UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 26-1576*; 26-899 Caption [use short title] Orrego v Knipfing

Motion: Pursuant to Local Rule 40.2 for Reconsideration, with Suggestion for Reconsideration En Banc of a September 9, 2026 Order Denying the Pro Se Appellant's Motions to Proceed In Forma Pauperis & Dismissing Her Appeals.

Set forth below precise, complete statement of relief sought:

Recall/Vacatur of the September 9, 2026 Order because it is NOT defensible and NOT constitutional. See attached October 21, 2026 Motion for Reconsideration, with Suggestion for Reconsideration En Banc.

MOVING PARTY: Lidia M. Orrego - Pro Se

☐ Plaintiff ☐ Defendant

☒ Appellant/Petitioner ☐ Appellee/Respondent

OPPOSING PARTY: Kevin Knipfing a/k/a Kevin James, Stephanieanna James-Knipfing a/k/a Steffiana de la Cruz, Old Westbury, EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua.

~~**MOVING ATTORNEY:**~~

[name of attorney, with firm, address, phone number and e-mail]

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Rego Park, NY 11374
Phone: (347) 453-2234
Email: orregoprose@gmail.com

OPPOSING ATTORNEY: Gordon Rees Scully Mansukhani LLP Attorney

Address : One Battery Park Plaza, 28th Floor
New York, NY 10004
Phone: (212) 269-5500
Email: kminnahdonkoh@grsm.com

Court- Judge/ Agency appealed from: Nov. 17, 2025 Recused Judge Sanket J. Bulsara & Magistrate Judge Anne Y. Shields

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):
☒ Yes ☐ No (explain): See attached Certificate of Service.

~~**FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUCTIONS PENDING APPEAL:**~~

Has this request for relief been made below? ☐ Yes ☐ No
Has this relief been previously sought in this court? ☐ Yes ☐ No

Requested return date and explanation of emergency:

Opposing counsel's position on motion:
☐ Unopposed ☐ Opposed ☒ Don't Know

Does opposing counsel intend to file a response:
☐ Yes ☐ No ☒ Don't Know

Is the oral argument on motion requested? ☒ Yes ☐ No (requests for oral argument will not necessarily be granted)

Has the appeal argument date been set? ☐ Yes ☒ No If yes, enter date:

Signature of Moving ~~Attorney~~/Party:

Date: 10/21/2026 Service : ☒ Electronic ☒ Other [Attach proof of service]

Form T-1080 (rev. 10-23)

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

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LIDIA M. ORREGO,

Plaintiff-Appellant,

26-1576*
26-899

v.

EDNY – C. Islip
20-cv-3361
Busara, J.
Shields, M.J.

KEVIN KNIPFING, EMPLOYER,
aka KEVIN JAMES, *et al.*

Defendants-Appellees.

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October 21, 2026

APPELLANT'S MOTION FOR RECONSIDERATION,
with SUGGESTION FOR RECONSIDERATION *EN BANC*, **
PURSUANT TO LOCAL RULE 40.2

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* As #26-1576 is the appeal from the Judgment below, it is properly the lead.

** This October 21, 2026 reconsideration motion, pursuant to Local Rule 40.2, was originally filed September 23, 2026 as a rehearing petition, pursuant to FRAP 40. The odyssey that has led to this reconsideration motion, stripped of the hyperlinks that had substantiated the petition, is reflected by (1) appellant's September 28, 2026 motion directed against Clerk O'Hagan Wolfe, pertaining to Local Rule 25.1(i) entitled "Hyperlinks"; and (2) appellant's October 2, 2026 motion pursuant to FRAP 27(b) & for enforcement of Local Rule 25.1(i), also directed against Clerk O'Hagan Wolfe – both motions denied, *without reasons*, by an October 19, 2026 Order bearing Chief Judge Lohier's name, but not his signature, electronically signed by Clerk O'Hagan Wolfe "For the Court". This enabled the Clerk's Office to thereupon issue an unsigned October 19, 2026 "Notice of Defective Filing", rejecting appellant's October 2, 2026 motion for reconsideration/reconsideration *en banc* by reason of its unspecified "hyperlinks".

MOTION

This motion seeks reconsideration, with a suggestion for reconsideration *en banc*, of a four-sentence September 9, 2026 Order (Exhibit A) denying a financially qualifying *pro se* appellant's motions to proceed *in forma pauperis* on her two "consolidated appeals", which actually are nothing more than notices of appeals, on the bald LIE that they "lack[] an arguable basis either in law or in fact", quoting *Neitzke v. Williams*, 490 U.S. 319, 325 (1989), thereupon dismissing the "appeals" and denying her related motions as "moot".

