General Barbara Underwood  
Deputy Solicitor General Andrea Oser  
Assistant Solicitor General Beezly Kiernan

COURT OF APPEALS  
STATE OF NEW YORK

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*Center for Judicial Accountability, et. al. v. JCOPE, et al.*  
APL 2024-150 – Appeal of Right  
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NYS Constitution, Article VI, §3(b)(2)

-----X  
**Moving Affirmation  
for Enforcement of Court Rule 500.1(a)**

-----X  
ELENA RUTH SASSOWER, affirms the following to be true  
under penalties of perjury, pursuant to CPLR §2106:

1. I am the unrepresented individual appellant in the above two appeals of right, fully familiar with all the facts, papers, and proceedings of both appeals.

2. This affirmation is submitted in support of appellants’ accompanying notice of motion for enforcement of [this Court’s Rule 500.1\(a\)](#) against Respondent Attorney General Letitia James and those acting on her behalf for the “fraud on the court”<sup>1</sup> she has committed by her two December 4, 2024 letters to Court Clerk

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<sup>1</sup> This Court’s unanimous 6-0 decision in [CDR Creances S.A.S. v Cohen, et al.](#), 23 N.Y.3d 307 (May 8, 2014), by Associate Judge Rivera, defined “fraud on the court”, stating:

“Fraud on the court involves willful conduct that is deceitful and obstructionist, which injects misrepresentations and false information into the judicial process ‘so serious that it undermines . . . the integrity of the proceeding’ (*Baba-Ali v State*, 19

Heather Davis, urging the Court’s *sua sponte* dismissal of appellants’ two appeals of right.

3. The facts are particularized by my two replying December 19, 2024 letters to Clerk Davis, each beginning by quoting, *verbatim*, my December 5, 2024 e-mail to Assistant Solicitor General Kiernan, as follows:

“This is to give you NOTICE of what you and your superiors already know, that [Respondent AG James’ December 4<sup>th</sup> letter](#) pertaining to appellants’ appeal of right in *CJA v. JCOPE, et al.* (APL #2024-00150) and [Respondent AG James’ December 4<sup>th</sup> letter](#) pertaining to appellants’ direct appeal of right in *CJA v. Commission on Legislative, Judicial & Executive Compensation...Wilson, Zayas, et al.* (APL #2024-00149) – both of which you signed – are ‘frauds on the court’.

IMMEDIATELY upon opening and reading your two December 4<sup>th</sup> letters, which I did not do until sending you appellants’ two above-attached December 3<sup>rd</sup> letters, I telephoned the Court of Appeals to so advise and to make arrangements with respect thereto.

This morning, in response to the voice mail message I had left, I got a return call and obtained two weeks, until December 19<sup>th</sup>, to reply to your letters.

Be advised that unless your letters are withdrawn – and appellants’ December 3<sup>rd</sup> letters anticipated the frauds you would and did utilize – appellants will be seeking sanctions and other relief against you and your culpable superiors.

**Please forward this e-mail to your superiors – specifically Respondent AG James and Deputy Solicitor General Andrea Oser, whose names are on the December 4<sup>th</sup> letters, as well as Solicitor**

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NY3d 627, 634... [2012] [citation and quotations omitted]). It strikes a discordant chord and threatens the integrity of the legal system as a whole, constituting ‘a wrong against the institutions set up to protect and safeguard the public’ (*Hazel-Atlas Glass Co. v. Hartford-Empire*, 322 U.S. 238, 246... [1944]; *see also Koschak v Gates Const. Corp.*, 225 AD2d 315, 316... [1<sup>st</sup> Dept 1996][‘The paramount concern of this Court is the preservation of the integrity of the judicial process’]).”

**General Barbara Underwood, whose name curiously is not** – and confirm, by no later than a week from today, December 12<sup>th</sup>, that you are withdrawing the letters and, if not, the reasons, responsive to appellants’ December 3<sup>rd</sup> letters and the substantiating ‘legal autopsy’/analyses on which they are based, so that I may be guided accordingly.” (capitalization, hyperlinking, underlining, and bold in the original).”

