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 for: Chief Judge Lohier to Vacate the October 19, 2026 Order bearing his name, but not signed by him, because it is indefensible and unconstitutional.

Set forth below precise, complete statement of relief sought:

1. Granting the two motions that the October 19, 2026 Order denied: Appellant's September 28, 2026 motion & October 2, 2026 vacate motion;
2. Vacating the Clerk's Office October 19, 2026 Notice of Defective Filing.

MOVING PARTY: Lidia M. Orrego

☐ Plaintiff ☐ Defendant
☒ Appellant/Petitioner ☐ Appellee/Respondent

~~MOVING ATTORNEY~~: Lidia M. Orrego - Pro Se
[name of attorney, with firm, address, phone number and e-mail]
Address: 95-08 Queens Blvd. Apt 3E
Rego Park, NY 11374
Phone: (347) 453-2234
Email: orregoprose@gmail.com

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.

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]

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

----------x

LIDIA M. ORREGO,

Plaintiff-Appellant,

26-1576*
26-899

v.

Moving Affirmation

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

Defendants-Appellees.

----------x

LIDIA M. ORREGO affirms the following to be true under penalties of perjury, pursuant to CPLR §2106:

1. I am the *pro se* plaintiff-appellant, fully familiar with all the facts, papers, and proceedings heretofore had, and submit this affirmation in support of this motion for Chief Judge Raymond Lohier, Jr. to vacate the October 19th Order bearing his name alone,[1] but not his signature, electronically-signed by Clerk Catherine O'Hagan Wolfe "For the Court".[2]

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* As #26-1576 is my appeal from the final judgment below, it is properly the lead – and the within exhibits are from it.

1 FRAP 27(c), entitled "Power of a Single Judge to Entertain a Motion", reads:

> "A circuit judge may act alone on any motion, but may not dismiss or otherwise determine an appeal or other proceeding. A court of appeals may provide by rule or by order in a particular case that only the court may act on any motion or class of motions. The court may review the action of a single judge."

2 Local Rule 45.1, entitled "Clerk's Authority to Issue Orders", reads

> "The clerk signs and enters, electronically or otherwise, all orders on behalf of the court."

2. As hereinbelow demonstrated the October 19th Order (Exhibit A) is NOT defensible, whether rendered by Chief Judge Lohier or by Clerk O'Hagan Wolfe.

3. In full, the four-sentence Order reads:

> "Appellant, pro se, moves to direct the Clerk of Court to respond to a letter for clarification as to the Court's September 25, 2026 notice of defective filing.
>
> Seperately, Appellant moves to vacate the notice of defective filing.
>
> The Court construes both motions as a request to accept Appellant's defective, September 25, 2026 motion for reconsideration for filing.
>
> IT IS HEREBY ORDERED that the motions are DENIED."
> (misspelling of "Seperately" in the original).

4. Apart from the Order's fourth sentence, denying, ***without reasons***, my two referred-to motions, its second sentence is intentionally deceitful and its third sentence an OUTRIGHT LIE. Thus, having referenced, by its first sentence, "the Court's September 25, 2026 notice of defective filing", the inference in the second sentence, by its reference to "the notice of defective filing", is that my second motion, like my first, seeks relief against the September 25th Notice of Defective Filing. This is FALSE, but necessary for the third sentence, which is a TOTAL FRAUD because no one reading my referred-to September 28th motion (Exhibit B) and October 2nd vacate motion (Exhibit C) could possibly "construe[]" either motion, let alone "both", as a request to accept for filing my September 25th motion for reconsideration/reconsideration *en banc*.

5. My October 2nd vacate motion furnishes the details from which this is OBVIOUS, including:

- that I had already filed a September 29th motion for reconsideration/reconsideration *en banc*, rejected by the Clerk's Office by a September 30th Notice of Defective Filing that I was now seeking to vacate so as to reinstate the September 29th motion for reconsideration/reconsideration *en banc*; and

- that to comply with the "cure" deadline of the September 30th Notice of Defective Filing, I was simultaneously filing an October 2nd motion for reconsideration/reconsideration *en*

> *banc*, "out of an abundance of caution and expressly without prejudice to my hyperlinking rights pursuant to Local Rule 25.l(i), **here sought to be enforced**". (underlining, hyperlinking, and bold in the original, at ¶8).

6. Tellingly, the October 19th Order conceals not only my October 2nd motion for reconsideration/reconsideration *en banc* (Exhibit D), but that the Clerk's Office was then defecting it by an unsigned October 19th Notice of Defective Filing (Exhibit E), with the bald instruction "re-submit the motion for reconsideration without hyperlinks". In other words, the Clerk's Office was continuing the obliteration and subversion of Local Rule 25.1(i) "Hyperlinks" that was the subject of both my September 28th motion and October 2nd vacatur motion.

7. Inasmuch as the misconduct of Clerk O'Hagan Wolfe and the Clerk's Office she controls is integral to my September 28th motion and October 2nd vacatur motion, with the October 2nd vacatur motion expressly seeking:

> "discharge by Chief Judge Lohier of his mandatory administrative & supervisory responsibilities, pursuant to Canon 3(B)(6) of the Code of Conduct for U.S. Judges, here urgently requiring his discharge",

Clerk O'Hagan Wolfe was required to remove herself from contact with the motions pursuant to Canon 3(F)(3) of the Code of Conduct for Judicial Employees, entitled "Conflicts of Interest". Her "For the Court" signing of the October 19th Order is a violation thereof – and conceals who, in fact, rendered it, she or the Chief Judge.[3]

8. Based on the foregoing, establishing that the October 19th Order is NOT defensible, indeed NOT constitutional by reason thereof, I am entitled to its vacatur, *as a matter of law*. Any denial must be by an order stating reasons and signed by Chief Judge Lohier to prove that it is by him, not Clerk O'Hagan Wolfe.

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[3] The docket text for #26-1576 and #26-899 identifies the October 19th Order as a "MOTION ORDER". According to Local Rule 27.1(c), entitled "Authority of Clerk to Decide Motions", "The clerk is authorized to decide routine, unopposed procedural motions."



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October 21, 2026

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 19th day of October, two thousand twenty-six.

Before: Raymond J. Lohier, Jr.,
Chief Judge.

Lidia M. Orrego,

Plaintiff - Appellant,

v.

Kevin Knipfing, Employer, AKA Kevin James, Stephanieanna James-Knipfing, Employer, AKA Steffiana de la Cruz, Old Westbury Eddie LLC, Company/Payroll owner Kevin Knipfing, Old Westbury LLC, Unknown Entity under registration in NY State, Steve Savitsky, Business Manager, Old Westbury LLC, Teresa A. Zantua,

Defendants - Appellees.