Although the top of the Order identifies **Chief Judge Raymond J. Lohier, Jr. and Circuit Judges Guido Calabresi and Susan L. Carney** as "Present" "At a stated term" on September 9, 2026, it does not state that they rendered the Order, nor is it signed by any of them. Rather, it is signed electronically "**FOR THE COURT**" **by Clerk Catherine O'Hagan Wolfe**, whose entry of the Order on the two appeal dockets is materially false in characterizing it as a "MOTION ORDER"[1], thereupon omitting from the docket summary the most important disposition it made: dismissing the *pro se* appellant's "appeals"[2].

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[1] This Court's Local Rule 27.1(c) "Authority of Clerk to Decide Motions" reads: "The clerk is authorized to decide routine, unopposed procedural motions."

[2] The two docket entries for the Order – docket entry 27 for #26-1576 and docket entry 37 for #26-899 – are identical, reading:

> "MOTION ORDER, denying motion to proceed in forma pauperis at docket entry **10**, denying motion to proceed in forma pauperis at docket entry **19**, denying as moot motion to reconsider at docket entry **24**, denying as moot motion for leave to file at docket entry **25**, denying as moot motion to reconsider at docket entry **32**, denying as moot motion to reconsider at docket entry **33**, denying as moot motion for leave to file at docket entry **34**, denying as moot motion for leave to file at docket entry **35**, on behalf of Appellant Lidia M. Orrego, by RJL, GC, SLC, FILED. [26-899, 26-1576] [Entered: 09/09/2026 04:14 PM]" (bold added).

Local Rule 40.2 requires that a motion for reconsideration and reconsideration *en banc* comply with FRAP 40. This means that as with a petition for rehearing *en banc*, this motion for reconsideration *en banc* must begin, as FRAP 40(b)(2) requires, with a statement that (a) "the panel decision" conflicts with a decision of the Court, for which "the full court's consideration is therefore necessary to secure or maintain uniformity of the court's decisions"; or (b) that "the panel decision" conflicts with decisional law of the U.S. Supreme Court; or (c) that "the panel decision" conflicts with an authoritative decision of another U.S. Court of Appeals; or (d) "involves one or more questions of exceptional importance". Consequently, **the *pro se* appellant here asserts, in support of both reconsideration and reconsideration *en banc***, that the September 9, 2026 Order is NOT a "panel decision", but is the product of the Clerk's Office, which here – and in other cases – operates unconstitutionally, unlawfully, and by fraud to deprive litigants of due process and the rule of law, particularly where the litigants' claims, by appeal, by mandamus/prohibition, or by judicial misconduct complaints, involve judicial misconduct, judicial disqualification, and judicial filing injunctions and other sanctions imposed upon them.

As below demonstrated, the September 9, 2026 Order is not just indefensible, but:

> "so totally devoid of evidentiary support as to render[it] unconstitutional under the Due Process Clause' of the United States Constitution", *Garner v. State of Louisiana*, 368 U.S. 157, 163 (1961), *Thompson v. City of Louisville*, 362 U.S. 199 (1960) (underlining added),

denying appellant her "right to one appeal"[3], including as to the filing injunction which the district judge imposed upon her, without notice or opportunity to be heard, in his decision granting defendants' summary judgment motions and denying her own, thereby further violating her rights:

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[3] *See*, "*The Right of Appeal*", 91 N.C.L. Rev. 1219, by Cassandra Burke Robertson. "…the federal system…already provide[s] an appeal of right even absent a constitutional obligation to do so." (at p. 1244); "The existence of appellate review serves as a check on both the perception and the reality of biased or corrupt judging…in the United States, appellate panels typically comprise at least three judges", citing

> "'[A] plaintiff's cause of action is valuable property within the generally accepted sense of that word, and, as such, it is entitled to the protections of the Constitution.', *Link v. Wabash Railroad Co*., 370 U.S. 626, 646 (1962), Justice Black writing in dissent, with Chief Justice Warren, concurring.