4. My two December 19<sup>th</sup> letters thereupon identically state: “I received no response to this e-mail” – and then, by their balance, furnish, essentially line-by-line, “the specifics of the fraud” that Respondent AG James commits by her two December 4<sup>th</sup> letters that ASG Kiernan has signed.

5. No purpose would be served by here repeating what those two December 19<sup>th</sup> letters establish.<sup>2</sup> In the interest of economy, appellants incorporate them by reference, as if fully set forth herein.<sup>3</sup>

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<sup>2</sup> In *CDR Creances S.A.S. v Cohen, et al.*, *supra*, the Court adopted the “clear and convincing standard” for establishing “fraud on the court”, stating that a higher “conclusive” standard would run the risk of not sufficiently protecting against such fraud. My letters meet both standards.

<sup>3</sup> On December 20<sup>th</sup>, prior to making this motion, I consulted with Assistant Deputy Clerk Wood as to whether it was necessary for me to furnish, as exhibits, my December 19<sup>th</sup> letters, Respondent AG James’ December 4<sup>th</sup> letters, or any of the documents to which they relate, *to wit*, Clerk Davis’ two November 6<sup>th</sup> *sua sponte* jurisdictional letters, appellants’ two October 21<sup>st</sup> preliminary appeal statements, and my two December 3<sup>rd</sup> letters responding to Clerk Davis’ November 6<sup>th</sup> letters. Assistant Deputy Clerk Wood stated there was no need for me to do so as they are all in the Court’s possession.

Nevertheless, the Court may find it useful to access everything from CJA’s webpages for the two appeals. The links are:

- For APL 2024-150, the appeal of right in *CJA v. JCOPE, et al.* – <https://www.judgewatch.org/web-pages/lawsuit-jcope-et-al/court-of-appeals.htm>;
- for APL 2024-149/APL 2024-175, the direct appeal of right in *CJA v. Commission on Legislative, Judicial and Executive Compensation...Wilson, Zayas, et al.* – <https://www.judgewatch.org/web-pages/lawsuit-dec4-2023-report/ct-of-appeals.htm>.

6. This Court's [Rule 500.1\(a\)](#) reads:

“All papers shall comply with applicable statutes and rules, particularly the signing requirement of 22 NYCRR 130-1.1a.”

7. By this FIRST rule, the Court was not simply stating, as it could have, that all papers must be signed. Rather, it was drawing attention to the meaning of signing pursuant to [22 NYCRR §130-1.1](#), namely that it is a certification:

“that, to the best of that person’s knowledge, information and belief, formed after an inquiry reasonable under the circumstances, (1) the presentation of the paper or the contentions therein are not frivolous as defined in section 130-1.1(c) of this Subpart”.

8. §130-1.1(c) defines conduct as “frivolous” if:

“(1) it is completely without merit in law and cannot be supported by a reasonable argument for an extension, modification or reversal of existing law;

(2) it is undertaken primarily to delay or prolong the resolution of the litigation, or to harass or maliciously injure another; or

(3) it asserts material factual statements that are false.”

9. Respondent AG James’ two December 4<sup>th</sup> letters meet all three definitions of “frivolous” and such will be additionally found upon the Court’s consideration – as §130.1.1(c) expressly requires – of:

“(1) [the] circumstances under which the conduct took place, including the time available for investigating the legal or factual basis of the conduct; and (2) whether or not the conduct was continued when its lack

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of legal or factual basis was apparent, should have been apparent, or was brought to the attention of counsel or the party.”

10. My December 19<sup>th</sup> letters amply furnish the facts and circumstances warranting maximum \$10,000 sanctions, plus costs, pursuant to [22 NYCRR §130-1.1\(a\)](#), for each of AG James’ “frivolous” December 4<sup>th</sup> letters.

11. Yet, sanctions and costs are the bare minimum of what is mandated. Respondent AG James and her culpable Solicitor General staff have flagrantly violated [New York’s Rules of Professional Conduct, 22 NYCRR Part 1200](#),<sup>4</sup> specifically, [Rule 1.7](#) “Conflict of Interest: Current Clients”; [Rule 3.1](#) “Non-Meritorious Claims and Contentions”; [Rule 3.3](#) “Conduct Before A Tribunal”; [Rule 8.3](#) “Reporting Professional Misconduct”; [Rule 8.4](#) “Misconduct”; [Rule 5.1](#) “Responsibilities of Law Firms, Partners, Managers and Supervisory Lawyers”; and [Rule 5.2](#) “Responsibilities of a Subordinate Lawyer”.

