

The NYS #CourtOfAppeals supports and covers up the violation of Constitutional rights and allows litigants to be deprived of their Constitutional rights to a #publictrial, a #jurytrial and a #courtofproperjurisdiction to hear the matter when they face imprisonment.

[www.justice4ny.com](http://www.justice4ny.com) for full documentation. Read the "Scoops" & watch the "Videos".

\$5,000 to the first person who can prove in any advertised open forum, where both of us can openly discuss and present documentation. You must notify me what the false claim I made is and you must also admit that any claim that I made is true that you do not contest in my challenges. Cost of advertising the event to be split 50/50 for the display ads. You must address the challenge specified.

## FIRST CHALLENGE

NYS #Court of Appeals Judges: Scoop 30 Simons & NYS Court of Appeals oppress constitutional rights  
Documents at: <https://justice4ny.com/simons-ny-ca-1992/>

In 1992, I filed a motion in family court challenging the constitutionality of 12 state statutes that violated either the NYS constitution or the US Constitution and/or both. As I faced imprisonment of 6 six months plus other onerous penalties, I raised the issues that Family Court Act (FCA) §433 violated my right to a public trial, that FCA §435 violated my right to a jury trial, that FCA §439 was unconstitutional as hearing examiners, now known as support magistrates, is unconstitutional as the NYS Constitution does not authorize the appointment of Hearing examiners as the Family Court is one of 5 Constitutional courts and its composition cannot be changed without amending the NYS Constitution. I also raised the issue that FCA §§ 423, 461, 466, 467 and 652 violate the jurisdiction of the family court as specifically stated in the NYS Constitution, Art 6, §13. These statutes give the family court jurisdiction that is not given to the Family Court in the NYS Constitution. These are just a few of the constitutional issues concerning unconstitutional state statutes.

Judge John Austin dismissed my motion and I appealed directly to the NYS Court of Appeals pursuant to NY Const, art VI, 5S 3[b][2] and CPLR § 5601(b-2).

§3[b]. Appeals to the court of appeals may be taken in the classes of cases hereafter enumerated in this section;

[2] As of RIGHT from a judgment or order of a court of record of original jurisdiction which finally determines an action or special proceeding where the only question involved on the appeal is the validity of a statutory provision of the state or of the United States under the constitution of the state or of the United States; and on any such appeal only the constitutional question shall be considered and determined by the court.

I had a NYS Constitutional Right to have my appeal heard. Even if I had raised another issue, that I did not do, the Court of Appeals was required to only the constitutional question.

In my Jurisdictional Statement to the Court of Appeals, I stated that "This Court has jurisdiction to hear this appeal directly from the Family Court pursuant to CPLR § 5601(b-2) as the ONLY issues to be raised on appeal are the constitutionality of state statutes." All supporting documents can be found at <https://justice4ny.com/simons-ny-ca-1992/>

Acting Chief Judge #RichardSimons dismissed my appeal stating:

ORDERED, that the appeal be and the same hereby is transferred without costs, by the Court sua sponte. to the Appellate Division, Third Department, upon the ground that a direct appeal does not lie when questions other than the constitutional validity of a statutory provision are involved (NY Const, art VI, §§ 3[b][2], 5(b); CPLR 5601(b)[2]).

I then sent a letter dated November 28, 1992 to Judge Simons, stating:

This is in response to your Order of November 24, 1992 where you have denied me a direct appeal to the Court of Appeals basing your decision "upon the ground that a direct appeal does not lie when questions other than the constitutional validity of a statutory provision are involved (NY Const, art VI, §§ 3[b][2], 5[b]; CPLR 5601[b][2]).

I refer you to my Jurisdictional Statement under Rule 500.2 on page 1, # 7 which states:

7. This Court has jurisdiction to hear this appeal directly from the FamilyCourt pursuant to CPLR § 5601(b-2) as the only issues to be raised on appeal are the constitutionality of state statutes. Appellant argues that Social Services

Law Section 111(g) is unconstitutional and that the following Family Court Act Sections are also unconstitutional in part or whole • 423, 428,433,435, 439,449, 451,461,466,467, and 652 - as they violate either the New York State Constitution or the United States Constitution or both. The documentation and arguments, concerning the Family Court Act §§ 423,433,435,439,449,451,461, 466, 467, and 652, were before Judge Austin when he rendered his decision on September 24,1992. CPLR § 5601(b-2) states:

(b) Constitutional grounds. An appeal may be taken to the court of appeals as of right:

2. from a judgment of a court of record of original instance which finally determines an action where the only question involved on the appeal is the validity of a statutory provision of the state or of the United States under the constitution of the state or of the United States.

