**September 8, 2026 Oral Argument**

***CJA, et al. v. Commission on Legislative, Judicial & Executive Compensation, et al.***
CV-24-1608 – Appellate Division, Third Department

Calendar & Bench for September 8, 2026
Justin Corcoran, Andrew Ceresia, Stan Pritzker (J.P.), Mark Powers
[Christina Ryba, having recused herself or been recused]

**Court VIDEO of September 8, 2026 ORAL ARGUMENT**

The next case is Case Number CV-24-1608*, Matter of the Center [for] Judicial Accountability versus New York State Commission on Legislative, Judicial and Executive Compensation*.

(*Justice Ryba getting up from her seat and leaving the courtroom.*)

J.P. Pritzker: Folks, before we get going on this one, you can probably see we have four members on the panel. There's a recusal on this. So, the way we handle this is, if there's a dissent, we would, we would vouch in another judge to make sure that you get a fair shake on that. Is that okay?

Appellant Sassower: Well, all the judges –

J.P. Pritzker: You got to speak, you got to speak up.

Appellant Sassower: Thank you, your Honor. All the judges are disqualified and divested of jurisdiction by Judiciary Law 14 –

J.P. Pritzer: I'm just talking about, okay. I'm just talking about, we have a four –

Appellant Sassower: Yes.

J.P. Pritzker: I'm going to let you say whatever you want –

Appellant Sassower: Thank you.

J.P. Pritzker: – but, at this point, we have a four-person panel, and if there is any dissent, we'll vouch another judge in to make sure. Okay. You're up. Do you want to reserve any time?

Appellant Sassower: My rebuttal is encompassed in my presentation –

J.P. Pritzker: So you don't want to reserve any time?

Appellant Sassower: – so, there is no necessity. It is timed at just about 10 minutes, if I go over by 30 seconds, I hope you'll give me that grace.

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Appellant Sassower, reading from her written oral argument –

Appellants are before this Court because the Court of Appeals transferred to it appellants' two direct appeals "upon the ground that direct appeals do not lie when questions other than the constitutional validity of a statute are involved". This falsifies Article VI, §3(b)(2) of the New York State Constitution for direct appeals of right and conceals that both this Court and the Court of Appeals have massive financial and other interests in the appeals, are divested of jurisdiction by Judiciary Law §14 by reason thereof, and that the ONLY lawful, constitutional disposition is transfer of the appeals to federal court, including pursuant to Article IV, §4 of the U.S. Constitution, "The United States shall guarantee to every State in this Union a Republican Form of Government".

Chapter 60, Part E, of the Laws of 2015, establishing the Commission on Legislative, Judicial and Executive Compensation, is the statute whose unconstitutionality was the SOLE question presented by appellants' two direct appeals to the Court of Appeals. Because the statute specifies factors for salary increases that this state's judges could not meet, Respondent Commission multitudinously violated the statute by a "false instrument" Report on Judicial Compensation – and this is proven, *open-and-shut*, by appellants' Opposition Report, annexed to their verified petition/complaint in this hybrid Article 78 proceeding, declaratory judgment action, and citizen-taxpayer action, itself proving, *open-and-shut*, the collusion of the other ten respondents – Governor Hochul, Lieutenant Governor Delgado, Chief Judge Wilson, Administrative Judge Zayas, Temporary Senate President Stewart-Cousins, the Senate, Assembly Speaker Heastie, the Assembly, Attorney General James, and Comptroller DiNapoli. It is their double-whammy of statutory violations and collusion that has given the judges of the Court of Appeals, of this Court, and of Supreme Court below roughly $30,000 each in judicial salary increases by "force of law" – and this is on top of the $75,000 "force of law" judicial salary increases they procured by prior "false instrument" Commission reports that are identically statute-violating.

CPLR §5528 and mirroring Appellate Division Rule 1250.8 are designed to ensure an accurate and efficient appellate process. They required that appellants' Brief to this Court set forth "a concise statement…of the questions involved…followed immediately by the answer, if any, of the court from which the appeal is taken".

As appellants' challenge to the constitutionality of Chapter 60, Part E, of the Laws of 2015 is, in the first instance, *as applied by the judges below*, Appellants' Brief places the statute's unconstitutionality as its culminating fifth "Question[] Presented" (at p. 2), after chronicling the fraud by which the judges below avoided ANY scrutiny of the Commission's Report, knowing, as they did, that its statutory violations mandated its voiding *as a matter of law*.