12. [§100.3D\(2\) of the Rules Governing Judicial Conduct](#), promulgated by the Chief Administrative Judge with [approval by this Court](#), states, in mandatory terms,

“A judge who receives information indicating a substantial likelihood that a lawyer has committed a substantial violation of the Rules of Professional Conduct (22 NYCRR Part 1200) shall take appropriate action.” (underlining added).

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<sup>4</sup> As posted by the Appellate Division, Third Department Attorney Grievance Committee, with the New York Bar Association’s commentary.



13. Based on the succession of frauds my December 19<sup>th</sup> letters establish – all within the ambit of [Judiciary Law §487 “Misconduct by attorneys”](#)<sup>5</sup> – the “appropriate action” would be:

- [disciplinary referrals to the Appellate Division Attorney Grievance Committees](#) of Respondent AG James, Solicitor General Underwood, and their subordinate enabling attorneys for their above willful violations of New York’s Rules of Professional Conduct;
- [ethics referrals to the Commission on Ethics and Lobbying in Government \(COELIG\)](#) of Respondent AG James, Solicitor General Underwood, and their subordinate enabling attorneys for their willful violations of [Public Officers Law §74](#)’s proscriptions on conflict of interest underlying their “frivolous”, “fraud on the court” conduct;
- [criminal referrals to the Albany County District Attorney](#) of Respondent AG James, Solicitor General Underwood, and their subordinate enabling attorneys for their [Judiciary Law §487](#) crime of “deceit...with intent to deceive the court” and their violations of penal laws including [Penal Law §175.35](#) “Offering a false instrument for filing in the first degree”; [Penal Law 496.05](#) “Corrupting the government in the first degree”; [Penal Law §496.06](#) “Public corruption”; [Penal Law §195.20](#) “Defrauding the government”; [Penal Law §190.65](#): “Scheme to defraud in the first degree”; [Penal Law §155.42](#) “Grand larceny in the first degree”; [Penal](#)

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<sup>5</sup> Judiciary Law §487, which makes it a [misdemeanor, punishable under the penal law](#), for an attorney to engage in “any deceit or collusion...with intent to deceive the court or any party”, was the subject of the Court’s March 19, 2024 unanimous 7-0 decision by Associate Judge Halligan in [Urias v. Buttafuoco](#), 41 N.Y.3d 560, citing to the Court’s February 12, 2009 unanimous 6-0 decision by then Associate Judge Read in [Amalfitano v. Rosenberg](#), 12 N.Y.3d 8, and, additionally, the Court’s March 31, 2020 five-judge decision by then Chief Judge DiFiore in [Bill Birds, Inc. v. Stein Law Firm, P.C.](#), 35 N.Y.3d 173, 178-9, whose dissent by Associate Judge Rivera was as to the majority’s affirmance of the summary judgment dismissal of the complaint therein and for a more encompassing application of Judiciary Law §487. As the *Bill Birds* majority decision succinctly states:

“a violation of section 487 is a crime...The purpose of Judiciary Law §487(1) is to safeguard an attorney’s special obligation of honesty and fair dealing in the course of litigation – a pillar of the profession. Our legal system depends on the integrity of attorneys who fulfill the role of officers of the court, further its truth-seeking function”.

[Law §105.15](#) “Conspiracy in the second degree; [Penal Law §20](#) “Criminal liability for conduct of another”; [Penal Law §195](#) “Official misconduct”.

14. There are no extenuating circumstances. Respondent AG James is New York’s highest attorney, whose preeminent duty, shared by this Court, is to safeguard and uphold the New York State Constitution and whose violation of that duty by her “fraud on the court” December 4<sup>th</sup> letters was for purposes of subverting the Court’s constitution-upholding function in two lawsuits against New York’s highest constitutional officers, herself among them – each lawsuit of monumental constitutional significance.

