

JS 44 (Rev. 10/20) — CIVIL COVER SHEET Attached

I. PLAINTIFFS

25 CV 09950

Name: Wayne Jeffers

Address: 36 Madeline Avenue

County of Residence: Westchester

DEFENDANTS

Name: Marie Therese Dominguez, Commissioner, NYS Department of Transportation
(individual capacity)

Address: NYS DOT Headquarters, 50 Wolf Road, Albany, NY 12232

County of Residence: Albany

II. BASIS OF JURISDICTION

☒ 1. Federal Question (28 U.S.C. § 1331) and 18 U.S.C. §§ 1961-1968

☐ 2. U.S. Government Plaintiff

☐ 3. Diversity

☐ 4. U.S. Government Defendant

IV. NATURE OF SUIT

☒ 440 – Civil Rights: Other

V. ORIGIN

☒ 1. Original Proceeding

VI. CAUSE OF ACTION

Brief Description:

Plaintiff alleges deprivation of constitutional and property rights arising from the wrongful interference with and destruction of leasehold interests related to NYS DOT highway service area sites. These stations were eligible for the National Register of Historic Places, which requires maintenance under section 106. The units were abandoned around 1980. I asked my County Legislator, Paul Fiener, how I could resurrect the stations and he sponsored a Request for Proposals in the early 1990s. New York State went out to bid, and in 1994 Barrier signed a long-term lease for the site, including the station on the northbound side, and paid the monthly rent required under the leases. The Lease for the south side required reconstruction of the gas station to its as-built condition. In early 1997, I attended a public meeting at Hastings Town Hall about the sites. Heading the meeting were the Mayors of Hastings, Yonkers, and Dobbs Ferry, Senator Nickolas Spano, Assemblyman Richard Brodsky, and a representative of the New York State Department of Transportation, Al Bauman. After a small presentation and questions, answers, and a chance for the public to speak, Al Bauman told the gathering that this “cut and dried” and that the DOT was in constant communication with the Village, and that, as Barrier had made the required Highway Construction Bond, he expected that construction would start in the spring. As my daughter was battling cancer, my qualified employees were trying to get the Highway Work Permit finalized. The Village arranged another meeting at Hastings High School, but I was specifically not informed about it. On May 15, Al Bauman called and told me,

“The DOT is not going forward with the project. That was the last time I heard from them. The building was left abandoned and not maintained, not even the ultimately enveloping brush and trees. The attached photo exhibits will tell the story of the abandonment, deterioration, and the ultimate risk to the public at large, as expected for a structure abandoned for 5 decades. Graffiti on the walls suggests that young intruders are unaware of the danger posed by falling roof timbers. There is not even a simple “KEEP OUT” sign on the property. The picture of the end of the driveway with a massive pile of debris likely dumped by DOT vehicles as there is no commercial traffic on the Parkway, with some recent dumping as noted by the color difference of the old, dumped material. This material should be tested and removed. I fear the DOT will, upon receipt of this litigation, immediately move in and demolish the whole protected building to cover up their required custodianship. I will ask the Court to allow me to secure the property forthwith with a safety fence.

There is no Village, Town, or City in Westchester County that would allow this public nuisance to exist for even a short period without issuing violations and summonses, and surely not for over five decades. I will ask that the Lease be honored. I will rebuild these station just like I did the two Gas Stations on the Hutchison River Parkway by the White Stone Bridge in 1997 that were abandoned for fifteen years before I meet with NYC Parks Commissioner who asked me for help as no company responded to his lease offering that required removing the abandoned tank farms and an environmental cleanup. I reopened

the two units, and they have been successfully servicing the motoring public to this day. I also demolished a derelict gas station in downtown Port Chester in the stalled 27-year Redevelopment Project before Costco and the neighborhood redevelopment, which is now one of the most valued gas/convenience stores in a thriving neighborhood.

I am uniquely qualified to restore this historic site on the Saw Mill River Parkway to its original condition, serving the public and eliminating the current public nuisance and dangerous state it is in.

I lost all my gas stations and my \$100million operation when criminals in the New York State government conspired together to cheat me out of my leases. Gangsters don't always carry guns. When people conspire together to violate the law, RICO charges are appropriate.