Here then are this motion's "questions of exceptional importance, each concisely stated":

- **Is the September 9, 2026 Order a "panel decision"?**
- **Is there ANY evidence supporting the Order's assertion that appellant's "consolidated appeals" "lack[] an arguable basis either in law or in fact"?**
- **Is the Order unconstitutional?**
- **What are the duties of the three judges whose names appear on the Order, including pursuant to Canon 3B(5) and (6) of the Code of Conduct for United States Judges?**[4]

To facilitate the answers, here are the EVIDENTIARY FACTS:

THE COURT's SEPTEMBER 9, 2026 ORDER
& THE COURT's DOCKET FOR THE APPEALS

The four-sentence September 9, 2026 Order, with its two legal citations, states, as follows:

> "Appellant, pro se, moves for leave to proceed in forma pauperis ('IFP') in her consolidated appeals taken from summary judgment granted to the Appellees and the imposition of a filing injunction. Appellant also moves for reconsideration of this Court's August 12, 2026 order, which denied her motion to hold these appeals in abeyance, and for leave to file limited supplemental exhibits to her reconsideration motion. **Upon due consideration, it is hereby ORDERED that**

"*Nguyen v. United States*, 539 U.S. 69, 82 (2003) ('[T]he statutory authority for courts of appeals to sit in panels…requires the inclusion of at least three judges in the first instance.')" (at p. 1263).

[4] These read:

> "(5) A judge with supervisory authority over other judges should take reasonable measures to ensure that they perform their duties timely and effectively.
>
> (6) A judge should take appropriate action upon receipt of reliable information indicating the likelihood that a judge's conduct contravened this Code, that an employee's conduct contravened the Code of Conduct for Judicial Employees, or that a lawyer violated applicable rules of professional conduct." (hyperlinks added).

> **the IFP motions are DENIED and the appeals are DISMISSED because they 'lack[] an arguable basis either in law or in fact.'** ***Neitzke v. Williams*****, 490 U.S. 319, 325 (1989);** ***see*** **28 U.S.C. §1915(e).** It is further ORDERED that the remaining motions are DENIED as moot." (capitalization and italics in the original, bold and hyperlinks added).

The Order furnishes NO specificity for its assertion that appellant's so-called "consolidated appeals" "lack[] an arguable basis either in law or in fact". This is NOT surprising, as it is an OUTRIGHT LIE – verifiable IMMEDIATELY from appellant's two notices of appeal that are the very first entry on the Court's two dockets for the two appeals: #26-899 and #26-1576.

Thus, **APPELLANT's APRIL 6, 2026 NOTICE OF APPEAL FOR #26-899** identifies that she is appealing an "order **denying Plaintiff's motion to disqualify/recuse and from all related purported rulings or acts entered without jurisdiction**…entered March 24, 2026" (bold and underlining in the original), further elaborating, by an "**ATTACHMENT A**" entitled "**JURISDICTIONAL STATEMENT AND SUPPORTING GROUND**", reading:

> "…Plaintiff filed the motion to disqualify/recuse on July 8, 2025 at 4:25 PM.[5] Within approximately three hours, the Court issued unrelated procedural orders at 7:21 PM and 7:26 PM, without addressing the recusal motion or its grounds.
>
> The Court delayed ruling for over eight months, ultimately denying the motion on March 24, 2026, relying on those same unrelated orders rather than addressing the substantive requirements of 28 U.S.C. §455. The Order's reliance on rulings issued within hours of the recusal motion – without first resolving the question of disqualification – renders the decision procedurally improper and inconsistent with the governing recusal standard.
>
> The March 24, 2026 Order continues the same pattern of deprivation of rights and obstruction of justice that was the subject of Plaintiff's prior interlocutory appeal from the September 16, 2025 unlawful filing injunction (DE [219])[6] and is the subject of the criminal complaint filed with U.S. Attorney Joseph Nocella, Jr. on March 14, 2026 (resubmitted March 26-27, 2026) for docket alterations, concealment of records, obstruction of justice, and related violations of *18 U.S.C. §§1503, 1506, 2017, 2, 1512, and 1001*.

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[5] Correction – As reflected by the file-stamp on the linked July 8, 2025 motion, it was actually filed almost six hours earlier, at 10:44 am. The district court did not upload it to its electronic docket until 4:25 pm.

[6] DE stands for Docket Entry – and the entry number follows.

> **The Court subsequently entered a recusal order on November 5 and 17, 2025, thereby divesting itself of jurisdiction. Any subsequent substantive actions – absent lawful reassignment – constitute purported rulings or acts entered without jurisdiction, and are void and of no legal effect."** (italics and bold in the original, hyperlinks and footnotes added).