ORDER

Docket Nos. 26-899(L), 26-1576(Con)

Appellant, pro se, moves to direct the Clerk of Court to respond to a letter for clarification as to the Court's September 25, 2026 notice of defective filing. Seperately, Appellant moves to vacate the notice of defective filing. The Court construes both motions as a request to accept Appellant's defective, September 25, 2026 motion for reconsideration for filing.

IT IS HEREBY ORDERED that the motions are DENIED.

For the Court:
Catherine O'Hagan Wolfe,
Clerk of Court



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): 26-899 Lead; 26-1576 Caption [use short title] Orrego v Knipfing

Motion for: Court order directing Clerk O'Hagan Wolfe to answer Appellant's Sept 28, 2026 letter for clarification of Sept 25, 2026 Notice of Defective Filing.

Set forth below precise, complete statement of relief sought:
Compliance with Sept 28, 2026 Notice of Defective Filing (Ex. 1), requiring Appellant to proceed by motion to obtain clarification of her Sept 28, 2026 letter to Clerk O'Hagan Wolfe (Ex. 2).

MOVING PARTY: Lidia M. Orrego

☐ 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: Lidia M. Orrego - Pro Se

[name of attorney, with firm, address, phone number and e-mail]
Address: 95-08 Queens Blvd. Apt 3E
Rego Park, NY 11374
Phone: (347) 453-2234
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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; mcolwin@grsm.com

Court- Judge/ Agency appealed from: Assignated Judges: District Judge Pamela K. Chen; Magistrate Judge Taryn A. Merkl

Please check appropriate boxes:

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

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

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

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: 09/29/2026
Appellant's Motion for Reconsideration, with Suggestion for Reconsideration *En Banc*, is due Sept. 29, 2026

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:

_____ **Date:** 09/28/2026 Service : ☒ Electronic ☒ Other [Attach proof of service]

Form T-1080 (rev. 10-23)

United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

RAYMOND J. LOHIER, JR.
CHIEF JUDGE

Date: September 28, 2026
Docket #: 26-899
Short Title: Orrego v. Knipfing

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

DC Docket #: 2:20-cv-3361
DC Court: EDNY (CENTRAL ISLIP)
DC Judge: Sanket J. Bulsara

NOTICE OF DEFECTIVE FILING

On September 28, 2026 the Letter, on behalf of the Appellant Lidia M. Orrego, was submitted in the above referenced case. The document does not comply with the FRAP or the Court's Local Rules for the following reason(s):

_____ Failure to submit acknowledgment and notice of appearance *(Local Rule 12.3)*
_____ Failure to file the Record on Appeal *(FRAP 10, FRAP 11)*
_____ Missing motion information statement *(T-1080 - Local Rule 27.1)*
_____ Missing supporting papers for motion (e.g, affidavit/affirmation/declaration) *(FRAP 27)*
_____ Insufficient number of copies *(Local Rules: 21.1, 27.1, 30.1, 31.1)*
_____ Improper proof of service *(FRAP 25)*
    _____ Missing proof of service
    _____ Served to an incorrect address
    _____ Incomplete service *(Anders v. California 386 U.S. 738 (1967))*
_____ Failure to submit document in digital format *(Local Rule 25.1)*
_____ Not Text-Searchable *(Local Rule 25.1, Local Rules 25.2),* click here for instructions on how to make PDFs text searchable
_____ Failure to file appendix on CD-ROM *(Local Rule 25.1, Local Rules 25.2)*
_____ Failure to file special appendix *(Local Rule 32.1)*
_____ Defective cover *(FRAP 32)*
    _____ Incorrect caption *(FRAP 32)*
    _____ Wrong color cover *(FRAP 32)*
    _____ Docket number font too small *(Local Rule 32.1)*
_____ Incorrect pagination, click here for instructions on how to paginate PDFs *(Local Rule 32.1)*
_____ Incorrect font *(FRAP 32)*
_____ Oversized filing *(FRAP 27 (motion), FRAP 32 (brief))*
_____ Missing Amicus Curiae filing or motion *(Local Rule 29.1)*
_____ Untimely filing
_xx___ Incorrect Filing Event

_xx___ Other: requesting advice regarding the 09/25/2026 defective notice must be done in the format of a formal motion, as a motion for clarification.

Please cure the defect(s) and resubmit the document, with the required copies if necessary, no later than 09/30/2026. The resubmitted documents, if compliant with FRAP and the Local Rules, will be deemed timely filed.

Failure to cure the defect(s) by the date set forth above will result in the document being stricken. An appellant's failure to cure a defective filing may result in the dismissal of the appeal.

Inquiries regarding this case may be directed to 212-857-8522.

September 28, 2026

TO: Clerk Catherine O'Hagan Wolfe
United States Court of Appeals for the Second Circuit

FROM: Lidia M. Orrego, Plaintiff-Appellant

RE: September 25, 2026 Notice of Defective Filing:
Orrego v. Knipfing, Nos. 26-899 (L), 26-1576 (Con)

On September 25, 2026, I received an unsigned "Notice of Defective Filing"[1] (Ex. A), not indicating who had rendered it, but identifying, at the top, your name as the "Clerk of Court", and Raymond J. Lohier, Jr. as "Chief Judge".

The Notice states that my September 25, 2026 motion for reconsideration/reconsideration *en banc* (Ex. B) "does not comply with the FRAP or the Court's Local Rules for the following reason(s)", identifying a single reason:

> "Other: hyperlinks and the email (last page) are considered exhibits. Exhibits are not permitted with the submission of a motion for reconsideration/reconsideration en banc. See Local Rule 40.1(c). Re-submit the motion without exhibits, removing all hyperlinks and the email."[2]

I have examined the cited-to Local Rule 40.1(c), entitled "Copy of Opinion or Summary Order Required." It says nothing about hyperlinks, nor that hyperlinks are considered exhibits. Rather, it reads:

> "A petition for panel rehearing must include a copy of the opinion or summary order to which the petition relates, and must not include any other documents."

How is my September 25, 2026 motion NOT in conformity therewith? It annexes, as required, the September 9, 2026, Order that is the subject of the motion, which is its SOLE exhibit. As for the "email", not purported by the Notice to be an exhibit, it is nothing more than my e-mail to adverse counsel effecting service and part of the required "Certificate of Service", which immediately precedes it. See my prior motions including Dkt 28.1.

---

[1] These are # 43 on the 26-899 docket and # 31 on the 26-1576 docket.