15. Finally, as AG James’ December 4<sup>th</sup> letters make no claim that her representation of herself and her fellow respondents before the Court is in “the interest of the state” – the predicate for representation pursuant to [Executive Law §63.1](#) – and my December 19<sup>th</sup> letters establish that it clearly is not – appellants seek as “other and further relief” that the Court direct that she produce a sworn statement as to who, if anyone, made such determination, *if one was made*, and determined appellants’ entitlement to the AG’s representation consistent therewith and pursuant to [State Finance Law, Article 7-A](#) (§123-a(3), §123-c-(3), §123-d, §123-e(2)), including *via* independent counsel, with such findings of fact and conclusions of law as supported same.



ELENA RUTH SASSOWER, unrepresented individual appellant,  
Director of the Center for Judicial Accountability, Inc. (CJA),  
on her own behalf, on CJA's behalf, and on behalf of the People  
of the State of New York & the Public Interest

Dated: White Plains, New York  
December 23, 2024

**APL 2024-150**  
**APL 2024-149/175**

**NEW YORK COURT OF APPEALS**

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*Center for Judicial Accountability, et al. v. JCOPE, et al.*  
APL 2024-150 – Appeal of Right  
NYS Constitution Article VI, §3(b)(1); CPLR §5601(b)(1)

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*Wilson, Zayas, et al.*  
APL 2024-149; APL 2024-175 – Direct Appeal of Right  
NYS Constitution, Article VI, §3(b)(2)

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**APPELLANTS' MOTION**  
**FOR ENFORCEMENT OF COURT RULE 500.1(a)**  
(December 23, 2024)

Elena Ruth Sassower, unrepresented individual appellant,  
acting on her own behalf, on CJA's behalf, &  
on behalf of the People of the State of New York  
& the Public Interest

10 Stewart Place, Apartment 2D-E  
White Plains, New York 10603  
914-421-1200  
[elena@judgewatch.org](mailto:elena@judgewatch.org)

**NEW YORK COURT OF APPEALS**

**APL 2024-150**

*CJA, et al. v. Joint Commission on Public Ethics, et al.*

**APL 2024-149 / APL 2024-175**

*CJA, et al. v. Commission on Legislative, Judicial and Executive  
Compensation...Wilson, Zayas, et al.*

**AFFIRMATION OF SERVICE**

ELENA RUTH SASSOWER, affirms the following to be true under  
penalties of perjury, pursuant to CPLR §2106:

On the 23<sup>rd</sup> day of December 2024, I served:

Appellants' December 23, 2024 motion  
to enforce the Court's Rule 500.1(a)

upon respondents, by their attorney, Respondent Attorney General Letitia James, by  
e-mail to Assistant Solicitor General Beezly Kiernan, who had consented to service  
by e-mail The transmitting e-mail is attached.



Elena Ruth Sassower, unrepresented appellant

Dated: White Plains, New York  
December 23, 2024

## Center for Judicial Accountability, Inc. (CJA)

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>  
**Sent:** Monday, December 23, 2024 6:33 PM  
**To:** 'Kiernan, Beezly'  
**Subject:** SERVICE -- Dec 23, 2024 Motion for Enforcement of Court Rule 500.1(a) -- APL 2024-150 (CJA v. JCOPE, et al.) & APL 2024-149/APL-2024-175 (CJA v. Commission on Legislative, Judicial & Executive Compensation..Wilson, Zayas, et al.)  
**Attachments:** 12-23-24-motion.pdf

**TO: Assistant Solicitor General Kiernan**

As per my below December 5<sup>th</sup> e-mail to you which stated that unless your two December 4<sup>th</sup> letters to Clerk Davis were withdrawn, “appellants will be seeking sanctions and other relief against you and your culpable superiors” – quoted by my December 19<sup>th</sup> replying letters to Clerk Davis — above-attached is the motion for that relief, returnable January 6<sup>th</sup>.

Please furnish to your superiors – and, specifically, AG James, Solicitor General Underwood, and Deputy Solicitor General Oser.

Thank you.

