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BY FAX: 718-643-7889 (5 pages)

January 5, 2009

Appellate Term Chief Clerk Paul Kenny
141 Livingston Street, 15th Floor
Brooklyn, New York 11201-5079

RE: Appeal #2008-1433 WC (perfected)
Appeal #2008-1428 WC (perfected)
Appeal #2008-1427 WC (to be perfected with appeal of:
Judge Friia's October 14, 2008 decision & order, for which I filed
a notice of appeal in White Plains City Court on October 20, 2008)

Dear Mr. Kenny,

This follows up my phone conversation earlier today with David Ryan.

Kindly adjust the Appellate Term's records to reflect that until I regain possession of the premises which are the subject of my above perfected and to-be-perfected-appeals, mail should be sent to me as follows:

Elena Sassower
c/o Karmel
25 East 86th Street
New York, New York 10028

Additionally, I would appreciate if you would telephone me at your earliest opportunity so that I may know what is necessary for consolidating my appeal #2008-1427-WC – which is due on January 15, 2009 – with my further appeal to which the Appellate Term has not yet assigned a docket number because the White Plains City Court Clerk's Office has not transmitted either the notice of appeal which I filed with it on October 20, 2008 or a Clerk's Return on Appeal to the Appellate Term. Pursuant to §731.5(b)(1) and §732.5(b)(1) of the Appellate Division, Second Department Rules for the Appellate Term, promulgated on September 17, 2008, it would appear that I can consolidate these two appeals without any application or motion.

EX A-1

For your convenience, I enclose a copy of my file-stamped notice of appeal and the October 14, 2008 decision & order of Judge Friia which is its subject. Said decision & order denied, for lack of subject jurisdiction, my September 18, 2008 motion to compel White Plains City Court Chief Clerk Patricia Lupi to provide the Appellate Term with documents and information essential to my appeals #2008-1433 WC, #2008-1428 WC, and #2008-1427 WC, including by proper Clerk's Returns on Appeals.

I would note that the Appellate Term's record of #2008-1427 WC already contains a full copy of that motion, Judge Friia's decision thereon, and my notice of appeal, as I furnished them on November 3, 2008, as part of my affidavit of that date in reply, in support of sanctions, and in further support of my October 15, 2008 order to show cause for reargument/renewal & other relief. (see ¶24 thereof).

Thank you.

Very truly yours,



ELENA RUTH SASSOWER, *Pro Se*

Enclosure

cc: Leonard Sclafani, Esq.

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New York State Attorney General Andrew Cuomo

ATT: Dian Kerr McCullough

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