Additionally, had the State honored the lease, they would have collected \$3.9 million in rent

Using[#] the Consumer Price Index (CPI) published by the U.S. Bureau of Labor Statistics (BLS) for the New York-Newark-Jersey City metropolitan area. In this case, monthly contributions of \$5,200 from March 24, 1994 through November 23, 2026 were compounded at the average annual CPI rate of approximately 3.25%. This methodology ensures that damages are expressed not merely in nominal terms, but in real economic value, consistent with the principle that compensation must restore the injured party to the position they would have occupied absent the defendant's neglect.

By applying CPI-based compounding, the damages schedule demonstrates both the cumulative principal contributed (\$2,038,400) and the inflation-adjusted compounded value (\$3,887,500), with the difference (\$1,849,100) representing the erosion of value attributable to inflation. This approach is consistent with federal precedent recognizing CPI as an appropriate measure of economic loss in long-term damages claims.

VII. REQUESTED IN COMPLAINT

☒ Monetary Relief

☒ Injunctive Relief

☒ Declaratory Relief

IX. SIGNATURE

Signature: Wayne Jeffers

Wayne Jeffers

Date: DECEMBER 1, 2025

Wayne Jeffers

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

WAYNE JEFFERS

DEFENDANTS

MARIE T DOMINGUEZ

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

WAYNE JEFFERS PRO SE 36 MADE LINE AVENUE, VERPLANK NY 10596
914-760-2089

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

CIVIL RIGHTS

Has this action, case, or proceeding, or one essentially the same, been previously filed in SDNY at any time? No ☒ Yes ☐ (If yes, Judge Previously Assigned)

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. _____

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN [x] IN ONE BOX ONLY)

NATURE OF SUIT

TORTS

ACTIONS UNDER STATUTES

CONTRACT

- [] 110 INSURANCE
- [] 120 MARINE
- [] 130 MILLER ACT
- [] 140 NEGOTIABLE INSTRUMENT
- [] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- [] 151 MEDICARE ACT
- [] 152 RECOVERY OF DEFAULTED STUDENT LOANS (EXCL VETERANS)
- [] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS
- [] 160 STOCKHOLDERS SUITS
- [] 190 OTHER CONTRACT
- [] 195 CONTRACT PRODUCT LIABILITY
- [] 196 FRANCHISE

PERSONAL INJURY

- [] 310 AIRPLANE
- [] 315 AIRPLANE PRODUCT LIABILITY
- [] 320 ASSAULT, LIBEL & SLANDER
- [] 330 FEDERAL EMPLOYERS' LIABILITY
- [] 340 MARINE
- [] 345 MARINE PRODUCT LIABILITY
- [] 350 MOTOR VEHICLE
- [] 355 MOTOR VEHICLE PRODUCT LIABILITY
- [] 360 OTHER PERSONAL INJURY
- [] 362 PERSONAL INJURY - MED MALPRACTICE

ACTIONS UNDER STATUTES

CIVIL RIGHTS

- ☒ 440^s OTHER CIVIL RIGHTS (Non-Prisoner)
- [] 441 VOTING
- [] 442 EMPLOYMENT
- [] 443 HOUSING/ ACCOMMODATIONS
- [] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT
- [] 446 AMERICANS WITH DISABILITIES - OTHER
- [] 448 EDUCATION

- [] 367 HEALTHCARE/ PHARMACEUTICAL PERSONAL INJURY/PRODUCT LIABILITY
- [] 365 PERSONAL INJURY PRODUCT LIABILITY
- [] 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

PERSONAL PROPERTY

- [] 370 OTHER FRAUD
- [] 371 TRUTH IN LENDING

- [] 380 OTHER PERSONAL PROPERTY DAMAGE
- [] 385 PROPERTY DAMAGE PRODUCT LIABILITY

PRISONER PETITIONS

- [] 463 ALIEN DETAINEE
- [] 510 MOTIONS TO VACATE SENTENCE
- [] 530 HABEAS CORPUS
- [] 535 DEATH PENALTY
- [] 540 MANDAMUS & OTHER

PRISONER CIVIL RIGHTS

- [] 550 CIVIL RIGHTS
- [] 555 PRISON CONDITION
- [] 560 CIVIL DETAINEE CONDITIONS OF CONFINEMENT

FORFEITURE/PENALTY

- [] 625 DRUG RELATED SEIZURE OF PROPERTY
- [] 21 USC 881
- [] 690 OTHER

PROPERTY RIGHTS

- [] 820 COPYRIGHTS
- [] 830 PATENT
- [] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION
- [] 840 TRADEMARK
- [] 880 DEFEND TRADE SECRETS ACT