Elena Sassower, unrepresented individual appellant,  
acting on her own behalf and on behalf of the People of the State of New York & the Public Interest

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**From:** Center for Judicial Accountability, Inc. (CJA) <elena@judgewidth.org>  
**Sent:** Thursday, December 19, 2024 11:50 PM  
**To:** 'Kiernan, Beezly' <Beezly.Kiernan@ag.ny.gov>

**Subject:** SERVICE -- Dec 19th Reply in Further Support of Appeal of Right -- APL 2024-00150 -- CJA v. JCOPE, et al.

**TO: Assistant Solicitor General Kiernan**

I received no response to my below e-mail to you. Attached is my reply to your December 4<sup>th</sup> letter pertaining to the *CJA v. JCOPE, et al.* appeal of right (APL 2024-150), which I have uploaded to the Court’s portal.

Forward to your superiors – and, specifically, AG James, Solicitor General Underwood, and Deputy Solicitor General Oser.

Thank you.

Elena Sassower

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewidth.org](mailto:elena@judgewidth.org)>  
**Sent:** Thursday, December 5, 2024 10:42 AM  
**To:** 'Kiernan, Beezly' <[Beezly.Kiernan@ag.ny.gov](mailto:Beezly.Kiernan@ag.ny.gov)>



**Subject: NOTICE: Your Yesterday's Letters to Clerk Davis are "frauds on the court" & Must be Withdrawn (APL #2024-00150 and APL #2024-00149)**

**TO: Assistant Solicitor General Kiernan**

This is to give you NOTICE of what you and your superiors already know, that Respondent AG James' December 4<sup>th</sup> letter pertaining to appellants' appeal of right in *CJA v. JCOPE, et al.* (APL #2024-00150) and Respondent AG James' December 4<sup>th</sup> letter pertaining to appellants' direct appeal of right in *CJA v. Commission on Legislative, Judicial & Executive Compensation...Wilson, Zayas, et al.* (APL #2024-00149) – both of which you signed – are "frauds on the court".

IMMEDIATELY upon opening and reading your two December 4<sup>th</sup> letters, which I did not do until sending you appellants' two above-attached December 3<sup>rd</sup> letters, I telephoned the Court of Appeals to so-advise and to make arrangements with respect thereto.

This morning, in response to the voice mail message I had left, I got a return call and obtained two weeks, until December 19<sup>th</sup>, to reply to your letters.

Be advised that unless your letters are withdrawn – and appellants' December 3<sup>rd</sup> letters anticipated the frauds you would and did utilize – appellants will be seeking sanctions and other relief against you and your culpable superiors.

**Please forward this e-mail to your superiors – specifically Respondent AG James and Deputy Solicitor General Andrea Oser, whose names are on the December 4<sup>th</sup> letters, as well as Solicitor General Barabara Underwood, whose name curiously is not – and confirm, by no later than a week from today, December 12<sup>th</sup>, that you are withdrawing the letters and, if not, the reasons, responsive to appellants' December 3<sup>rd</sup> letters and the substantiating "legal autopsy"/analyses on which they are based, so that I may be guided accordingly.**

Thank you.

Elena Sassower, unrepresented individual appellant-petitioner,  
acting on her own behalf and on behalf of the People of the State of New York & the Public Interest

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Wednesday, December 4, 2024 3:08 PM  
**To:** 'Kiernan, Beezly' <[Beezly.Kiernan@ag.ny.gov](mailto:Beezly.Kiernan@ag.ny.gov)>

**Subject: Thank you --Service of Appellants' Uploaded Dec 3 Responses to Ct of Appeals Nov [6] Jurisdictional Inquiry Letters: CJA v. JCOPE, et al (APL-2024-00150); CJA v. Commission...Wilson, Zayas, et al (APL-2024-00149)**

**TO: Assistant Solicitor General Kiernan**

I will furnish this e-mail chain to the Court with my mailed letters as proof of service by both sides for both appeals.

Thank you.

