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**Y.** TRANSCRIPT 1-17-20 WHERE I TOLD THE JUDGE SUCH AMENDED PETITION IS A FRAUD ( WHICH IS EXACTLY WHY IT WAS NOT SWORN TO....)

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**AA.** THE EXECUTIVE ENTERPRISE ASSERTION BY ACS IN THEIR FILING, ALONG WITH THE KMART SITUATION. MOTHER STEALS WITH CHILDREN AND I SHOULD GO TO JAIL FOR INVESTIGATING AND REPORTING IT.

**BB.** ANSWER TO AMENDED PETITIONS ALONG WITH THE SERVING OF SUCH ANSWER. THERE WAS NO REPLY AND AFTER THAT ACS PROCEEDED UPON 3 TRIAL COURT DATES WITHOUT ME.

**CC.** ACS STATING IN THE REPORTS ITS NOT ANYTHING THERE TO DO WITH ANY CONVERSATION MS INGOGLIA EVER REPORTING THAT MR MALEK IS ABUSIVE TO HER...

**DD.** ACS STATING THEY DONT HAVE PHOTOS OR AUDIO EVIDENCE

**EE.** MARISSA FRIEDBERG REPORT

## CIVIL COVER SHEET

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 the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

ROBERT MALEK, ROBERT MALEK, C/O MARGARET MALEK

## DEFENDANTS

LETITIA JAMES, ADMINISTRATION FOR CHILDRENS SERVICES, ET AL.

(b) County of Residence of First Listed Plaintiff NASSAU  
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed Defendant KINGS / ALBANY  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |                                         | PTF                        | DEF                        |                                                               | PTF                        | DEF                        |
|-----------------------------------------|----------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation                                                | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

1ST, 4TH, 8TH, 9TH AND 14TH AMENDMENTS. 42 US 1983, 1985, 1986, 2000 TITLE 6, TRUMP EXECUTIVE ORDER 13899, AMERICANS WITH  
 Brief description of cause: REHABILITATION ACT, DISABILITIES ACT  
 EX PARTE HEARINGS, SECRET HEARINGS, NOT ALLOWED TO VISIT WITH MY CHILD BECAUSE I HAD COVID, PETITION FRAUD, ETC.....

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

 DEMAND \$  
 20,000,000,000

 CHECK YES only if demanded in complaint:  
 JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE SANNES, STEWARTDOCKET NUMBER 21 CV 1230, 22 CV 167, 22 CV 855

DATE

SIGNATURE OF ATTORNEY OF RECORD

08-30-2022

S/S

Robert M. Malek

 Verified by pdfFiller  
 08/30/2022

## FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_



## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading 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 the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ROBERT MALEK, ROBERT MALEK C/O M.M.

VS.

CASE NUMBER : \_\_\_\_\_

VERIFICATION

LETTIA JAMES, ADMINISTRATION FOR CHILDRENS SERVICES,  
ET AL....

---

I, ROBERT MALEK, DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS  
FACTUALLY TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ANY OPINIONS STATED ARE HONESTLY MY OPINIONS.

ANY STATEMENTS MADE I HONESTLY BELIEVE TO BE CORRECT.

THIS COMPLAINT IN MY OPINION NOT FRIVOLOUS AND DEFINITELY NOT INTENDED TO  
HARASS BUT RATHER FILED IN THE INTEREST OF JUSTICE.

EXECUTED ON : 08-30-2022

NAME OF DECLARANT :

/S/ Robert Malek, Robert Malek, C/O M.M.

ROBERT MALEK, ROBERT MALEK C/O M.M.