LABOR

- [] 710 FAIR LABOR STANDARDS ACT
- [] 720 LABOR/MGMT RELATIONS
- [] 740 RAILWAY LABOR ACT
- [] 751 FAMILY MEDICAL LEAVE ACT (FMLA)
- [] 790 OTHER LABOR LITIGATION
- [] 791 EMPL RET INC SECURITY ACT (ERISA)

IMMIGRATION

- [] 462 NATURALIZATION APPLICATION
- [] 485 OTHER IMMIGRATION ACTIONS

BANKRUPTCY

- [] 422 APPEAL
- [] 28 USC 158
- [] 423 WITHDRAWAL
- [] 28 USC 157

SOCIAL SECURITY

- [] 861 HIA (1395ff)
- [] 862 BLACK LUNG (923)
- [] 863 DIWC/DIWW (405(g))
- [] 864 SSID TITLE XVI
- [] 865 RSI (405(g))

FEDERAL TAX SUITS

- [] 870 TAXES (U.S. Plaintiff or Defendant)
- [] 871 IRS-THIRD PARTY
- [] 26 USC 7609

OTHER STATUTES

- [] 375 FALSE CLAIMS
- [] 376 QUI TAM
- [] 400 STATE REAPPORTIONMENT
- [] 410 ANTITRUST
- [] 430 BANKS & BANKING
- [] 450 COMMERCE
- [] 460 DEPORTATION
- [] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)
- [] 480 CONSUMER CREDIT
- [] 485 TELEPHONE CONSUMER PROTECTION ACT
- [] 490 CABLE/SATELLITE TV
- [] 850 SECURITIES/ COMMODITIES/ EXCHANGE
- [] 890 OTHER STATUTORY ACTIONS
- [] 891 AGRICULTURAL ACTS
- [] 893 ENVIRONMENTAL MATTERS
- [] 895 FREEDOM OF INFORMATION ACT
- [] 896 ARBITRATION
- [] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION
- [] 950 CONSTITUTIONALITY OF STATE STATUTES

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y. AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13? IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE BARRINGTON D. ACKER DOCKET NUMBER 99 CIV

Check YES only if demanded in complaint

JURY DEMAND: YES NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

RCPT # 1059

(PLACE AN x IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation (Transferred) ☐ 7 Appeal to District Judge from Magistrate Judge ☐ 8 Multidistrict Litigation (Direct File)
- ☐ a. all parties represented ☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

BASIS OF JURISDICTION

IF DIVERSITY, INDICATE CITIZENSHIP BELOW.

- ☒ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF DEF <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF <input type="checkbox"/> 3 <input type="checkbox"/> 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF DEF <input type="checkbox"/> 5 <input type="checkbox"/> 5
CITIZEN OF ANOTHER STATE	<input type="checkbox"/> 2 <input type="checkbox"/> 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	<input type="checkbox"/> 4 <input type="checkbox"/> 4	FOREIGN NATION	<input type="checkbox"/> 6 <input type="checkbox"/> 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

WAYNE JEFFERS
38 MADELINE AVENUE, P.O. BOX 571
VERPLANCK, NEW YORK 10596

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

MARIE T. DOMINGUEZ
570 WOLK ROAD
ALBANY, NEW YORK 12232

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

COURTHOUSE ASSIGNMENT

I have reviewed Rules 18(a) and 20(a) of the Rules for the Division of Business Among District Judges, Southern District of New York, and I hereby certify that this case should be assigned to the courthouse indicated below pursuant thereto.

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☒ WHITE PLAINS ☐ MANHATTAN

DATE DECEMBER 1 2025

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

Wayne Jeffers

ADMITTED TO PRACTICE IN THIS DISTRICT

☐ NO
☐ YES (DATE ADMITTED Mo. _____ Yr. _____)
Attorney Bar Code #

Magistrate Judge is to be designated by the Clerk of the Court.

MAG. JUDGE MCCARTHY

Magistrate Judge _____ is so designated.

Tammi M. Hellwig, Clerk of Court by MY Deputy Clerk, Dated 12-1-25

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

Clear Form

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