Elena Sassower

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**From:** Kiernan, Beezly <[Beezly.Kiernan@ag.ny.gov](mailto:Beezly.Kiernan@ag.ny.gov)>  
**Sent:** Wednesday, December 4, 2024 3:03 PM  
**To:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>

**Subject: RE: Appellants' Uploaded Dec 3 Responses to Ct of Appeals Nov [6] Jurisdictional Inquiry Letters: CJA v. JCOPE, et al (APL-2024-00150); CJA v. Commission...Wilson, Zayas, et al (APL-2024-00149)**

Ms. Sassower,

Yes, you may serve me by email. I mailed out hard copies of our letters; PDF copies are attached.

**Beezly J. Kiernan | Assistant Solicitor General**  
Office of the New York State Attorney General  
Division of Appeals & Opinions  
The Capitol  
Albany, NY 12224-0341  
(518) 776-2023

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Wednesday, December 4, 2024 2:44 PM  
**To:** Kiernan, Beezly <[Beezly.Kiernan@ag.ny.gov](mailto:Beezly.Kiernan@ag.ny.gov)>

**Subject: Appellants' Uploaded Dec 3 Responses to Ct of Appeals Nov [6] Jurisdictional Inquiry Letters: CJA v. JCOPE, et al (APL-2024-00150); CJA v. Commission...Wilson, Zayas, et al (APL-2024-00149)**

**TO: Assistant Solicitor General Kiernan**

Do I understand correctly from your below October 30<sup>th</sup> e-mail to me that I may serve you by e-mail with appellants' submissions to the Court of Appeals in *CJA v. JCOPE, et al* (APL-2024-00150) and *CJA v. Commission on Legislative, Judicial & Executive Compensation...Wilson, Zayas, et al* (APL-2024-00149).

If yes, I will e-mail you the two letters I uploaded to the Court of Appeals' portal yesterday night – and which I will be hard-mailing later today.

I will, in turn, accept service from you, by e-mail. In any event, kindly attach your own letters to your response.

Thank you.

Elena Sassower, unrepresented individual petitioner-appellant,  
acting on her own behalf and on behalf of the People of the State of New York & the Public Interest

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Tuesday, November 19, 2024 11:06 AM  
**To:** 'Kiernan, Beezly' <[Beezly.Kiernan@ag.ny.gov](mailto:Beezly.Kiernan@ag.ny.gov)>

**Subject: Thank you, ASG Kiernan -- RE: CJA v. Commission on Legislative, Judicial & Executive Compensation, et al (APL-2024-00149) : Extension to Dec 4 for Jurisdictional Inquiry. Also, CJA v. JCOPE (APL-2024-00150).**

For your indicated cc to me, no need to snail-mail me the letter. Attaching it to an e-mail will suffice.

Thank you.

Elena Sassower



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**From:** Kiernan, Beezly <[Beezly.Kiernan@ag.ny.gov](mailto:Beezly.Kiernan@ag.ny.gov)>  
**Sent:** Tuesday, November 19, 2024 10:14 AM  
**To:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>

**Subject:** RE: CJA v. Commission on Legislative, Judicial & Executive Compensation, et al (APL-2024-00149 ): Extension to Dec 4 for Jurisdictional Inquiry. Also, CJA v. JCOPE (APL-2024-00150).

Thank you, Ms. Sassower. Yes, I am also handling APL-2024-00150, and I have also requested an extension in that case to December 4, 2024. We will send a letter confirming that extension to the Court and to you.

**Beezly J. Kiernan | Assistant Solicitor General**  
Office of the New York State Attorney General  
Division of Appeals & Opinions  
The Capitol  
Albany, NY 12224-0341  
(518) 776-2023

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Tuesday, November 19, 2024 10:10 AM  
**To:** Kiernan, Beezly <[Beezly.Kiernan@ag.ny.gov](mailto:Beezly.Kiernan@ag.ny.gov)>

**Subject:** CJA v. Commission on Legislative, Judicial & Executive Compensation, et al (APL-2024-00149 ): Extension to Dec 4 for Jurisdictional Inquiry. Also, CJA v. JCOPE (APL-2024-00150).

**TO: Assistant Solicitor General Kiernan**

This is to advise that you have until December 4, 2024 to respond to [Court of Appeals Deputy Clerk Davis' November 6, 2024 jurisdictional inquiry letter \(APL-2024-00149\)](#) pertaining to [CJA's October 21, 2024 notice of appeal and preliminary appeal statement in CJA v. Commission on Legislative, Judicial & Executive Compensation, et al.](#), as I have requested and obtained an extension to that date.