This fifth Question asks:

> "Do the appealed-from decisions establish the unconstitutionality of Chapter 60, Part E, of the Laws of 2015 that must be so-declared including based on the Court of Appeals' Opinions in *Delgado v. New York State*?"

This is immediately followed by what the appealed-from decisions did:

> "*The appealed-from decisions make no mention of Delgado and conceal the constitutional issues appellants raised pertaining to Chapter 60, Part E, of the Laws of 2015.*" (italics in the original).

CPLR §5528 and Appellate Division Rule 1250.8 further required appellants to set forth "the facts which should be known to determine the questions involved, with appropriate citations to the…record…" Appellants' Brief did this by reprinting, in full, their 27-page, single-spaced "legal autopsy"/analysis of Judge Sober's appealed-from three decisions and their 26-page, single-spaced "legal autopsy"/analysis of Judge McGinty's appealed-from decision – identifying their accuracy as having been undisputed both at the Court of Appeals and below.

CPLR§5528 and Appellate Division Rule 1250.8 additionally required "argument…divided into points by appropriate headings" – and Appellants' Brief did this as well, dividing its Argument into five Points, one for each of its five Questions.

Respondents' Brief is signed by Assistant Solicitor General Kiernan, who represented his respondent-boss Attorney General James and her co-respondents at the Court of Appeals. It conceals, *in toto*, that the appeals were ever before the Court of Appeals, were transferred by it to this Court, that the fifth Question of appellants' Brief is the same as their SOLE Question before the Court of Appeals, and that appellants' Brief even has a fifth Question. As for appellants' two "legal autopsy"/analyses – *expressly* stated by their Brief as dispositive of all five Questions – Respondents' Brief does NOT deny this. Rather, it conceals the very existence of the "legal autopsy"/analyses, substituting, instead, a cascade of lies and deceits, all rebutted by the "legal autopsy"/analyses and five-point Argument based thereon.

This "fraud on the court", enabled by Respondents' brazen violation of the requirements that CPLR §5528 and Appellate Division Rule 1250.8 ALSO specify for a respondent's brief, was the basis of appellants' motion to strike the Respondents' Brief and for sanctions against Assistant Solicitor General Kiernan, against Respondent Attorney General James, and against such supervisory/managerial attorneys of her office as Senior Assistant Solicitor General Paladino, whose name is on the Respondents' Brief, and Solicitor General Underwood – the particulars of which appellants furnished by their moving affirmation.

The motion concluded with requesting the Court's granting of "other and further relief" and, specifically:

> "making the threshold determination, identified by Point V of appellants' Brief (at pp. 67-68), that this Court's justices are 'divested of jurisdiction by Judiciary Law §14 based on huge and direct financial and other interests', mandating that these appeals be transferred to federal court – or certifying the question to the Court of Appeals"; and

> "making disclosure, including pursuant to §100.3F of the Chief Administrator's Rules Governing Judicial Conduct, of the financial and other interests of this Court's justices in these appeals".

Thereafter, appellants demonstrated, by their reply affirmation, the flagrant perjury of the opposing affirmations of Assistant Solicitor General Kiernan and Senior Solicitor General Paladino – reinforcing their entitlement to the granting of their motion and to additional sanctions, *as a matter of law*.

The Court's response? A four-judge panel, that included Presiding Justice Garry and Justice Powers, denied the motion *without reasons* – and appellants set this forth by their Reply Brief.

Appellants rest on the record of their Brief (*held up*) and Reply Brief (*held up*), as it is dispositive of the situation. It blows to smithereens such lies as Assistant Solicitor General Kiernan will be regurgitating from his Respondents' Brief, confident that this Court, driven by its massive financial and other interests, will here, as in *CJA v. JCOPE, et al.* (CV-23-0115), allow him to get away with everything.

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Appellant Sassower: Thank you.

J.P. Pritzker: Thank you, Ms. Sassower. You're up counsel.

Asst. Solicitor General Kiernan: Thank you, your Honors. If the Court has any questions, I'd be happy to answer them. Otherwise, I'll just rest on my Brief in this case.

J.P. Pritzker: Any questions? (*looking to the Justices on his right and left*)

Appellant Sassower: How about withdrawing the Brief?

J.P. Pritzker: Thank you very much.

Asst, Solicitor General Kiernan: Thank you.

J.P. Pritzker: Appreciate it.

Appellant Sassower: Thank you.