To my knowledge I have not raised any question other than the constitutionality of a state statutes as they relate either to the United States Constitution and/or the New York State Constitution.

Would you please tell me what questions you are claiming that I have raised other than the constitutionality of state statutes?

I respectfully ask that you reconsider your decision and hear this appeal.

The Court then sent the following letter to me stating:

Unfortunately, the questions you pose cannot be completely answered. In appeals, as in motion matters, the decisions and orders of the Court must speak for themselves without administrative elaboration or interpretation. (Unfortunately? It is unfortunate that Judge Simons has NO Integrity and is a two-bit lying whore as he cannot state any other issues I raised, as I did NOT raise any other issues!! This is how Judge Simons fixes cases for the state and covers up judicial corruption and commits a felony!! How many thousands of fathers, mothers, children, our veterans and/or their family members have been illegally imprisoned in NYS because Judge Simons was a coward by refusing to address these issues?)

However, because you have asked for reconsideration, your letter will be treated as a motion for such relief and **be submitted to the FULL Court on December 21, 1992.**

Three things with the response from the Court of Appeals. 1. "Unfortunately" they cannot answer my question. 2. **I have NO right to know what other issues I raised other than the constitutionality of state statutes.** This is a denial of due process and equal protection of the law! 3. The letter states that my letter would be treated as a motion for reconsideration by the FULL Court of Appeals. **This means all six judges ruled on it including corrupt #JudgeJudithKaye who subsequently held that the right to a public trial and a jury trial are NOT substantial rights in NYS and refused to address the constitutionality of the statutes that I claimed were in violation of the NYS or US Constitutions.**

The full Court of Appeals then ruled on January 19, 1993:

A motion having heretofore been made herein upon the part of the appellant for reconsideration of this Court's November 24, 1992 order of transfer, papers having been submitted thereon and due deliberation having been thereupon had, it is

ORDERED, that the said motion be and the same hereby is denied.

**All these corrupt judges on the NYS Court of Appeals were appointed by democrat Mario Cuomo.**

For the \$5,000:

What other issues did I raise in my Jurisdictional Statement other than the Constitutionality of State Statutes as they relate to either the NYS Constitution and/or the U.S. Constitution?

You must state the exact argument and where the argument was made that did NOT address the constitutionality of a state statute. Failure to do so, will prove that these corrupt democrat appointed Court of Appeals Judges issued a

false written certificate, a felony as documented below and violated other penal laws. Why are these democrat appointed Court of Appeals judges above the law?

You must also address my jurisdictional statement and my letter to the court where I specifically stated that “**This Court has jurisdiction to hear this appeal directly from the Family Court pursuant to CPLR § 5601(b-2) as the ONLY issues to be raised on appeal are the constitutionality of state statutes.**” All supporting documents can be found at <https://justice4ny.com/simons-ny-ca-1992/>

The following are just 3 of the many Penal Laws that were violated by the NYS Court of Appeals judges

#### §175.40 Issuing a false certificate.

A person is guilty of issuing a false certificate when, **being a public servant authorized by law to make or issue official certificates** or other official written instruments, and with **intent to defraud, deceive or injure another person**, he issues such an instrument, or **makes the same with intent that it be issued, knowing that it contains a false statement or false information.** (Court orders are official written instruments.)

Issuing a false certificate is a class E felony. \$5000 fine max – 1 to 4 years in jail – 5 years’ probation

If the judges cannot state and document what other issues I raised besides the constitutionality of state statutes, they are in violation of Penal Law §175.40 Issuing a false certificate a class E felony. I challenge anyone to state the other issues I raised and also address my statement that the only issues on appeal are the constitutionality of state statutes. **Why are the Court of Appeals judges above the law?** The Court of Appeals judges are supposed to be protecting our constitutional and statutory rights and, when in fact, are actually oppressing and stripping us of our State and/or Federal Constitutional and Statutory rights.

#### Federal Law - Title 18 § 241. Conspiracy against rights of citizens:

If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured by him by the Constitution or laws of the United States, or because of his having so exercised the same;

#### Federal Law - Chapter 63 - Mail Fraud - § 1341 - Frauds and swindles

Whoever, having devised or intending to devise ANY scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises \* \* \* for the purpose of executing such scheme or artifice or attempting to do, places in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or takes or receives therefrom, any such matter or thing, or knowingly causes to be delivered by mail according to the direction thereon, or at a place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing, shall be fined not more than \$1,000 or imprisoned not more than five years, or both.

The US mail was used by the Court of Appeals judges to send me letters and the Court Orders and therefore, the Court of Appeals judges committed mail fraud. The scheme was to defraud me of my NYS Constitutional right to appeal to the Court of Appeals.