Also, are you also handling *CJA v. JCOPE, et al.* at the Court of Appeals? **Please let me know**, as, there, too, you have until December 4, 2024 to respond to Deputy [Clerk Davis' November 6, 2024 jurisdictional inquiry letter \(APL-2024-00150\)](#) pertaining to [CJA's October 21, 2024 notice of appeal and preliminary appeal statement](#), as I have likewise requested and obtained an extension to that date.

Thank you.

Elena Sassower, unrepresented individual appellant-petitioner,  
acting on her own behalf and on behalf of the People of the State of New York & the Public Interest

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewatch.org](mailto:elena@judgewatch.org)>  
**Sent:** Wednesday, October 30, 2024 3:08 PM  
**To:** 'Kiernan, Beezly' <[Beezly.Kiernan@ag.ny.gov](mailto:Beezly.Kiernan@ag.ny.gov)>  
**Cc:** 'Engelhart, Noah' <[Noah.Engelhart@ag.ny.gov](mailto:Noah.Engelhart@ag.ny.gov)>; 'Moore, John' <[John.Moore@ag.ny.gov](mailto:John.Moore@ag.ny.gov)>

**Subject: Thank you, ASG Kiernan -- RE: CJA v. Commission on Legislative, Judicial & Executive Compensation, et al -- October 21, 2024 Notice of Appeal to the Court of Appeals & Preliminary Appeal Statement**

**TO: Assistant Solicitor General Kiernan**

Thank you for your below e-mail, which I have just seen, after responding to AAG Moore's October 25<sup>th</sup> e-mail to me, which is above-attached.

I will apprise the Court.

Thank you.

Elena Sassower

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**From:** Kiernan, Beezly <[Beezly.Kiernan@ag.ny.gov](mailto:Beezly.Kiernan@ag.ny.gov)>

**Sent:** Wednesday, October 30, 2024 10:22 AM

**To:** [elena@judgewidth.org](mailto:elena@judgewidth.org)

**Cc:** Engelhart, Noah <[Noah.Engelhart@ag.ny.gov](mailto:Noah.Engelhart@ag.ny.gov)>

**Subject: RE: CJA v. Commission on Legislative, Judicial & Executive Compensation, et al -- October 21, 2024 Notice of Appeal to the Court of Appeals & Preliminary Appeal Statement**

Ms. Sassower,

I will be handling this appeal in the Court of Appeals. I accept service by email.

Thank you,

**Beezly J. Kiernan | Assistant Solicitor General**  
Office of the New York State Attorney General  
Division of Appeals & Opinions  
The Capitol  
Albany, NY 12224-0341  
(518) 776-2023

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**From:** Center for Judicial Accountability, Inc. (CJA) <[elena@judgewidth.org](mailto:elena@judgewidth.org)>

**Sent:** Friday, October 25, 2024 10:49 AM

**To:** Engelhart, Noah <[Noah.Engelhart@ag.ny.gov](mailto:Noah.Engelhart@ag.ny.gov)>

**Subject: CJA v. Commission on Legislative, Judicial & Executive Compensation, et al -- October 21, 2024 Notice of Appeal to the Court of Appeals & Preliminary Appeal Statement**

**TO: Assistant Attorney General Noah Engelhart --**

On Monday, October 21<sup>st</sup>, I uploaded to the Supreme Court docket ([Albany Co. Index #902654-24](#)) petitioners' Notice of Appeal to the Court of Appeals with Preliminary Appeal Statement – [NYSCEF #95](#).

I must send an original and a copy to the Court of Appeals with an affidavit of service. The Court of Appeals has advised that I can serve you, by e-mail, if you consent to same.

Please let me know whether you will deem the above-attached Notice of Appeal with Preliminary Appeal Statement (NYSCEF #95) as service, or require that I mail you a hard copy, which I will expeditiously do.

Thank you.

Elena Sassower, unrepresented individual petitioner-appellant,  
acting on her own behalf and on behalf of the People of the State of New York & the Public Interest