[2] This reason was NOT included in the September 23, 2026 "Notice of Defective Filing" (Ex. C) rejecting my September 23, 2026, petition for rehearing/rehearing *en banc* (Ex. D), notwithstanding the petition contained the same hyperlinks and email.

Please further advise why the September 25, 2026, Notice does NOT cite to Local Rule 25.1(i), notwithstanding it explicitly pertains to hyperlinks and exhibits. It reads:

> "**(i) Hyperlinks.** A document filed under this rule may contain hyperlinks to (i) other portions of the same document or to other documents filed on appeal; (ii) documents filed in the lower court or agency from which the record on appeal is generated; and (iii) statutes, rules, regulations, and opinions. A hyperlink to a cited authority does not replace standard citation format."

In other words, the September 25, 2026, Notice falsely purports that hyperlinks are not permitted, when, in fact, they are, so long as they meet one of the three above criteria – which my September 25, 2026, motion does throughout. The only exceptions are:

- the hyperlink in footnote 3 to the author of the law review article "*The Right of Appeal*", 91 N.CL. Rev 1219;

- some of the hyperlinks in footnote 10 pertaining to my judicial misconduct complaints to the Second Circuit's Chief Judge and to the Second Circuit Judicial Council, filed pursuant to the 1980 Act; and

- the three hyperlinks in footnote 11 pertaining to the Center for Judicial Accountability's March 6, 2008, Critique of the Breyer Committee Report.

As to footnotes 10 and 11, I assume I can simply replace the live hyperlinks they contain with NOT live hyperlinks indicating the direct internet address where the referred-to documents can be found.

Please advise, as soon as possible, so that I can make the appropriate resubmission by tomorrow's cure deadline.

Thank you.

/s/ Lidia M. Orrego
LIDIA M. ORREGO
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Email: orregoprose@gmail.com

United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

RAYMOND J. LOHIER, JR.
CHIEF JUDGE

Date: September 25, 2026
Docket #: 26-899
Short Title: Orrego v. Knipfing

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

DC Docket #: 2:20-cv-3361
DC Court: EDNY (CENTRAL ISLIP)
DC Judge: Sanket J. Bulsara

NOTICE OF DEFECTIVE FILING

On September 25, 2026 the Motion to reconsideration/reconsideration en banc, on behalf of the Appellant Lidia M. Orrego, was submitted in the above referenced case. The document does not comply with the FRAP or the Court's Local Rules for the following reason(s):

_____ Failure to submit acknowledgment and notice of appearance *(Local Rule 12.3)*
_____ Failure to file the Record on Appeal *(FRAP 10, FRAP 11)*
_____ Missing motion information statement *(T-1080 - Local Rule 27.1)*
_____ Missing supporting papers for motion (e.g, affidavit/affirmation/declaration) *(FRAP 27)*
_____ Insufficient number of copies *(Local Rules: 21.1, 27.1, 30.1, 31.1)*
_____ Improper proof of service *(FRAP 25)*
    _____ Missing proof of service
    _____ Served to an incorrect address
    _____ Incomplete service *(Anders v. California 386 U.S. 738 (1967))*
_____ Failure to submit document in digital format *(Local Rule 25.1)*
_____ Not Text-Searchable *(Local Rule 25.1, Local Rules 25.2),* click here for instructions on how to make PDFs text searchable
_____ Failure to file appendix on CD-ROM *(Local Rule 25.1, Local Rules 25.2)*
_____ Failure to file special appendix *(Local Rule 32.1)*
_____ Defective cover *(FRAP 32)*
    _____ Incorrect caption *(FRAP 32)*
    _____ Wrong color cover *(FRAP 32)*
    _____ Docket number font too small *(Local Rule 32.1)*
_____ Incorrect pagination, click here for instructions on how to paginate PDFs *(Local Rule 32.1)*
_____ Incorrect font *(FRAP 32)*
_____ Oversized filing *(FRAP 27 (motion), FRAP 32 (brief))*
_____ Missing Amicus Curiae filing or motion *(Local Rule 29.1)*
_____ Untimely filing
_____ Incorrect Filing Event
_xx___ Other: hyperlinks and the email (last page) are considered exhibits. Exhibits are not

permitted with the submission of a motion for reconsideration/reconsideration en banc. See Local Rule 40.1(c). Re-submit the motion without exhibits, removing all hyperlinks and the email.

Please cure the defect(s) and resubmit the document, with the required copies if necessary, no later than 09/29/2026. The resubmitted documents, if compliant with FRAP and the Local Rules, will be deemed timely filed.

Failure to cure the defect(s) by the date set forth above will result in the document being stricken. An appellant's failure to cure a defective filing may result in the dismissal of the appeal.

Inquiries regarding this case may be directed to 212-857-8522.

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): 26-899 Lead; 26-1576 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 September 25, 2026 Motion for Reconsideration, with Suggestion for Reconsideration En Banc.

MOVING PARTY: Lidia M. Orrego
☐ 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: Lidia M. Orrego - Pro Se
[name of attorney, with firm, address, phone number and e-mail]
Address: 95-08 Queens Blvd. Apt 3E
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: Assignated Judges: District Judge Pamela K. Chen; Magistrate Judge Taryn A. Merkl

Please check appropriate boxes:

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

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

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

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:

Notice: RECUSED Judges Nov. 17, 2025
Hon. Sanket J. Bulsara
Hon. Magistrate Judge Anne Y. Shields - EDNY

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:

Date: 09/25/2026 Service : ☒ Electronic ☒ Other [Attach proof of service]

Form T-1080 (rev. 10-23)

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

----------x

LIDIA M. ORREGO,

Plaintiff-Appellant,

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

v.

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

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

Defendants-Appellees.

----------x

September 25, 2026

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

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* Local Rule 40.2 requires that "When the court determines an appeal by issuing an order for which a FRAP 36 judgment is not entered, a party adversely affected may file a motion for panel reconsideration and a motion for reconsideration en banc that complies with FRAP 40 and LR 40.1" Not aware of this, the *pro se* appellant filed a September 23, 2026 Petition for Rehearing, with Suggestion for Rehearing *En Banc*, which was rejected because, pursuant to Local Rule 40.2, she was required to proceed thereunder. As Local Rule 40.2 requires the motion be in conformity with FRAP 40 – and appellants' September 23, 2026 petition was – the within presentation replicates the petition, adjusting only its request for "rehearing, with suggestion for rehearing *en banc*" to "reconsideration, with suggestion for reconsideration *en banc*."