APPELLANT'S JUNE 1, 2026 NOTICE OF APPEAL FOR #26-1576 identifies that she is appealing a May 8, 2026 Memorandum Order and Judgment (DE [244, 245]), stating, at page 1, that it is:

> "void *ab initio* under 28 U.S.C. §455 and ***In re IBM Corp.***, 618 F.2d 923, 932 (2d Cir. 1980), entered 172 days after the November 17, 2025, Order of Recusal, while all jurisdiction vested in the Honorable Pamela K. Chen" (hyperlinks added, bold in the original),

further stating that merged within the Judgment, pursuant to *Ginett v. Computer Task Group, Inc.*, 962 F.2d 1085, 1091 (2d Cir. 1992), are:

> "**Prior Proceedings – Merger.** Interlocutory appeals 23-7941, 25-2225, 25-2434, and 25-3217 were dismissed for lack of jurisdiction as non-final orders. Mandamus petitions 25-1802 and 25-2399 were denied without explanation; Application In Forma Pauperis ('IFP') was granted simultaneously in both by Mandate dated March 18, 2026, in the record. No prior proceeding was decided on the merits. Pursuant to the merger doctrine, all interlocutory orders, judicial entries, and purported acts issued between 2020 and 2026 by any and all presiding judges – including but not limited to U.S. District Judges Gary R. Brown, Joan M. Azrack, and recused Sanket J. Bulsara, and recused Magistrate Judge Anne Y. Shields – merge into this final judgment for complete appellate review. *Ginett*, 962 F.2d at 1091. …" (underlining added, bold in the original).

and that

> "**Related Pending.** Case No. 26-899 (Second Circuit) – purported denial of DE [203] remains pending. Issues are subsumed in this appeal. FRAP 24(a)(5) IFP filed concurrently in 26-899." (bold in the original).

This is followed by a three-paragraph "**SECTION I**" entitled "**RECUSAL, REASSIGNMENT, AND EVIDENCE REMOVAL**", reading:

> "…**Order of Recusal – November 17, 2025 – Four Categories of Void Acts.** The November 17, 2025, Order of Recusal is an active, valid, unreversed court order removing jurisdiction from Judge Bulsara and Magistrate Judge Shields, and

vesting full authority in the Honorable Pamela K. Chen and Magistrate Judge Merkl. It has never been vacated, appealed, or modified by any judicial act. All post-recusal acts are void ab initio under four independent categories: (a) **172-day post recusal acts generally** – DE [244] and DE [245] entered May 8, 2026, 172 days after recusal; (b) **adjudication of withdrawn motions** – DE [221] and DE [226] were withdrawn by the November 5, 2025 pre-recusal order; no judicial act by Judge Chen reinstated them; DE [244] purported to adjudicate motions with no lawful procedural existence; (c) **clerk notation without judicial force** – the November 26, 2025 administrative clerk notation purporting to reassign the matter back to Judge Bulsara is not a judicial act and cannot vacate a recusal order under 28 U.S.C. §455; and (d) **post-recusal denial of the recusal motion itself** – DE [203] was purportedly decided on March 24, 2026 – 127 days into the post-recusal void period – by the same judge the motion sought to disqualify; a recused judge has no authority to adjudicate the motion that disqualified him, and the denial contains an independent false statement by citing orders issued within three hours of the recusal motion on July 8, 2025 – without ever addressing the §455(a) questions… ***Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847 (1988); 28 U.S.C. §455.**

…**Evidence Removal – 26-mc-01957.** On May 5, 2026, Plaintiff filed three court-authorized evidentiary submissions in 20-cv-3361. On May 8, 2026 – the same day DE [244] issued – MC2:26-mc-01957-SJB was opened, those three filings were moved out of the 20-cv-3361 record, and the miscellaneous case was immediately closed. Plaintiff's Summary Judgment opposition evidence was thereby extracted from the record before DE [244] issued. DE [244] then stated no supplemental evidence was on the record. The miscellaneous case was created without Chief Judge authorization.

…**False Vexatious Litigant Label – Injunction Weaponized to Suppress Evidence.** DE [244] at pp. 25-27 falsely characterized Plaintiff as a vexatious litigant and imposed a permanent district-wide filing injunction without Chief Judge authorization (28 U.S.C. §137) and without independent *Safir* analysis. *Safir v. U.S. Lines, Inc.*, 792 F2d 19, 24 (2d Cir. 1986). The actions cited as vexatious are statutory rights: mandamus petitions (28 U.S.C. §1651); interlocutory appeals (28 U.S.C. §1292); recusal motions (28 U.S.C. §455 – they succeeded on November 17, 2025; a motion producing an actual recusal is meritorious, not vexatious); judicial misconduct complaints (28 U.S.C. §351 – caused the recusal); and the U.S. Equal Employment Opportunity Commission ('EEOC') complaint (DE [224-26] Freedom of Information Act ('FOIA') 520-2019-01738), which is a mandatory exhaustion prerequisite whose Right to Sue Letter (Page ID #372) is the statutory jurisdictional foundation of this case – treating a jurisdictional prerequisite as evidence of vexatiousness is legal error on its face. The injunction's factual predicate (DE [221-1] ¶¶129-178) was the subject of an unresolved motion to strike (DE [230], denied without adjudication one day after filing). The same order that applied the vexatious label removed Plaintiff's evidence through 26-mc-01957." (bold and italics in the original, hyperlinks and underlining added).