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NY 11554

ACSCOMPLAINTS@YAHOO.COM

929 441 8429, 718 757 4473

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

---

**ROBERT MALEK, ROBERT MALEK C/O M. M.**

**( PLAINTIFF )**

**CIVIL CASE # : \_\_\_\_\_**

**VS,**

**CIVIL RIGHTS COMPLAINT**

**PURSUANT TO :**

**42 USC 1983, 1985, 1986, 2000 TITLE 6,  
TRUMP EXECUTIVE ORDER 13899  
4TH, 8TH, 9TH AND 14TH  
CONSTITUTIONAL AMENDMENTS,  
AMERICANS WITH DISABILITIES ACT  
REHABILITATION ACT**

**LETITIA JAMES, ADMINISTRATION FOR CHILDRENS SERVICES, ET AL..**

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**PLAINTIFF REQUESTS A TRIAL BY JURY**

**PLAINTIFF IN THE ABOVE CAPTIONED ACTION ALLEGES AS FOLLOWS :**

**CAUSES OF ACTION / FACTS :**

1. ON FEB 10, 2020 ROSMIL ALMONTE ACS IN REGARDS TO THE SAFETY AND WELFARE OF MY DAUGHTER, THE PHYSICAL ABUSE OF MY DAUGHTER IN REGARDS TO THE SUBPOENA UPON ERIC GONZALEZ IN REFERENCE TO THE ASSAULTS UPON MY DAUGHTER, THE OSC WHICH I FILE BECAUSE MY DAUGHTER SAID HER MOTHER WAS GOING TO KILL HER, STATES THE FOLLOWING :

" ON FEB. 20, 2020, WE COULD JUST ADDRESS SOME OF MR. MALEKS CONCERNS.

JUDGE RESPONDS : " OK "

I WAS NOT IN COURT THAT DAY.

**EXHIBIT G.**

2. " THERE IS NO EVIDENCE OF ANY ONGOING ISSUE ( REGARDING THE SAFETY AND WELFARE OF MY CHILD ) " - ROSMIL ALMONTE

**EXHIBIT G.**

3. " WHAT HAPPENED WITH THE INVESTIGATION OF THE 3 ASSAULTS OF MY DAUGHTER ! " TRANSCRIPT PAGE 17, 3-13-2020,

**EXHIBIT G**

" THATS YOUR CONCERN ! " - JUDGE WILLIAMS.

**EXHIBIT G**

4. " THAT'S ALL I HAVE JURISDICTION OF " - SAYS JUDGE WILLIAMS, TRANSCRIPT PAGE 18 IN REGARDS TO THE N PETITION BUT THEN ACCEPTS A CUSTODY PETITION BY MARGARET INGOGLIA / BROOKLYN DEFENDER SERVICES, ROBERT MAES AS SEEN LATER IN THE TRANSCRIPT, PAGE 34

**EXHIBIT G**

5. NO DEPOSITIONS, ADMISSIONS OR INTERROGATORIES ALLOWED, TRANSCRIPT PAGES 24, PAGE 31 PAGE 32

**EXHIBIT G**

6. PAGE 40, 41, PAGE 42. JUDGE WILL NOT ADDRESS FAMILY OFFENSE PETITIONS FOR MY

DAUGHTERS SAFETY AND WELFARE AND WILL NOT GIVE ME APPROVAL TO PRESENT MY EVIDENCE OF ABUSE OF MY DAUGHTER TO ANOTHER JUDGE SO THAT A SEPARATE ARTICLE 10 CAN BE FILED..... NOTE, WILLIAMS AND ALL PARTIES, REGARDING THE SUBPOENA OF THE BROOKLYN DAS OFFICE HELD IT IN SECRET AND OFF THE RECORD.

**EXHIBIT G**

7. 62 - 65 , JUDGE WILL NOT CONSIDER ANY DISCUSSION OF HARM TO MY DAUGHTER AND WILL NOT ALLOW ME TO FILE FAMILY OFFENSE PETITIONS WITH ANOTHER JUDGE. ONLY THE N PETITION AGAINST ME, AND ANYTHING ELSE THAT I FILE WILL DEFAULT TO THE " FAMILY COURT " JUDGE WHOM IS AN ACS COURT, ACS, ONE SIDED, VIOLATION OF DUE PROCESS, ENFORCER - JUDGE WILLIAMS..

**EXHIBIT G**

8. " RESPONSE TO MOTIONS SIGNED "

ACS NOT ALLOWING JUDGE TO ACT AS A JUDGE. EXECUTIVE ENTERPRISE !!!!