#### Why are these judges above the law? Because they were all appointed by a Democrat?

If you are for the Courts stripping the citizens of New York State of their Constitutional Rights, I am sure you will vote democrat.

If you are for protecting our constitutional rights, then vote Republican.

I have four challenges that I am willing to pay \$5,000 to the first person who can provide the documents that would support the rulings of the corrupt NYS judges. The judges have falsely stated the proof is there. If you can't find the proof, you have just proved how corrupt the NYS Court of Appeals and judiciary is. All documentation can be found on my website [www.justice4ny.com](http://www.justice4ny.com). For the challenges and rules go to <https://justice4ny.com/scoops> Scoops 55, 56 & 57.

Remember: When democrats and liberals don't get what they want, what do they do? They protest, they riot, they loot, they harass people, get in their faces no matter where they are. The democrat targets cannot even eat dinner

out in peace and quiet. It was Obama and Maxine Waters who told them to do this! The elected democrats like Cuomo, Schumer and Gillibrand refuse to state that this has to stop because they want it to continue. (Questions: There were riots, looting and burning of businesses and homes in Ferguson & Baltimore and people were caught on camera rioting, looting, burning businesses and homes. How many of these people caught on camera were arrested and prosecuted for their illegal actions? Did any of them get substantial jail time? Did the democrats who control those cities look the other way?) The democrats support this behavior and by voting for a democrat you are also supporting this behavior. Is this what you really want?

The democrats DO NOT believe in free speech. When conservatives go to colleges to give a speech they are harassed, threatened and consistently interrupted if the appearance is not canceled. The democrats will riot outside, take down barriers because only they can be heard. Democrats get in people's faces yelling and screaming at them, so that the party cannot be heard. What are democrats afraid of? THE TRUTH! Notice that Cuomo, Schumer and Gillibrand support this as none of them have come out against these actions. Even Hillary Clinton has stated that Democrats cannot be civil with the republicans and Eric Holder is telling them to kick those who disagree with the democrats. This is what the democrats are teaching their children. Don't get your way, destroy those who think differently. Sore losers! They call it free speech. What about the other person's free speech rights and the right of other people to hear what they have to say? If you believe in preventing people from speaking because they have an opposing view, vote for the democrats, but don't complain your rights are taken away from you, especially if you disagree with them. It already has happened and will continue to in New York State's corrupt family court system and even in the criminal justice system.

**The democrats are bullies as they use intimidation and threats and make no mistake about it, they are taking our Constitutional rights away!! They are the new Itlers. The FBI is the new Gestapo for the democrats.**

The democrats will fight for illegal aliens to stay in the US even though they have been convicted of murder, rape and other felonies. Yet, they will not fight for the citizens of NYS whose constitutional rights are being deliberately violated by the democrats. They support sanctuary cities where those charged with felonies can hide out. It has also been reported that illegal aliens get a better break in sentencing so they can stay here. Does this make sense? They also want them to vote, of course, for the democrats that is why the democrats do not anyone to have to prove they are a US citizen to vote.

Also, the democrats kept telling us that Supreme Court Justice Brett Kavanaugh was going to take our rights away, yet, they could NOT cite one case where Judge Kavanaugh had done such a thing. They also had a woman claim that he attempted to rape her. Even though she claimed three people, including her best friend witnessed this, not one of them supported her and stated they never saw it happen. The democrats like Schumer and Gillibrand were out to get Judge Kavanaugh at any cost. The democrats do not care who they destroy. To the democrats, you are guilty until you prove yourself innocent. The democrats do not believe in the innocent until proven guilty, unless you are a democrat. According to them, if you are not a democrat, any allegation against a republican is true, no proof needed or required.

My documentation above and in my "Scoops", clearly proves that it is the corrupt democrats who are stripping us of our constitutional and statutory rights. That the democrats support the illegal imprisonments of men, women and children in New York State by depriving them of their Constitutional rights to a public trial, a jury trial, a court of proper jurisdiction, competent assistance of counsel just to start with. In criminal courts, as documented in my various "Scoops", the democrats are depriving litigants of their constitutional right to counsel, yet alone, competent assistance of counsel, are changing the law to get convictions and are involved in case fixing and extortion. I challenge the corrupt democrats to take my challenges at <https://justice4ny.com/scoops/> (Scoops 55, 56 & 57). The democrats will not take the challenge because they know what I am stating is true. I have the proof of democrat corruption!

When Republicans and conservatives don't get what they want they don't do those things. They go to work. They have jobs and they believe in the Constitution. **Vote Republican to protect our Constitutional rights.**

**Evil succeeds when good people stand by and do nothing!**

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