This is then followed by a 13-page "**SECTION II**" entitled "**SUMMARY JUDGMENT VIOLATIONS PRESERVED FOR APPEAL**", specifying a mountain of what appellant contends to be "reversible error", constituting "pervasive bias" and "profound extrajudicial animosity under *Liteky v. United States*, 510 U.S. 540, 555 (1994)", further "rendering the resulting judgment void" (pp. 4, 8, 17).

As for the Order's description that appellant appeals "from summary judgment granted to the Appellees and the imposition of a filing injunction", this is materially false, concealing, *in toto*, the threshold issue identified by each notice of appeal, *to wit*, that Judge Bulsara was without jurisdiction when he rendered the appealed-from March 24, 2026 Order, consisting of an unenumerated docket entry reading:

> "ORDER: Plaintiff Orrego's July 8, 2025 motion, 203, is denied, for the reasons discussed in the Court's July 8, 2025 Order. So Ordered by Judge Sanket J. Bulsara on 3/24/2026. (RB) (Entered: 03/24/2026)"

and when he rendered his appealed-from May 8, 2026 Memorandum and Judgment, as he had recused himself by a November 17, 2025 "ORDER OF RECUSAL", consisting of an unenumerated docket entry reading:

> "ORDER OF RECUSAL. Type of Recusal: party. Ordered by Judge Sanket J. Bulsara on 11/17/2025. Judge Sanket J. Bulsara, Magistrate Judge Anne Y. Shields recused. Case randomly reassigned to Judge Pamela K. Chen and Magistrate Judge Taryn A. Merkl for all further proceedings. (BBM) (Entered: 11/17/2025)",

which could not be undone, nine days later, on November 26, 2025, by an unenumerated docket entry reading:

> "Case Reassigned to Judge Sanket J. Bulsara and Magistrate Judge Anne Y. Shields. Judge Pamela K. Chen, Magistrate Judge Taryn A. Merkl no longer assigned to the case. …(BBM) (Entered: 11/26/2025)".

All of the foregoing, establishing not just "an arguable basis" for appellant's appeals, BOTH in law and in fact, but an overwhelming one – dispositive of her entitlement to reversal, if not vacatur – was reiterated and reinforced by appellant's three subsequent motions, which the September 9, 2026 Order denies as "moot".

As clear from all three motions, their purpose was to inform the Court of what was happening in the district court bearing on appellant's two notices of appeals – most importantly, appellant's June 24, 2026 motion to District Judge Chen and Magistrate Judge Merkl "as the judicial officers vested with jurisdiction over this action following the November 17, 2025 Order of Recusal" to vacate Judge Bulsara's May 8, 2026 Memorandum and for an indicative ruling pursuant to Rule 60(b)(3), (4), (6), Rule 60(d)(3), and Rule 62.1.

These three motions were:

- appellant's July 23, 2026 motion to hold her appeals in abeyance pending district court determination of her June 24, 2026 vacatur motion and for an indicative ruling, alerting the Court to the vacatur motion and that it had been filed in #26-mc-01957 – the "miscellaneous case entitled 'In re Orrego'" that Judge Bulsara's May 8, 2026 Memorandum had directed the EDNY Clerk to open[7];

[7] Best summarizing the function of the "miscellaneous case entitled 'In re Orrego" is the lower court docket entry 244 for the May 8, 2026 Memorandum, reading, in full:

> "ORDER: As explained in the attached, Defendants' motion for summary judgment, 221, is granted, and Orrego's motion for summary judgement, 226, is denied. Orrego's pending motion for leave to appeal in forma pauperis, 238, is denied for the reasons set forth in the Court's December 5, 2025 Order, and the pending premotion conference request, 232, is denied as moot.
>
> The Court also institutes a filing injunction against Orrego. The Clerk of Court is directed to open a miscellaneous case entitled 'In re Orrego,' and to file a copy of this Order under that docket number. The matter is then to be administratively closed. Any future filings by Orrego, including any motion for reconsideration, shall be filed under that miscellaneous docket number. The Court will review each filing. If the filing is found to be frivolous, no further action will be taken. If the filing states a claim that is not frivolous or does not fail to state a claim, the Court will direct the Clerk of Court to open a new civil matter in which the filing will be docketed, and the matter will proceed as a new case in the ordinary course.