**EXHIBIT AA**

8.1 ALMONTE LIES ABOUT ASSESSMENTS. VIEW EXHIBIT EE AND G, PAGE 18 O TRANSCRIPT AND FALSE PSYCHE REPORTS, EVIDENCE FILED ON CASE 22 CV 855.

8.2 JUDGE AND ALL PARTIES IGNORE THE KMART SHOPLIFITING INCIDENT, EXHIBIT G TRANSCRIPT PAGE 23.

8.3 THE NAKED BODY PHOTOS, EXHIBIT V, PAGE 227 .. I HAVE VIDEO OF THIS BEING DONE BY FERGUSON... HUDSON WOULD TAKE PART IN THIS AS WELL. I ALSO BELIEVE I HAVE IN WRITING IN COURT REPORT THAT THE PEDOPHILES AT 1274 BEDFORD, BROOKLYN ; MRS. DOUGHTERTY, BEGHO, WITHERSPOON, JONES AND GARCIA. HOWEVER, I KNOW THE HUDSON PIECE OF ^(\*&^(\*^(\*^ \ PEDOPHILE AND FERGUSON DID THIS BECAUSE I HAVE SEEN IT AND EVEN HAD TO ASSIT THESE MOTHER \*)&^^&^^ OF WHICH I WOULD NEVER DO AGAIN. I HOPE THEY ROT IN HELL AFTER THE JURY RENDERS THEM PENILESS.

9. EX PARTE HEARING HELD ON 2-20-2020. AT SUCH EX PARTE HEARING, THE JUDGE LIED TO THE REPRESENTATIVE FROM THE DAS OFFICE THAT MARGARET INGOGLIA HAD APPEARED WITH OUR DAUGHTER ON FEB. 10, 2020 WHEN SHE DID NOT. THIS IS IN



REGARDS TO MY FILING THAT MY DAUGHTER SAID HER MOTHER WAS GOING TO KILL HER OF WHICH YOU CAN HEAR ON ACS COMPLAINTS.COM , CRIMES AGAINST MY DAUGHTER

**EXHIBIT F, G, H, I, J, K, L.**

**10. IN COURT ON 3-13-2020 IS WHEN I FOUND OUT WHAT HAD HAPPENED. FURTHERMORE, THE CITY OF NEW YORK ( CORPORATION COUNSEL, BROOKLYN AND MANHATTAN DAS OFFICES ARE NOT TURNING OVER EVIDENCE FROM FOIL AND ACS IS NOT TURNING OVER DISCOVERY ON THIS MATTER, IT WAS WITHHELD AS A DEFENSE TO ACS BOGUS AMENDED PETITION OF WHICH ACS KNEW WAS FALSE. THAT RIGHT IN THE STATE OFFICE OF CHILDREN AND FAMILY SERVICES RECORDS THAT THEY REPORT TO, THEY KNEW IT WAS PERJURY. I WANT THE RECORDS AND FURTHERMORE, CAUSE OF ACTION FOR HARM TO MY DAUGHTER IN THIS MATTER. OH AND I KNOW THE CRAP, YOU CANT REP YOUR DAUGHTER. WELL, CAUSE OF ACTION THEN FOR THE DESTRUCTION OF A PARENTS HEART , MIND AND SOUL IN REFERENCE TO THE ABUSE OF THEIR CHILD WHOM THEY CANNOT PROTECT UNDER THE JURISDICTION OF THE CITY OF NEW YORK, ACS AND INGOGLIA / PALOMINO.**

**WHO IS OR HAS BEEN REPRESENTING MY DAUGHTER THEN ? DIRT ? CHILD ABUSER TRAVIS JOHNSON ? AMY SERLIN ? ( LEGAL AID ) ANY DIFFERENCE BETWEEN THESE 3 ?**

