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December 6, 2024

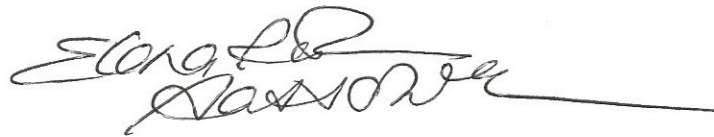
New York Court of Appeals Clerk Heather Davis
20 Eagle Street
Albany, New York 12207-1095

RE: APL 2024-00150: CJA, et al. v. JCOPE, et al. Appeal of Right
October 21, 2024 Preliminary Appeal Statement – superseding pp. 8-9

Dear Clerk Davis:

As discussed with Assistant Deputy Clerk Margaret Wood, herewith enclosed are superseding pages 8-9 to appellants' October 21, 2024 preliminary appeal statement, clarifying and expanding appellants' response to #15, whose only substantive change, to #15D, is the addition (at p. 9) of the Appellate Division, Third Department's December 27, 2018 Memorandum and Order in *CJA v. Cuomo...DiFiore*.

Thank you.



Enclosures

cc: Assistant Solicitor General Beezly Kiernan (via e-mail)

***NOTE:** The Attorney General is a respondent/defendant herein, representing herself and her fellow respondents/defendants – and has corrupted the judicial process with litigation fraud to thwart the declarations of unconstitutionality mandated by the record.

15. ITEMS REQUIRED TO BE ATTACHED TO EACH COPY OF THIS STATEMENT:

A. A copy of the filed notice of appeal to the Court of Appeals (with proof of service)

A copy of the October 21, 2024 notice of appeal and proof of service is attached.

B. A copy of the signed order, judgment or determination appealed from to this Court

A copy of the Appellate Division, Third Department's October 10, 2024 Decision and Order on Motion, signed by its Clerk, is annexed to the notice of appeal as Exhibit 1.

C. A signed copy of any order, judgment or determination which is the subject of the order appealed from, or which is otherwise brought up for review

A copy of the Appellate Division, Third Department's June 10, 2024 Memorandum and Order, signed by its Clerk, is annexed to the notice of appeal as Exhibit 2.

D. Copies of all decisions or opinions relating to the orders set forth in subsections B and C above

The Appellate Division, Third Department's appealed-from October 10, 2024 Decision and Order on Motion and June 20, 2024 Memorandum and Order bring up for review the following, all signed by its Clerk, and all attached:

The Appellate Division, Third Department's December 28, 2023 Decision and Order on Motion (NYSCEF #22), denying without decision, facts, or law, appellants' November 25, 2024 motion to strike Attorney General James' Respondents' Brief as a "fraud on the court", etc. (NYSCEF #13);

The Appellate Division, Third Department's February 1, 2024 Decision and Order on Motion (NYSCEF #39), denying without decision, facts, or law, appellants' January 12, 2024 motion for a preference so that the appeal herein could be heard together with the appeal in *Cuomo v. COELIG* (CV-23-1778), both pertaining to the constitutionality of "the ethics reform act of 2022" and to prevent fraud (NYSCEF #26) – and, by another February 1, 2024 Decision and Order on Motion in *Cuomo v. COELIG*, denying, without decision, facts, or law, appellants' January 12, 2024 companion

motion for the same relief and for an *amicus curiae* submission ([Cuomo -NYSCEF #31](#));

The Appellate Division, Third Department’s June 3, 2024 Decision and Order on Motion ([NYSCEF #50](#)) denying without decision, facts, or law, appellants’ May 1, 2024 motion in further support of their April 22, 2024 oral argument ([NYSCEF #41](#)).

ADDITIONALLY, encompassed by this appeal is the Appellate Division, Third Department’s [December 27, 2018 Memorandum and Order in *CJA v. Cuomo...DiFiore*](#), replied upon, twice, by its June 20, 2024 Memorandum and Order (at p. 3), cited to as “163 AD3d 1406, 1408 [3d Dept 2018], *appeal dismissed* 33 NY3d 993 [2019], *lv dismissed & denied* 34 NY3d 961 [2019]”.

The original papers of [CJA v. Cuomo...DiFiore at the Court of Appeals](#) are in the possession of the Clerk’s Office, having been retained beyond the five-year retention date, at appellants’ request, so as to be available for the Court in connection with the then-anticipated appeal of right herein – and in connection with the appeal of right in the subsequently commenced *CJA v. Commission on Legislative, Judicial and Executive Compensation...Wilson, Zayas, et al.* ([Albany Co. #902654-24](#)), now before the Court on a direct appeal (APL 2024-00149), taken by an October 21, 2024 notice of appeal ([Albany NYSCEF #95](#)) and, then again, by a November 29, 2024 notice of appeal ([Albany NYSCEF #99](#)).

Date: October 21, 2024*

** Clarified and expanded, by its #15 answers (at pp. 8-9), on December 6, 2024

Submitted by:



Elena Ruth Sassower, unrepresented petitioner-appellant, individually and as Director of the Center for Judicial Accountability, Inc., acting on her own behalf and on behalf of the People of the State of New York & the Public Interest

* This day marks five years since the death of the Center for Judicial Accountability’s co-founder, my beloved mother, [Doris L. Sassower, ESQ.](#), a legal giant, patriot, and visionary, October 21, 2019.