MOTION

This motion seeks reconsideration, with a suggestion for reconsideration *en banc*, of a four-sentence September 9, 2026 Order 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 37 for #26-899 and docket entry 27 for #26-1576 – are identical, without adjustment of the cited docket numbers, which are correct for #86-899, but not correct for #26-1576. Identically, they read:

> "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:

---

[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, denied as "moot" by the September 9, 2026 Order. As clear from each motion, the purpose of each was to inform the Court of what was happening in the district court bearing on the two notices of appeals – most importantly, appellant's June 24, 2026 motion 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, that she had addressed 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".

These three motions are:

- 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];

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[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.
>
> 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,

- 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 LIES, such as by this 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 further ORDERED that the appeal in 25-3234 is dismissed for lack of jurisdiction. It is further ORDERED that Appellant's remaining

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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)

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 she 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], 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]

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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
Nov 29, 2022 unsigned Judicial Council Order
Jan 24, 2024 unsigned Chief Judge Order **(Livingston)** – #23-90045-jm
April 23, 2024 unsigned Judicial Council Order
Dec 16, 2024 unsigned Chief Judge Order (**Livingston**) – #24-90023-jm
[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 and a November 29, 2025 complaint against Magistrate Judge Shields, assigned the numbers 25-90131-jm and 25-90132-jm, and, additionally, an August 10, 2026 complaint against Judge Bulsara, assigned the number 26-90052-jm.

[11] *See*, additionally, the March 6, 2008 Critique of the Breyer Committee Report by the Center for Judicial Accountability, Inc.. The evidence that accompanied it is here and the Critique's summarizing Executive Summary is here.

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*

September 25, 2026

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 11 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

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Lidia M. Orrego,

Appellant,

v.

Kevin Knipfing aka Kevin James et al.

Respondents.

Docket Number: 26-899 (Lead); 26-1576

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CERTIFICATE OF SERVICE*

I, Lidia M. Orrego, hereby certify under penalty of perjury that on September 25, 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 (Dkt. 37.1), 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 25th day of September 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.

Gmail

Lidia Orrego <orregoprose@gmail.com>

Service — Motion for Reconsideration — Appeals Nos. 26-899(L) & 26-1576(Con)

1 message

Lidia Orrego <orregoprose@gmail.com> Fri, Sep 25, 2026 at 12:00 AM
To: Kuuku Minnah-Donkoh <kminnahdonkoh@grsm.com>, mcolwin@grsm.com, Dallas Rivera <dlrivera@grsm.com>, Peter Cella <pcella@grsm.com>, Paulette Guerrero <pguerrero@grsm.com>
Cc: Lidia Orrego <lidia.orrego@justiceforlidia.nyc>

Dear Counsel:

Please be advised that I am serving the attached **Motion pursuant to Local Rule 40.2 for Reconsideration, with Suggestion for Reconsideration En Banc of the September 9, 2026 Order**, together with the **Motion Information Statement (Form T-1080), Exhibit 1, Certificate of Compliance, and Certificate of Service**.

A copy is attached for your records.

Respectfully,
Lidia M. Orrego
Plaintiff-Appellant Pro Se

orrego-sept25-2026-motion.pdf
532K

United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

RAYMOND J. LOHIER, JR.
CHIEF JUDGE

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

Date: September 23, 2026
Docket #: 26-899
Short Title: Orrego v. Knipfing

DC Docket #: 2:20-cv-3361
DC Court: EDNY (CENTRAL ISLIP)
DC Judge: Sanket J. Bulsara

NOTICE OF DEFECTIVE FILING

On September 23, 2026 the Petition for Rehearing en banc, on behalf of the Appellant Lidia M. Orrego, was submitted in the above referenced case. The document does not comply with the FRAP or the Court's Local Rules for the following reason(s):

_____ Failure to submit acknowledgment and notice of appearance *(Local Rule 12.3)*
_____ Failure to file the Record on Appeal *(FRAP 10, FRAP 11)*
_____ Missing motion information statement *(T-1080 - Local Rule 27.1)*
_____ Missing supporting papers for motion (e.g, affidavit/affirmation/declaration) *(FRAP 27)*
_____ Insufficient number of copies *(Local Rules: 21.1, 27.1, 30.1, 31.1)*
_____ Improper proof of service *(FRAP 25)*
    _____ Missing proof of service
    _____ Served to an incorrect address
    _____ Incomplete service *(Anders v. California 386 U.S. 738 (1967))*
_____ Failure to submit document in digital format *(Local Rule 25.1)*
_____ Not Text-Searchable *(Local Rule 25.1, Local Rules 25.2),* click here for instructions on how to make PDFs text searchable
_____ Failure to file appendix on CD-ROM *(Local Rule 25.1, Local Rules 25.2)*
_____ Failure to file special appendix *(Local Rule 32.1)*
_____ Defective cover *(FRAP 32)*
    _____ Incorrect caption *(FRAP 32)*
    _____ Wrong color cover *(FRAP 32)*
    _____ Docket number font too small *(Local Rule 32.1)*
_____ Incorrect pagination, click here for instructions on how to paginate PDFs *(Local Rule 32.1)*
_____ Incorrect font *(FRAP 32)*
_____ Oversized filing *(FRAP 27 (motion), FRAP 32 (brief))*
_____ Missing Amicus Curiae filing or motion *(Local Rule 29.1)*
_____ Untimely filing
__xx__ Incorrect Filing Event
__xx__ Other: a motion for reconsideration/reconsideration en banc, would be the next course of

action. See Local Rule 40.2. That motion for reconsideration/reconsideration en banc must include the Motion Information Statement form, your explanation of reason(s), not exceeding 15 pages and a Certificate of Service form.

Please cure the defect(s) and resubmit the document, with the required copies if necessary, no later than 09/25/2026. The resubmitted documents, if compliant with FRAP and the Local Rules, will be deemed timely filed.

Failure to cure the defect(s) by the date set forth above will result in the document being stricken. An appellant's failure to cure a defective filing may result in the dismissal of the appeal.

Inquiries regarding this case may be directed to 212-857-8522.

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

LIDIA M. ORREGO,

Plaintiff-Appellant,

v.

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

Defendants-Appellees.

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

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

September 23, 2026

PETITION FOR REHEARING,
with SUGGESTION FOR REHEARING *EN BANC*

Lidia M. Orrego, Plaintiff-Appellant *Pro Se*
95-08 Queens Boulevard, Apt. 3E
Rego Park, New York 11374
347-453-2234
liorrego@gmail.com

PETITION

This Petition seeks rehearing, with a suggestion for rehearing *en banc*, of a four-sentence September 9, 2026 Order, 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 its 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 37 for #26-899 and docket entry 27 for #26-1576 – are identical, without adjustment of the cited docket numbers, correct for 86-899, but not correct for 26-1576. Identically, they read:

> "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

Pursuant to FRAP 40(b), requiring that a petition for rehearing *en banc* begin 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", **the *pro se* appellant here asserts, in support of both rehearing and rehearing *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

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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).