**EXHIBIT EE ARE THE STATEMENTS FROM MARISSA FRIEDBERG IN REGARDS TO THE ABUSE OF MY DAUGHTER.**

**EXHIBIT F,G,H,I EE.**

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**THE DIRECT CONSPIRATORS OF THE HARM TO MY DAUGHTER AND I ABOVE,  
VIOLATING 8TH, 14TH CONST AMENDMENTS,, 42 US 1983, 1985**

**( IN CASE NUMBER 21 CV 1230 I HAVE OUTLINED THOSE RESPONSIBLE FOR THE STATEMENT IN SUM AND SUBSTANCE THAT I AM NOT AMERICAN BECAUSE I AM JEWISH OF WHICH THOSE RESPONSIBLE RELATES TO THEIR ACTIONS HERE IN THIS COMPLAINT ) :**

1. ROSMIL ALMONTE, ACS
2. TRAVIS JOHNSON, LEGAL AID
- 2.1 AMY SERLIN, LEGAL AID

3. MARGARET INGOGLIA / JOSEPH PALOMINO IINGOGLIA
4. JACQUELINE WILLIAMS
5. BROOKLYN DAS OFFICE
6. MANHATTAN DAS OFFICE
7. KATHRYN CONWAY
8. LEOTTA GREEN
9. STEPHEN LOUIS
10. NEW YORK STATE UNIFIED COURT SYSTEM
11. NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES
12. ACS ( ADMINISTRATION FOR CHILDRENS SERVICES )
13. NYC CHILDREN
14. ARDAISHA HUDSON, ACS
15. CORPORATION COUNSEL ( N.Y.C. )
16. CITY OF NEW YORK
17. RASHIMA FERGUSON

**TANGENTIAL. 42 USC 1986 VIOLATORS CONTACTED BY EMAIL AND VIA PUBLIC ANDREW HEVESI MEETING WHERE I SPOKE, JANET DIFIORE AND EXCELLENCE INITIATIVE IS ALWAYS A DEFAULT CONTACT VIA THE CHARLES HOLLON DENIAL ( 21 CV 1230 ) :**

1. LETITIA JAMES
2. ANDREW HEVESI
3. SHEILA POOLE
4. JANET DIFIORE /JANET DIFIORE GLAZER
5. EXCELLENCE INITIATIVE
6. LEGAL AID SOCIETY

7. JANET SABEL

---

11. ON DECEMBER 15, 2021, JACQUELINE WILLIAMS, ACS, ROSMIL ALMONTE AND MARGARET INGOGLIA TOOK PART IN A SECRET HEARING OF WHICH THE NEW YORK STATE UNIFIED COURT SYSTEM DOESNT EVEN KNOW ABOUT. WE ARE NOT TALKING ABOUT AN EX PARTE HEARING. WE ARE TALKING ABOUT A SECRET HEARING OF WHICH IS WORSE.

**EXHIBIT A,B,C,D,E.**

**THE DIRECT CONSPIRATORS OF THE HARM TO MY DAUGHTER AND I ABOVE,  
VIOLATING 14TH CONST AMENDMENTS, 42 US 1983, 1985 ( IN CASE NUMBER 21 CV 1230  
I HAVE OUTLINED THOSE RESPONSIBLE FOR THE STATEMENT IN SUM AND  
SUBSTANCE THAT I AM NOT AMERICAN BECAUSE I AM JEWISH OF WHICH THOSE  
RESPONSIBLE RELATES TO THEIR ACTIONS HERE :**

1. NEW YORK STATE UNIFIED COURT SYSTEM
2. NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES
3. CITY OF NEW YORK
4. ACS
5. NYC CHILDREN
6. JACQUELINE WILLIAMS
7. MARGARET INGOGLIA
8. ROSMIL ALMONTE

**TANGENTIAL 42 USC 1986 VIOLATORS CONTACTED BY EMAIL .JANET DIFIORE AND  
THE EXCELLENCE INITIATIVE IS ALWAYS A DEFAULT CONTACT VIA CHARLES**

