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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: Appeal of Right –  
CJA, et al. v. JCOPE, et al.  
APL 2024-00149: Direct Appeal of Right –  
CJA, et al. v. Commission on Legislative, Judicial & Executive Compensation...  
Wilson, Zayas, et al.

Dear Clerk Davis:

Assistant Deputy Clerk Margaret Wood apprised me that in conjunction with my uploading of appellants' December 3, 2024 letters in response to your November 6, 2024 jurisdictional inquiry letters that I am required to upload, entry by entry, the record of the respective NYSCEF dockets below, *to wit*:

- the [Appellate Division, Third Department's NYSCEF docket for #CV-23-0115](#);
- the [Albany Supreme Court NYSCEF docket for #902654-24](#).

This makes no sense to me whatever, as the NYSCEF dockets are the BEST EVIDENCE of the record below, being, in fact, the record below, and are instantaneously accessible to the Court, as they are to everyone else. It is akin to "playing telephone".

Moreover, it is appellants' contention, particularized by their December 3, 2024 letter for APL 2024-00150 (appeal of right—JCOPE), that you wrongfully removed the appeals from the "normal course treatment", wherein, pursuant to [Court Rule 500.12](#), you would have issued a "scheduling letter set[ting] the filing dates for record material...", further specified by [Rule 500.14](#).

Appellants are perfectly willing to comply with all requirements, but not if their purpose is solely to impose upon their limited time and resources, without the slightest intent on the Court's part to comply with its constitutional and other duties – which is what happened in [CJA v. Cuomo...DiFiore](#). The original record of that case, in the possession of the Clerk's Office and herein incorporated, evidences this, overwhelmingly.

Assistant Deputy Clerk Wood stated that I should set forth my position in a written request to be relieved of the uploading record requirement at this juncture, which by this letter I here do.

Thank you.



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