> 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:

> "'[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 the Petition'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?**

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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 "*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).

- **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 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).

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[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 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

[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.

> 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*.
>
> **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

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

> 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, denied as "moot" by the September 9, 2026 Order. As clear from each motion, the purpose of each was to inform the Court of what was happening in the district court bearing on the two notices of appeals – most importantly, appellant's June 24, 2026 motion 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, that she had addressed 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".

These three motions are:

- 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.

- 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],

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> 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.
>
> 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

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 LIES, such as by this 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 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 she 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]

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)

[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.

- 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], 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]

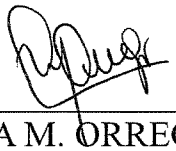
If the three judges whose names are on the September 9, 2026 Order, but not their signatures, do not believe their duty is to recall the Order and allow appellant to proceed, *in forma pauperis*, with the filing of an appeal brief, based on her two notices of appeal and three subsequent motions – whose accuracy has not been contested by the appellees – they should explain why in an order they sign, or have

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[10] Sept 28, 2022 unsigned Chief Judge Order (**Livingston**) – #22-90047-jm; #90048-jm
Nov 29, 2022 unsigned Judicial Council Order
Jan 24, 2024 unsigned Chief Judge Order **(Livingston)** – #23-90045-jm
April 23, 2024 unsigned Judicial Council Order
Dec 16, 2024 unsigned Chief Judge Order (**Livingston**) – #24-90023-jm
[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 and a November 29, 2025 complaint against Magistrate Judge Shields, assigned the numbers 25-90131-jm and 25-90132-jm, and, additionally, an August 10, 2026 complaint against Judge Bulsara, assigned the number 26-90052-jm.

[11] *See*, additionally, the March 6, 2008 Critique of the Breyer Committee Report, by the Center for Judicial Accountability, Inc.. The evidence that accompanied it is here and the Critique's summarizing Executive Summary is here.

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*

September 23, 2026

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 _____ 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 3,899 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: 26-899 (Lead); 26-1576

CERTIFICATE OF SERVICE*

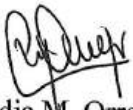
I, Lidia M. Orrego, hereby certify under penalty of perjury that on September 23, 2026, I served a true and correct copy of the following documents:

- Petition Panel Reconsideration with Suggestion Reconsideration En Banc of the September 9, 2026 Order.

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 23rd day of September 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.

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

----------X

Lidia M. Orrego,

Appellant,

Docket Number: 26-899 (Lead); 26-1576

v.

Kevin Knipfing aka Kevin James et al.

Respondents.

----------X

CERTIFICATE OF SERVICE*

I, Lidia M. Orrego, hereby certify under penalty of perjury that on September 28, 2026, I served a true and correct copy of the following documents:

- Letter to Clerk Catherine O'Hagan Wolfe dated September 28, 2026, Re: September 25, 2026 Notice of Defective Filing Dkt 43.1.

by 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; mcolwin@grsm.com

Respectfully submitted this 28th day of September 2026,

/s/ Lidia M. Orrego
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.

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

----------X

Lidia M. Orrego,

Appellant,

Docket Number: 26-899 (Lead); 26-1576

v.

Kevin Knipfing aka Kevin James et al.

Respondents.

----------X

CERTIFICATE OF SERVICE*

I, Lidia M. Orrego, hereby certify under penalty of perjury that on September 28, 2026, I served a true and correct copy of the following documents:

- Motion for: Court order directing Clerk O'Hagan Wolfe to answer Appellant's Sept 28, 2026 letter for clarification of Sept 25, 2026 Notice of Defective Filing. See Dkt. 45.

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

Respectfully submitted this 28th day of September 2026,

/s/ Lidia M. Orrego
Lidia M. Orrego
Pro Se Appellant
Address: 95-08 Queens Blvd. Apt 3E
Rego Park, NY 11374
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*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.

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): 26-899 Lead; 26-1576 (Con) Caption [use short title] Orrego v Knipfing

Motion: Pursuant to FRAP 27(b) for reconsideration and vacatur of the unsigned Sept 30, 2026 Notice of Defective Filing because it is fraudulent & for enforcement of Local Rule 25.1(i) entitled "Hyperlinks".

Set forth below precise, complete statement of relief sought: In addition to the above, discharge by Chief Judge Lohier of his mandatory administrative & supervisory responsibilities, pursuant to Canon 3B(6) of the Code of Conduct for U.S. Judges, here urgently requiring his discharge.

See attached Oct. 2, 2026 Affirmation.

MOVING PARTY: Lidia M. Orrego

☐ 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~~: Lidia M. Orrego - Pro Se

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

Address: 95-08 Queens Blvd. Apt 3E
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:

Date: 10/02/2026 Service : ☒ Electronic ☐ Other [Attach proof of service]

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

----------x

LIDIA M. ORREGO,

Plaintiff-Appellant,

v.

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

Moving Affirmation

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

Defendants-Appellees.

----------x

LIDIA M. ORREGO affirms the following to be true under penalties of perjury, pursuant to CPLR §2106:

1. I am the *pro se* plaintiff-appellant, fully familiar with all the facts, papers, and proceedings heretofore had, and submit this affirmation in support of this motion, pursuant to FRAP 27(b),[1] for reconsideration and vacatur of the unsigned September 30, 2026 Notice of Defective Filing (Exhibit A) by the Clerk's Office because it is a flagrant fraud – and to compel compliance by the Clerk's Office with Local Rule 25.1(i) entitled "Hyperlinks", **dispositive of my rights**. The facts are as follows:

2. By a September 28, 2026 letter addressed to Clerk O'Hagan Wolfe, I stated:

[1] Entitled **"**Disposition of a Motion for a Procedural Order", FRAP 27(b) reads, in pertinent part:

"The court may act on a motion for a procedural order..and may, by rule or by order in a particular case, authorize its clerk to act on specified types of procedural motions. A party adversely affected by the court's, or the clerk's, action may file a motion to reconsider, vacate, or modify that action."

"On September 25, 2026, I received an unsigned 'Notice of Defective Filing'[fn1] (Ex. A), not indicating who had rendered it, but identifying, at the top, your name as the 'Clerk of Court', and Raymond J. Lohier, Jr. as 'Chief Judge'.

