

From: FOIL <FOIL@nycourts.gov>
Sent: Thursday, January 16, 2025 5:01 PM
To: Center for Judicial Accountability, Inc. (CJA); records@ethics.ny.gov; FOIL
Subject: **RE: FOIL/Records Request: Whether any cases involving JCOPE were ever appealed to the Court of Appeals**

The Office of Court Administration acknowledges receipt of your FOIL request dated 1/8/2025, seeking:

whether any cases involving JCOPE were ever appealed to the Court of Appeals and, if so, the case names, index/docket numbers, the numbers assigned by the Court of Appeals, and the Court's dispositions thereof.

The records you are requesting are records of the court. Please be advised that the Office of Court Administration does not maintain court records, nor are court records subject to FOIL. See Public Officers Law § 86.

Rather, access to court records is governed by section 255 of the Judiciary Law, and the custodian of court records typically is the clerk of the court or county clerk where the proceedings were handled. Additional information regarding access to court records is available at the following link: <http://ww2.nycourts.gov/foil/CourtRecords.shtml>

You should direct a section 255 request to the clerk where your case was handled. The request should identify the specific records sought, to permit the clerk to conduct a search, determine what responsive records exist, and assess the search, copy, and certification fees, consistent with CPLR Article 80. Section 255 does not require the clerk to conduct case search research, compile information, or create a record.

Contact information for the courts is available at the following link:
<https://www.nycourts.gov/courts/>

Pursuant to Public Officers Law § 89(4)(a), you have thirty (30) days to take a written appeal of this determination. You may appeal by writing:

Michael Siudzinski, Assistant Deputy Counsel
FOIL Appeals Officer
25 Beaver Street, 10th Floor
New York, NY 10004
212-428-2150

Or you may submit such appeal by email to: FOILappeal@nycourts.gov

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Wednesday, January 8, 2025 1:14 PM
To: records@ethics.ny.gov; FOIL <FOIL@nycourts.gov>

Subject: FOIL/Records Request: Whether any cases involving JCOPE were ever appealed to the Court of Appeals

TO: [COELIG Records Access Officer Emily DeSantis](#)
[Unified Court System FOIL Officer/Assistant Deputy Counsel Diane Turo](#)

The video of the Court of Appeals' oral argument yesterday of *Cuomo v. COELIG* (APL-2024-76) is not yet available. However, to the best of my recollection, I believe it was Associate Justice Halligan who stated that the Court had never considered a JCOPE case.

My question is whether this is because no case involving JCOPE was ever appealed to the Court or because the Court dismissed and/or denied such appeals.

Pursuant to [Public Officers Law Article VI](#) ("Freedom of Information Law") and [Part 124 of the Chief Administrator's Rules](#) ("Public Access to Records"), this is to request records answering the question as to whether any cases involving JCOPE were ever appealed to the Court of Appeals and, if so, the case names, index/docket numbers, the numbers assigned by the Court of Appeals, and the Court's dispositions thereof.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200
elena@judgewatch.org