**HOLLON ) 21 CV 1230 ) :**

1. LETITIA JAMES
  2. ANDREW HEVESI
  3. NEW YORK STATE ATTORNEY GENERALS OFFICE
  4. JESS DANNHAUSER
  5. NEW YORK STATE OFFICE OF THE INSPECTOR GENERAL
  6. SHEILA POOLE
  7. JANET DIFIORE
  8. EXCELLENCE INITIATIVE
  9. AMANDA WHITE
- 

**12. ACS, JOHNSON, LEGAL AID, JACQUELINE WILLIAMS AND MARGARET INGOGLIA DID TAKE PART IN 3 EX PARTE COURT HEARINGS AFTER I SERVED THEM WITH ANSWER TO AMENDED PETITION. I WAS NOT PROVIDED LINKS FOR FEB 23, MARCH 9, NOR MARCH 31. FURTHERMORE, NONE OF THE PARTIES EVEN INFORMED ME OF THE HEARING DATE ON MARCH 31 OR PROVIDED LINK NOR WAS I INFORMED AS TO OUTCOME FROM ANY OF THEM.**

**3 EX PARTE DURING TRIAL**

**1 SECRET HEARING DURING TRIAL**

**PLUS**

**1 EX PARTE HEARING DURING PRE TRIAL**

**( AND THAT IS WHAT I..... KNOW ABOUT. WHO ONLY KNOWS ABOUT WHAT I DONT KNOW ABOUT ! PROBABLY 10X MORE. )**

13. AS CAN BE SEEN BY THE EVIDENCE, I WAS NOT ALLOWED TO VISIT WITH MY CHILD BECAUSE I HAD COVID VIOLATING THE ADA ACT AND/OR THE REHABILITATION ACT UPON VIEWING TRANSCRIPT, IT IS CLEAR NO ONE HAD ANY INTEREST IN PROTECTING THE CHILDREN WHOM WERE KNOWN TO BE CHRONICALLY ILL. THIS IS BECAUSE IT WAS NEVER ABOUT PROTECTION OF THE CHILDREN TO BEGIN WITH. AS A MATTER OF FACT, ACS DIDNT EVEN KNOW IF THE CHILDREN HAD PPE, NO ONE WOULD ACCEPT AN AIR CLEANER FROM ME AND FURTHERMORE, THEY WANTED ME TO ACCEPT MY DAUGHTER, WHOM WAS CHRONICALLY ILL, ( ONLY WITH THE PIECE OF GARBAGE MOTHER . NEVER WITH ME ) TO GO INTO A BUSY APARTMENT BUILDING COMPUTER ROOM TO SEE HER FATHER ON VIDEO CHAT, CLAIMING ADDRESS CONFIDENTIAL NONSENSE THAT I COULDNT SEE MY DAUGHTER BY VIDEOCHAT... )

EXHIBITS M, Mc, N, O, P, Q, R, S, T, U.

THE DIRECT CONSPIRATORS OF THE HARM TO MY DAUGHTER AND I ABOVE, VIOLATING 1ST AMENDMENT, 8TH AMENDMENT, 14TH CONST AMENDMENT SUBSTANTTITIVE AND EQUAL PROTECTION OF LAW, 42 US 1983, 1985 ( IN CASE NUMBER 21 CV 1230 I HAVE OUTLINED THOSE RESPONSIBLE FOR THE STATEMENT IN SUM AND SUBSTANCE THAT I AM NOT AMERICAN BECAUSE I AM JEWISH OF WHICH THOSE RESPONSIBLE RELATES TO THEIR ACTIONS HERE. AMERICANS WITH DISABILITIES ACT / REHABILITATION ACT.... :

1. NEW YORK STATE UNIFIED COURT SYSTEM
2. NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES
3. CITY OF NEW YORK
4. ACS
5. NYC CHILDREN
6. JACQUELINE WILLIAMS
7. MARGARET INGOGLIA

8. TRAVIS JOHNSON
9. ROSMIL ALMONTE
10. IYESHA WITHERSPOON
11. BOLADE BEGHO
12. PAULA GARCIA

**TANGENTIAL 42 USC 1986 VIOLATORS CONTACTED BY EMAIL. JANET DIFIORE AND THE EXCELLENCE INITIATIVE IS ALWAYS A DEFAULT CONTACT VIA CHARLES HOLLON ) 21 CV 1230 ) :**