The Notice states that my September 25, 2026 motion for reconsideration/reconsideration *en banc* (Ex. B) 'does not comply with the FRAP or the Court's Local Rules for the following reason(s)', identifying a single reason:

> 'Other: hyperlinks and the email (last page) are considered exhibits. Exhibits are not permitted with the submission of a motion for reconsideration/reconsideration en banc. See Local Rule 40.1(c). Re-submit the motion without exhibits, removing all hyperlinks and the email.'[fn2]

I have examined the cited-to Local Rule 40.1(c), entitled 'Copy of Opinion or Summary Order Required.' It says nothing about hyperlinks, nor that hyperlinks are considered exhibits. Rather, it reads:

> "A petition for panel rehearing must include a copy of the opinion or summary order to which the petition relates, and must not include any other documents."

How is my September 25, 2026 motion NOT in conformity therewith? It annexes, as required, the September 9, 2026 Order that is the subject of the motion, which is its SOLE exhibit. As for the 'email', not purported by the Notice to be an exhibit, it is nothing more than my e-mail to adverse counsel effecting service and part of the required 'Certificate of Service', which immediately precedes it.

Please further advise why the September 25, 2026 Notice does NOT cite to Local Rule 25.1(i), notwithstanding it explicitly pertains to hyperlinks….* It reads:

> "**(i) Hyperlinks.** A document filed under this rule may contain hyperlinks to (i) other portions of the same document or to other documents filed on appeal; (ii) documents filed in the lower court or agency from which the record on appeal is generated; and (iii) statutes, rules, regulations, and opinions. A hyperlink to a cited authority does not replace standard citation format."

In other words, the September 25, 2026 Notice falsely purports that hyperlinks are not permitted, when, in fact, they are, so long as they meet one of the three above criteria – which my September 25, 2026 motion does throughout. The only exceptions are:

---

* My September 28, 2026 letter here inadvertently added the words "and exhibits", which, being erroneous, are now omitted.

- the hyperlink in footnote 3 to the author of the law review article "*The Right of Appeal*", 91 N.CL. Rev 1219;

- some of the hyperlinks in footnote 10 pertaining to my judicial misconduct complaints to the Second Circuit's Chief Judge and to the Second Circuit Judicial Council, filed pursuant to the 1980 Act; and

- the three hyperlinks in footnote 11 pertaining to the Center for Judicial Accountability's March 6, 2008 Critique of the Breyer Committee Report.

> As to footnotes 10 and 11, I assume I can simply replace the live hyperlinks they contain with NOT live hyperlinks indicating the direct internet address where the referred-to documents can be found.
>
> Please advise, as soon as possible, so that I can make the appropriate resubmission by tomorrow's cure deadline.
>
> Thank you." (hyperlinks, underlining, italics, capitalization in the original).

3. There was no response to this letter from Clerk O'Hagan Wolfe. Instead, the Clerk's Office sent me an unsigned September 28, 2026 Notice of Defective Filing, stating that my September 28, 2026 letter "does not comply with the FRAP or the Court's Local Rules" – thereupon elaborating, without citation to the FRAP or Local Rules, that:

> "requesting advice regarding the 09/25/2026 defective notice must be done in the format of a formal motion, as a motion for clarification."

4. Notwithstanding the Notice's complete absence of substantiating FRAP or Local Rule citation, I did file – and on that same day – a September 28, 2026 motion for a:

> "Court order directing Clerk O'Hagan Wolfe to answer Appellant's Sept 28, 2026 letter for clarification of Sept 25, 2026 Notice of Defective Filing"

and, the next day, so as not to risk the striking of my September 25, 2026 reconsideration motion for non-compliance with the "09/29/2026" cure deadline of the September 25, 2026 Notice of Defective Filing, I filed a correcting September 29, 2026 Motion for Reconsideration, with Suggestion for Reconsideration *En Banc* (Exhibit B) identifying, on its cover, that it was

"consistent with [my] September 28, 2026 letter to Clerk O'Hagan Wolfe, the subject of [my] *sub judice* September 28, 2026 motion."

5. **The Clerk's Office does not deny this.** Instead, by an unsigned September 30, 2026 Notice of Defective Filing, it conceals my September 28, 2026 letter, conceals my *sub judice* September 28, 2026 motion for clarification, and conceals Local Rule 25.l(i) so as to be able to repeat, as the SOLE reason why my September 29, 2026 reconsideration motion "does not comply with the FRAP or the Court's Local Rules":

> "Other: hyperlinks are considered exhibits. Exhibits are not permitted with the submission of a motion for reconsideration/reconsideration en banc. See Local Rule 40.1(c). Re-submit the motion without exhibits, removing all hyperlinks."

6. This is brazen fraud by the Clerk's Office, evidentiarily-proven by the above-recited concealments – and must be dealt with accordingly by the Court on this motion by an order signed by the judges determining it.

7. Should determination be by a single judge,[2] it must be Chief Judge Lohier, not only because he is identified as "Present" on the indefensible, appeal-dismissing, unsigned-by-any-judge September 9, 2026 Order for which I am seeking reconsideration/reconsideration *en banc*, but because, pursuant to Canon 3B(6) of the Code of Conduct for United States Judges – and as reflected by the Notices of Defective Filing bearing his name at the top, along with that of Clerk

---

[2] FRAP 27(c), entitled "Power of a Single Judge to Entertain a Motion", reads:

> "A circuit judge may act alone on any motion, but may not dismiss or otherwise determine an appeal or other proceeding. A court of appeals may provide by rule or by order in a particular case that only the court may act on any motion or class of motions. The court may review the action of a single judge."

O'Hagan Wolfe – he has mandatory administrative/supervisory responsibilities over the Clerk's Office, here urgently requiring discharge. [3]

8. Although I reasonably believe that a motion pursuant to FRAP 27(b) for reconsideration/vacatur of the September 30, 2026 Notice of Defective Filing (Exhibit A) stays its "10/02/2026" cure date, I am nonetheless separately filing, out of an abundance of caution and expressly without prejudice to my hyperlinking rights pursuant to Local Rule 25.l(i), **here sought to be enforced**, an October 2, 2026 motion for reconsideration/reconsideration *en banc*, removing the Local Rule 25.1(i)-compliant LIVE hyperlinks that my September 29, 2026 reconsideration/reconsideration *en banc* motion had preserved (Exhibit B).