- appellant's August 26, 2026 motion for panel reconsideration and reconsideration *en banc* of this Court's August 12, 2026 Order denying her July 23, 2026 motion, or, alternatively, for clarification – no reasons having been given by the August 12, 2026 Order, bearing Circuit Judge Maria Araujo Kahn's name, but not her signature;

- appellant's August 27, 2026 motion for leave to file supplemental exhibits in support of her August 26, 2026 motion.

CONCLUSION

The September 9, 2026 Order is NOT defensible – resting on LIES to cheat this earnest, diligent, and respectful *pro se* appellant of her long-awaited right of appellate review of district court decisions and procedural rulings for which she was denied merits review, spanning years:

- by interlocutory appeals (dismissed by conclusory, boiler-plate orders for lack of jurisdiction because she had no final order[8], unsigned by any of the three judges purported as "Present", who might have, but did not, reference 28 U.S.C. §1292(b) as a suggestion to the lower court, or dismissed with such LIES as the Court's April 24, 2026 Order, obvious, IMMEDIATELY, from appellant's notices of appeal for #25-2234, #25-2431, #26-298, and #25-3234, and the Order's concluding paragraph:

> "Upon due consideration, it is hereby ORDERED that the IFP motions are DENIED in the 25-2234, 25-2431, and 26-298 consolidated appeals and those appeals are DISMISSED because each one 'lacks an arguable basis either in law or in fact.' *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see* 28 U.S.C. §1915(e). It is

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The present filing injunction is lifted solely for the purpose of filing any notice of appeal. Aside from filings related to her appeal, Orrego is enjoined from further filings in this case, and from initiating future actions in the Eastern District of New York absent a Court order, and that this case is closed. Ordered by Clerk of Court on 5/8/2026 (JC) (Entered: 05/08/2026)".

[8] Dec 1, 2023 Order (**Lynch, Park, Menashi**) – #23-1114
Mar 14, 2024 Order (**Cabranes, Wesley, Nathan**) – #23-7928
Sept 25, 2024 Order (**Raggi, Wesley, Lohier**) – #23-7941
Feb 25, 2026 Order (**Lynch, Menashe, Rakoff**) – #25-2225 (L), (Tandem), #25-2434 (Con), #25-3217 (Con), #25-2239 (L) (Tandem), #25-2437 (Con), #25-3208 (Con)
April 24, 2026 Order (**Jacobs, Parker, Lohier**) – #25-2234 (L), #25-2431 (Con), #25-3234 (Con), #26-298 (Con)

further ORDERED that the appeal in 25-3234 is dismissed for lack of jurisdiction. It is further ORDERED that Appellant's remaining motions in these consolidated appeals are DENIED as moot." (capitalization in the original, underlining added);

- by mandamus petitions (dismissed by orders unsigned by any of the three judges purported as "Present", based on the conclusory boilerplate that appellant had "not demonstrated that she lacks an adequate, alternative means of obtaining relief, that her right to the writ is clear and indisputable, and that granting the writ is appropriate under the circumstances");[9]

- by judicial misconduct complaints (dismissed by unsigned orders of the Chief Judge as "directly related to a decision or procedural ruling" and as "lacking sufficient evidence to raise an inference that misconduct has occurred" [10],

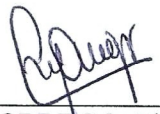
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[9] Mar 14, 2024 Order (**Cabranes, Wesley, Nathan**) – #23-7643
Nov 21, 2025 Order (**Kearse, Raggi, Lohier**) – #25-1802 (L), #25-2399 (Con)
Nov 21, 2025 Order (**Kearse, Raggi, Lohier**) – #25-1808
Nov 21, 2025 Order (**Kearse, Raggie, Lohier**) – #25-1810
NOTE: Five days before this Court's September 9, 2026 Order, appellant commenced a September 4, 2026 mandamus proceeding against Judge Bulsara (#26-2518), raising the specter that the September 9, 2026 Order was a retaliation, intended to moot the mandamus proceeding.