1. NICOLA GIBSON
2. DAVID HANSELL
3. LEGAL AID
4. JANET SABEL

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**14. THE AMENDED PETITION WAS A KNOWN FRAUD SINCE THE STATE RECORDS THAT ACS REPORTS TO CLEARLY SHOWS THAT ALL MY CALLS WERE NOT FALSE AND PROVIDED NEEDED SERVICE TO THE FAMILY. THIS IS WHY IT WAS NOT SWORN TO. SUCH WAS INTENTIONAL. WHEN I SERVED ALL PARTIES, ANSWER TO AMENDED PETITION AS SHOWN IN CASE 21 CV 1230, AND NOTED IT WAS NOT SWORN TO, / VERIFIED, THEY STOPPED ME FROM APPEARING AND PROCEEDED EX PARTE, VIOLATING CPLR 3022, RENDERING THE PETITION..... VOID.**

**THIS WAS NO MISTAKE.**

**ACS TRIED TO PUT ME IN JAIL ! WITH AN OSC. PLEASE VIEW THE OSC, THE AMENDED PETITIONS, THE EVIDENCE FROM THE STATE CENTRAL REGISTRY THAT SUCH AMENDED PETITIONS CLAIMING ALL MY CALLS WERE FALSE / UNFOUNDED IS NOT TRUE,, THE TRANSCRIPT WHERE I INFORMED JUDGE WILLIAMS THAT THIS IS PERJURY, WITH THE JUDGE STATING THIS IS WHAT ALMONTE IS ASKING FOR !!!, ALMONTE STATING THAT ACS IS AN EXECUTIVE ENTERPRISE WHOM WHICH THE JUDGE CANNOT ISSUE ORDER**



UPON THEM, ME SERVING THE PARTIES, ANSWER TO AMENDED PETITION, ADDRESSING THESE ISSUES, GOV. PETITIONER DID NOT SIGN THE VERIFICATION WHEN GIVEN OPPORTUNITY TO DO SO, AND HENCEFORTH, ACCORDING TO CPLR 3022 IS..... VOID. THE LAW THAT SHOWS WHEN THE GOV PETITIONER INTENTIONALLY PRESENTS FALSE EVIDENCE TO A CASE, IT VIOLATES DUE PROCESS.

OF NOTE IS I PROVIDE FURTHER DOCUMENTS, EXHIBITS CC AND DD.

NOTE WHERE ROSMIL ALMONTE STATES : " IN THE REPORTS THERE IS NOT ANYTHING TO DO THERE WITH ANY CONVERSATION MS INGOGLIA EVER REPORTING THAT MR MALEK IS ABUSIVE TOWARDS HER....

AND...

EXHIBIT DD, IS THE EVIDENCE THAT ACS HAD NO PICTURES, PHOTOS OR AUDIO OF ANY ABUSE OF ANYONE.

AND....

THE NONSENSE THAT ACCORDING TO A CASE PLANNER FROM CATHOLIC CHARITIES, I WAS VERY CONTROLLING AND DIDNT LET THE FAMILY BE AT HOME UNTIL I GOT HOME FROM WORK AT 10:30....

ACS NEVER PRODUCED SUCH CASE PLANNER AS A WITNESS AGAINST ME NOR ANYTHING IN WRITING FROM SUCH PERSON THAT I HAVE EVER SEEN.

EXHIBITS V, W, X, Y, Z, AA, BB, CC, DD.