9. The hyperlinks are simply a convenience for the Court, so that it can have the speediest means by which to verify the facts in the record, dispositive of my entitlement to the granting of my September 29, 2026 motion for reconsideration/reconsideration *en banc*, of the September 9, 2028 Order, asserted therein as:

> "NOT a 'panel decision', but…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." (Exhibit B, at p. 2, capitalization in the original)

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[3] In addition to the above-recited concealments and other frauds of the three Notices of Defective Filing, none identify that I could "file a motion to reconsider, vacate, or modify" the Notice pursuant to FRAP 27(b) – or even, without citing to FRAP 27(b), that I could make a motion requesting permission to include hyperlinks in my motion for reconsideration/reconsideration *en banc* of the September 9, 2026 Order As to the latter, *see*, for example, the unsigned March 29, 2024 Notice of Defective Filing in *In Re Lidia M. Orrego* (#23-7643), stating:

> "a motion for reconsideration must include a copy of the order to which the motion relates, and must not include any other documents, refer to LR 40.2 and LR 40.1. The exhibits must be removed, **or you must file a motion requesting permission to attach exhibits to the motion for reconsideration/reconsideration en banc**…." (bold added).



Lidia M. Orrego, Plaintiff-Appellant *Pro Se*
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347-453-2234
liorrego@gmail.com

October 2, 2026

United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

RAYMOND J. LOHIER, JR.
CHIEF JUDGE

Date: September 30, 2026
Docket #: 26-899
Short Title: Orrego v. Knipfing

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

DC Docket #: 2:20-cv-3361
DC Court: EDNY (CENTRAL ISLIP)
DC Judge: Sanket J. Bulsara

NOTICE OF DEFECTIVE FILING

On September 29, 2026 the Motions to reconsider, on behalf of the Appellant Lidia M. Orrego, was submitted in the above referenced case. The document does not comply with the FRAP or the Court's Local Rules for the following reason(s):

_____ Failure to submit acknowledgment and notice of appearance *(Local Rule 12.3)*
_____ Failure to file the Record on Appeal *(FRAP 10, FRAP 11)*
_____ Missing motion information statement *(T-1080 - Local Rule 27.1)*
_____ Missing supporting papers for motion (e.g, affidavit/affirmation/declaration) *(FRAP 27)*
_____ Insufficient number of copies *(Local Rules: 21.1, 27.1, 30.1, 31.1)*
_____ Improper proof of service *(FRAP 25)*
    _____ Missing proof of service
    _____ Served to an incorrect address
    _____ Incomplete service *(Anders v. California 386 U.S. 738 (1967))*
_____ Failure to submit document in digital format *(Local Rule 25.1)*
_____ Not Text-Searchable *(Local Rule 25.1, Local Rules 25.2),* click here for instructions on how to make PDFs text searchable
_____ Failure to file appendix on CD-ROM *(Local Rule 25.1, Local Rules 25.2)*
_____ Failure to file special appendix *(Local Rule 32.1)*
_____ Defective cover *(FRAP 32)*
    _____ Incorrect caption *(FRAP 32)*
    _____ Wrong color cover *(FRAP 32)*
    _____ Docket number font too small *(Local Rule 32.1)*
_____ Incorrect pagination, click here for instructions on how to paginate PDFs *(Local Rule 32.1)*
_____ Incorrect font *(FRAP 32)*
_____ Oversized filing *(FRAP 27 (motion), FRAP 32 (brief))*
_____ Missing Amicus Curiae filing or motion *(Local Rule 29.1)*
_____ Untimely filing
_____ Incorrect Filing Event
_xx___ Other: hyperlinks are considered exhibits. Exhibits are not permitted with the submission

of a motion for reconsideration/reconsideration en banc. See Local Rule 40.1(c). Re-submit the motion without exhibits, removing all hyperlinks.

Please cure the defect(s) and resubmit the document, with the required copies if necessary, no later than 10/02/2026. The resubmitted documents, if compliant with FRAP and the Local Rules, will be deemed timely filed.

Failure to cure the defect(s) by the date set forth above will result in the document being stricken. An appellant's failure to cure a defective filing may result in the dismissal of the appeal.

Inquiries regarding this case may be directed to 212-857-8522.

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): 26-899 Lead; 26-1576 (Con) 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 September 29, 2026 Motion for Reconsideration, with Suggestion for Reconsideration *En Banc*.

MOVING PARTY: Lidia M. Orrego
☐ 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: Lidia M. Orrego - Pro Se
[name of attorney, with firm, address, phone number and e-mail]
Address: 95-08 Queens Blvd. Apt 3E
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:

Date: 09/29/2026 Service : ☒ Electronic ☒ Other [Attach proof of service]

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

----------x

LIDIA M. ORREGO,

Plaintiff-Appellant,

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

v.

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

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

Defendants-Appellees.

----------x

September 29, 2026

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

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* Local Rule 40.2 requires that "When the court determines an appeal by issuing an order for which a FRAP 36 judgment is not entered, a party adversely affected may file a motion for panel reconsideration and a motion for reconsideration en banc that complies with FRAP 40 and LR 40.1" Not aware of this, the *pro se* appellant filed a September 23, 2026 Petition for Rehearing, with Suggestion for Rehearing *En Banc*, which was rejected because she was required to proceed pursuant to Local Rule 40.2. As Local Rule 40.2 requires that the motion be in conformity with FRAP 40 – and appellant's September 23, 2026 petition was – she replicated the petition, fairly identically, in her September 25, 2026 Motion for Reconsideration, with Suggestion for Reconsideration *En Banc*. This, too, was rejected, now because of its inclusion of hyperlinks and an e-mail that was part of her certificate of service. Appellant requested clarification in a September 28, 2026 letter to Clerk O'Hagan Wolfe, but this was rejected as requiring a motion, which appellant filed on September 28, 2026. Appellant's within September 29, 2026 motion is consistent with her September 28, 2026 letter to Clerk O'Hagan Wolfe, the subject of her *sub judice* September 28, 2026 motion.

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].

---

[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 37 for #26-899 and docket entry 27 for #26-1576 – are identical, without adjustment of the cited docket numbers, which are correct for #86-899, but not correct for #26-1576. Identically, they read:

> "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:

---

[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, denied as "moot" by the September 9, 2026 Order. As clear from each motion, the purpose of each was to inform the Court of what was happening in the district court bearing on the two notices of appeals – most importantly, appellant's June 24, 2026 motion 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, that she had addressed 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".

These three motions are:

- 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.
>
> 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,

- 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 LIES, such as by this 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 further ORDERED that the appeal in 25-3234 is dismissed for lack of jurisdiction. It is further ORDERED that Appellant's remaining

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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)

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 she 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],

---

[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 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

> 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.

Signed on next page to preserve above live hyperlinks

_____

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

September 29, 2026

(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 .