[10] **Sept 28, 2022 unsigned Chief Judge Order (Livingston)** – #22-90047-jm; #90048-jm: https://www.judgewatch.org/CJA-members/orrego-lidia/2022/9-8-22-order-dismissing-complaints-22-90047-jm-and22-90048-jm.pdf
Nov 29, 2022 unsigned Judicial Council Order – #22-90047-jm; #90048-jm: https://www.judgewatch.org/CJA-members/orrego-lidia/2022/11-29-22-judicial-council-denial-22-90047-jm,%2022-90048-jm.pdf
Jan 24, 2024 unsigned Chief Judge Order (Livingston) – #23-90045-jm: https://www.judgewatch.org/CJA-members/orrego-lidia/2024/1-24-24-dismissal-complaint-v-shields-23-900045JM.pdf
April 23, 2024 unsigned Judicial Council Order — #23-90045-jm: https://www.judgewatch.org/CJA-members/orrego-lidia/2024/4-23-24-ltr-with-judcounsel-dismissal-23-90045-jm.pdf
Dec 16, 2024 unsigned Chief Judge Order (Livingston) – #24-90023-jm: https://www.judgewatch.org/CJA-members/orrego-lidia/2024/12-16-24-ltr-with-dismissal-24-90023-jm%2024-90027-jIn.pdf [the cited-to #24-90027-jm is NOT appellant's].
NOTE: Notwithstanding the 1980 Act commands "prompt" and "expeditious" action by the Court's clerk, chief judge, and the special committee appointed, §351(c), §352(a), (b), §353(c), **appellant has two judicial misconduct complaints pending for more than nine months without a determination: a November 29, 2025 complaint against Judge Bulsara** (https://www.judgewatch.org/CJA-members/orrego-lidia/2025/11-29-25-stamped-complaint-v-bulsara.pdf), **and a November 29, 2025 complaint against Magistrate Judge Shields** (https://www.judgewatch.org/CJA-members/orrego-lidia/2025/11-29-25-complaint-v-shields.pdf), assigned the numbers 25-90131-jm and 25-90132-jm (https://www.judgewatch.org/CJA-members/orrego-lidia/2025/12-30-25-acknowledgment.pdf), **and, additionally, an August 10, 2026 complaint against Judge**

> notwithstanding §352(b) of the Judicial Conduct and Disability Act of 1980 ["the 1980 Act"] does NOT require dismissal of "merits related" complaints and that bias complaints are NOT "merits related when they are substantiated by evidence that decisions and procedural rulings are so pervasively and manifestly indefensible as to meet the "impossibility of fair judgment" standard of *Liteky v. U.S.*[11]

If the three judges whose names are on the September 9, 2026 Order, but not their signatures, do not believe their duty is to recall the Order and allow appellant to proceed, *in forma pauperis*, with the filing of an appeal brief, based on her two notices of appeal and three subsequent motions – whose accuracy has not been contested by the appellees – they should explain why in an order they sign, or have the matter addressed by a signed order of the Circuit's judges sitting *en banc*, sending copies to the Judicial Conference, the House Judiciary Committee, and the Justice Department.



LIDIA M. ORREGO, Plaintiff-Appellant *Pro Se*

October 21, 2026

Bulsara (https://www.judgewatch.org/CJA-members/orrego-lidia/2026/8-10-26-complaint-v-bulsara-no26-90052-jm.pdf), assigned the number 26-90052-jm (https://www.judgewatch.org/CJA-members/orrego-lidia/2026/8-14-26-ackn-complaint-v-bulsara-26-90052-jm.pdf).

[11] *See*, additionally, the March 6, 2008 Critique of the Breyer Committee Report by the Center for Judicial Accountability, Inc. (https://www.judgewatch.org/judicial-discipline/2008-breyer-critique/3-6-08-critique.pdf).

For the evidence that accompanied the Critique, *see* https://www.judgewatch.org/web-pages/judicial-discipline/federal/critique-with-folders-compendium.htm, and for the Critique's summarizing Executive Summary, *see* https://www.judgewatch.org/judicial-discipline/2008-breyer-critique/law-day-executive-summary.pdf .

E.D.N.Y. – C. Islip
20-cv-3361
Bulsara, J.
Shields, M.J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 9th day of September, two thousand twenty-six.

Present:

Raymond J. Lohier, Jr.,
Chief Judge,
Guido Calabresi,
Susan L. Carney,
Circuit Judges.

Lidia M. Orrego,

Plaintiff-Appellant,

v.