THE DIRECT CONSPIRATORS OF THE HARM TO MY DAUGHTER AND I ABOVE, VIOLATING 1ST AMENDMENT, 4TH AMENDMENT, 8TH AMENDMENT, 14TH CONST AMENDMENT DUE PROCESS, SUBSTANTTITIVE AND EQUAL PROTECTION OF LAW, 42 US 1983, 1985 ( IN CASE NUMBER 21 CV 1230 I HAVE OUTLINED THOSE RESPONSIBLE FOR THE STATEMENT IN SUM AND SUBSTANCE THAT I AM NOT AMERICAN BECAUSE I AM JEWISH OF WHICH THOSE RESPONSIBLE RELATES TO THEIR ACTIONS HERE.) AMERICANS WITH DISABILITIES ACT.... :

1. NEW YORK STATE UNIFIED COURT SYSTEM
2. NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES.
3. CITY OF NEW YORK

4. ACS
5. NYC CHILDREN
6. JACQUELINE WILLIAMS
7. TRAVIS JOHNSON
8. ROSMIL ALMONTE
9. MARGARET INGOGLIA / JOSEPH PALOMINO INGOGLIA
10. ARDAISHA HUDSON

**TANGENTIAL 42 USC 1986 VIOLATORS CONTACTED BY EMAIL AND PUBLICLY VIA ANDREW HEVESI MEETING WHERE I SPOKE. JANET DIFIORE AND THE EXCELLENCE INITIATIVE IS ALWAYS A DEFAULT CONTACT VIA CHARLES HOLLON ) 21 CV 1230 ) :**

1. LETITIA JAMES
2. ANDREW HEVESI
3. DAVID HANSELL
4. JANET DIFIORE / JANET DIFIORE GLAZER.
5. EXCELLENCE INITIAITVE
6. JANET SABEL
7. NEW YORK STATE ATTORNEY GENERALS OFFICE
8. AMANDA WHITE

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#### **JURISDICTION**

1. **THIS IS A CIVIL RIGHTS ACTION SEEKING RELIEF AND DAMAGES TO DEFEND AND**

**PROTECT THE RIGHTS GUARANTEED BY THE CONSTITUTION OF THE UNITED STATES. THIS ACTION IS BROUGHT PURSUANT TO ; 42 USC 1983, 42 USC 1985, 42 USC 1986, 42 USC 2000 TITLE 6, TRUMP EXECUTIVE ORDER 13899, 1ST., 4TH, 8TH AND 14TH CONSTITUTIONAL AMENDMENTS REHABILITATION ACT AND THE AMERICANS WITH DISABILITIES ACT.**

**2. IN ADDITION THERE IS NOTICE OF CLAIM FOR SIGNIFICANTLY MORE THAN 75,000 DOLLARS.**

**3. THERE IS DIVERSITY JURISDICTION WITH A DEFENDANT IN NEW JERSEY, THE THIRD DISTRICT...**

THE COURT HAS FURTHER JURISDICTION OVER THIS ACTION PURSUANT TO ; 28 USC 1331, 1343 , AND 2201 A.

**IN ADDITION...**

42 US 1983

DEPRIVATION OF RIGHTS : EVERY PERSON WHO, UNDER COLOR OF ANY STATUTE, ORDINANCE, REGULATION, CUSTOM, OR USAGE OF ANY STATE OR TERRITORY OR THE DISTRICT OF COLUMBIA, SUBJECTS OR CAUSES TO BE SUBJECTED, ANY CITIZEN OF THE UNITED STATES OR OTHER PERSON WITHIN THE JURISDICTION THEREOF TO THE DEPRIVATION OF ANY RIGHTS, PRIVILEGES OR IMMUNITIES SECURED BY THE CONSTITUTION AND LAWS, SHALL BE LIABLE TO THE PARTY INJURED IN AN ACTION AT LAW, SUIT IN EQUITY, OR OTHER PROPER PROCEEDING FOR REDRESS, EXCEPT THAT IN ANY ACTION BROUGHT AGAINST A JUDICIAL OFFICER FOR AN ACT OR OMISSION TAKEN IN SUCH OFFICERS JUDICIAL CAPACITY, INJUNCTIVE RELIEF SHALL NOT BE GRANTED UNLESS A DECLATORY DECREE WAS VIOLATED OR DECLATORY RELIEF WAS UNAVAILABLE.