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

September 29, 2026

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: 26-899 (Lead); 26-1576

CERTIFICATE OF SERVICE*

I, Lidia M. Orrego, hereby certify under penalty of perjury that on September 29, 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 (Dkt. 37.1), 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 29th day of September 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.

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 6 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: 26-899 (Lead); 26-1576

CERTIFICATE OF SERVICE*

I, Lidia M. Orrego, hereby certify under penalty of perjury that on October 2, 2026, I served a true and correct copy of the following documents:

- Motion: Pursuant to FRAP 27(b) for reconsideration and vacatur of the unsigned Sept 30, 2026 Notice of Defective Filing because it is fraudulent & for enforcement of Local Rule 25.1(i) entitled "Hyperlinks", Exhibits A & B.

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 2nd 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.

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): 26-899 Lead; 26-1576 (Con) 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 2, 2026 Motion for Reconsideration, with Suggestion for Reconsideration En Banc.

MOVING PARTY: Lidia M. Orrego

☐ 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~~: Lidia M. Orrego - Pro Se

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

Address: 95-08 Queens Blvd. Apt 3E
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:

Date: 10/02/2026 Service : ☒ Electronic ☒ Other [Attach proof of service]

Form T-1080 (rev. 10-23)

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

LIDIA M. ORREGO,

Plaintiff-Appellant,

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

v.

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

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

Defendants-Appellees.

October 2, 2026

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

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* This October 2, 2026 motion, pursuant to Local Rule 40.2, was originally filed, on September 23, 2026, as a petition, pursuant to FRAP 40. The odyssey that has led to this motion, devoid of the LIVE hyperlinks that had substantiated the September 23, 2026 petition and, identically, the September 23, 2026 motion, is recited by appellant's already-filed October 2, 2026 motion pursuant to FRAP 27(b) & for enforcement of Local Rule 25.1(i) entitled "Hyperlinks". As therein recited (at ¶8), appellant is filing this second October 2, 2026 motion "out of an abundance of caution and expressly without prejudice to [her] hyperlinking rights pursuant to Local Rule 25.1(i), which that motion seeks to enforce.

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 37 for #26-899 and docket entry 27 for #26-1576 – are identical, without adjustment of the cited docket numbers, which are correct for #86-899, but not correct for #26-1576. Identically, they read:

> "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:

---

[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*.

---

[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, denied as "moot" by the September 9, 2026 Order. As clear from each motion, the purpose of each was to inform the Court of what was happening in the district court bearing on the two notices of appeals – most importantly, appellant's June 24, 2026 motion 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, that she had addressed 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".

These three motions are:

- 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];

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[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.
>
> 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,

- 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 LIES, such as by this 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 further ORDERED that the appeal in 25-3234 is dismissed for lack of jurisdiction. It is further ORDERED that Appellant's remaining

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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)

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 she 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 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

> 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.

Signed on next page to preserve above live hyperlinks

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

October 2, 2026

(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 .



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

October 2, 2026

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



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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: 26-899 (Lead); 26-1576

CERTIFICATE OF SERVICE*

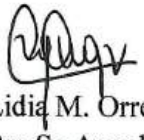
I, Lidia M. Orrego, hereby certify under penalty of perjury that on October 2, 2026, I served a true and correct copy of the following documents:

- 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 (Dkt. 37.1), 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 2nd 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.

United States Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, NY 10007

RAYMOND J. LOHIER, JR.
CHIEF JUDGE

Date: October 19, 2026
Docket #: 26-899
Short Title: Orrego v. Knipfing

CATHERINE O'HAGAN WOLFE
CLERK OF COURT

DC Docket #: 2:20-cv-3361
DC Court: EDNY (CENTRAL ISLIP)
DC Judge: Sanket J. Bulsara

NOTICE OF DEFECTIVE FILING

On October 02, 2026 the Motion to reconsider, on behalf of the Appellant Lidia M. Orrego, was submitted in the above referenced case. The document does not comply with the FRAP or the Court's Local Rules for the following reason(s):

_____ Failure to submit acknowledgment and notice of appearance *(Local Rule 12.3)*
_____ Failure to file the Record on Appeal *(FRAP 10, FRAP 11)*
_____ Missing motion information statement *(T-1080 - Local Rule 27.1)*
_____ Missing supporting papers for motion (e.g, affidavit/affirmation/declaration) *(FRAP 27)*
_____ Insufficient number of copies *(Local Rules: 21.1, 27.1, 30.1, 31.1)*
_____ Improper proof of service *(FRAP 25)*
    _____ Missing proof of service
    _____ Served to an incorrect address
    _____ Incomplete service *(Anders v. California 386 U.S. 738 (1967))*
_____ Failure to submit document in digital format *(Local Rule 25.1)*
_____ Not Text-Searchable *(Local Rule 25.1, Local Rules 25.2),* click here for instructions on how to make PDFs text searchable
_____ Failure to file appendix on CD-ROM *(Local Rule 25.1, Local Rules 25.2)*
_____ Failure to file special appendix *(Local Rule 32.1)*
_____ Defective cover *(FRAP 32)*
    _____ Incorrect caption *(FRAP 32)*
    _____ Wrong color cover *(FRAP 32)*
    _____ Docket number font too small *(Local Rule 32.1)*
_____ Incorrect pagination, click here for instructions on how to paginate PDFs *(Local Rule 32.1)*
_____ Incorrect font *(FRAP 32)*
_____ Oversized filing *(FRAP 27 (motion), FRAP 32 (brief))*
_____ Missing Amicus Curiae filing or motion *(Local Rule 29.1)*
_____ Untimely filing
_____ Incorrect Filing Event
_xx___ Other: re-submit the motion for reconsideration without hyperlinks.

Please cure the defect(s) and resubmit the document, with the required copies if necessary, no later than 10/21/2026. The resubmitted documents, if compliant with FRAP and the Local Rules, will be deemed timely filed.

Failure to cure the defect(s) by the date set forth above will result in the document being stricken. An appellant's failure to cure a defective filing may result in the dismissal of the appeal.

Inquiries regarding this case may be directed to 212-857-8522.

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Brief contains _____ pages. [30 page limit - FRAP 32(a)(7)(A)]

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☒ **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 4 pages. [20 page limit - FRAP 27(d)(2)(B)]

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Reply to the Motion contains _____ pages. [10 page limit - FRAP 27(d)(2)(D)]

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UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

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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 for Chief Judge Lohier to Vacate the October 19, 2026 Order bearing his name, but not signed by him, because it is indefensible and unconstitutional.

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,

/s/Lidia M. Orrego

Lidia M. Orrego

Pro Se Appellant

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Phone: (347) 453 -2234

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