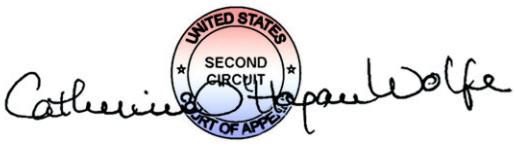
26-899 (L),
26-1576 (Con)

Kevin Knipfing, Employer, AKA Kevin James, et al.,

Defendants-Appellees.

Appellant, pro se, moves for leave to proceed in forma pauperis ("IFP") in her consolidated appeals taken from summary judgment granted to the Appellees and the imposition of a filing injunction. Appellant also moves for reconsideration of this Court's August 12, 2026 order, which denied her motion to hold these appeals in abeyance, and for leave to file limited supplemental exhibits to support her reconsideration motion. Upon due consideration, it is hereby ORDERED that the IFP motions are DENIED and the appeals are DISMISSED because they "lack[] an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see* 28 U.S.C. § 1915(e). It is further ORDERED that the remaining motions are DENIED as moot.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court



Pro Se Certificate of Compliance with

Word or Page Limits Adapted from Federal Rules of Appellate Procedure Form 6

A document filed with the Court must not be longer than the Federal Rules of Appellate Procedure or the Court's Local Rules permit. Check the box for the document you are filing and state the number of words or pages.

☐ **Brief** contains _____ words. [14,000 word limit - LR 32.1(a)(4)(A)], or
Brief contains _____ pages. [30 page limit - FRAP 32(a)(7)(A)]

☐ **Reply Brief** contains _____ words. [7,000 word limit - LR 32.1(a) (4)(B)], or
Reply Brief contains _____ pages. [30 page limit - FRAP 32(a)(7)(A)]

☐ **Writ of Mandamus/Prohibition** contains _____words. [7,800 word limit - FRAP 21(d)(1)], or
Writ of Mandamus/prohibition contains _____ pages. [30 page limit - FRAP 21(d)(2)]

☒ **Motion** or **Response to the Motion** contains _____ words. [5,200 word limit - FRAP 27(d)(2)(A)], or
Motion or **Response to the Motion** contains 12 pages. [20 page limit - FRAP 27(d)(2)(B)]

☐ **Reply to the Motion** contains _____ words. [2,600 word limit - FRAP 27(d)(2)(C)], or
Reply to the Motion contains _____ pages. [10 page limit - FRAP 27(d)(2)(D)]

☐ **Petition for Panel or En Banc Hearing** contains _____ words. [3,900 word limit - FRAP 35(b)(2)(A)], or
Petition for Panel or En Banc Hearing contains _____ pages. [15 page limit - FRAP 35(b)(2)(B]

☐ **Petition for Panel Rehearing** contains _____ words. [3,900 word limit - FRAP 40 (b)(1)], or
Petition for Panel Rehearing contains _____ pages. [15 page limit - FRAP 40 (b)(2)]

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

----------X

Lidia M. Orrego,

Appellant,

v.

Kevin Knipfing aka Kevin James et al.

Respondents.

----------X

Docket Number: 26-1576*; 26-899

CERTIFICATE OF SERVICE*

I, Lidia M. Orrego, hereby certify under penalty of perjury that on October 21, 2026, I served a true and correct copy of the following documents:

- Motion Information Statement (Form T-1080), Motion for Panel Reconsideration and Reconsideration En Banc of the September 9, 2026 Order pursuant to Local Rule 40.2, Exhibit 1 — September 9, 2026 Order and Certificate of Compliance.

by Email and ACMS to the following parties:

• **Counsel for Defendants Kevin Knipfing a/k/a Kevin James, Stephanieanna James-Knipfing a/k/a Steffiana de la Cruz, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua**
Case Docket 20-cv-3361, Orrego v. Knipfing et al.
Kuuku Angate Minnah-Donkoh, Esq., Mercedes Colwin, Esq.
Gordon Rees Scully Mansukhani LLP
Address: One Battery Park Plaza, 28th Floor, New York, NY 10004
Phone: (212) 269-5500
Email: kminnahdonkoh@grsm.com

Respectfully submitted this 21st day of October 2026,



Lidia M. Orrego
Pro Se Appellant
Address: 95-08 Queens Blvd. Apt 3E
Rego Park, NY 11374
Email: orregoprose@gmail.com
Phone: (347) 453 -2234

*A party must serve a copy of each paper on the other parties, or their counsel, to the appeal or proceeding. The Court will reject papers for filing if a certificate of service is not simultaneously filed.