42 US 1985.

1985: " IF TWO OR MORE PERSONS IN ANY STATE OR TERRITORY CONSPIRE OR GO ON THE PREMISES OF ANOTHER FOR THE PURPOSE OF DEPRIVING, EITHER DIRECTLY OR INDIRECTLY, ANY PERSON OR CLASS OF PERSONS OF THE EQUAL PROTECTION OF THE LAWS OR OF EQUAL PRIVILEGES AND IMMUNITIES UNDER THE LAWS..... "

8. 42 US 1986

1986 : EVERY PERSON WHO, HAVING KNOWLEDGE THAT ANY OF THE WRONGS CONSPIRED TO BE DONE AND MENTIONED IN SECTION 1985 OF THIS TITLE, ARE ABOUT TO BE COMMITTED, AND HAVING POWER TO PREVENT OR AID IN PREVENTING THE

COMMISSION OF THE SAME, NEGLECTS OR REFUSES TO DO, IF SUCH WRONGFUL ACT BE COMMITTED, SHALL BE LIABLE TO THE PARTYH INJURED OR HIS LEGAL REPRESENTTIVES, FOR ALL DAMAGES CAUSED BY SUCH WRONGFUL ACT, WHICH SUCH PERSON BY REAONSABLE DILIGENCE COULD HAVE PREVENTED AND SUCH DAMAGES MAY BE RECOVERED IN AN ACTION ON THE CASE AND ANY NUMBER OF PERSONS GUILTY OF SUCH WRONGFUL NEGLECT OR REFUSAL MAY BE JOINED AS DEFENDANTS IN THE ACTION... "

42 USC 2000, TITLE 6

ENACTED AS PART OF THE LANDMARK CIVIL RIGHTS ACT OF 1964. IT PROHIBITS DISCRIMINATION ON THE BASIS OF RACE, COLOR AND NATIONAL ORIGIN IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASISTANCE.

PRESIDENT DONALD TRUMP EXECUTIVE ORDER, 13899

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. My Administration is committed to combating the rise of anti-Semitism and anti-Semitic incidents in the United States and around the world. Anti-Semitic incidents have increased since 2013, and students, in particular, continue to face anti-Semitic harassment in schools and on university and college campuses.

Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. 2000d et seq., prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving Federal financial assistance. While Title VI does not cover discrimination based on religion, individuals who face discrimination on the basis of race, color, or national origin do not lose protection under Title VI for also being a member of a group that shares common religious practices. Discrimination against Jews may give rise to a Title VI violation when the discrimination is based on an individual's race, color, or national origin.

It shall be the policy of the executive branch to enforce Title VI against prohibited forms of discrimination rooted in anti-Semitism as vigorously as against all other forms of discrimination prohibited by Title VI.

Sec. 2. Ensuring Robust Enforcement of Title VI. (a) In enforcing Title VI, and identifying evidence of discrimination based on race, color, or national origin, all executive departments and agencies (agencies) charged with enforcing Title VI shall consider the following:

(i) the non-legally binding working definition of anti-Semitism adopted on May 26, 2016, by the International Holocaust Remembrance Alliance (IHRA), which states, "Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities"; and

(ii) the "Contemporary Examples of Anti-Semitism" identified by the IHRA, to the extent that any examples might be useful as evidence of discriminatory intent.

(b) In considering the materials described in subsections (a)(i) and (a)(ii) of this section, agencies shall not diminish or infringe upon any right protected under Federal law or under the First Amendment. As with all other Title VI complaints, the inquiry into whether a particular act constitutes discrimination prohibited by Title VI will require a detailed analysis of the allegations.

**Sec. 3. Additional Authorities Prohibiting Anti-Semitic Discrimination.** Within 120 days of the date of this order, the head of each agency charged with enforcing Title VI shall submit a report to the President, through the Assistant to the President for Domestic Policy, identifying additional nondiscrimination authorities within its enforcement authority with respect to which the IHRA definition of anti-Semitism could be considered.

**Sec. 4. Rule of Construction.** Nothing in this order shall be construed to alter the evidentiary requirements pursuant to which an agency makes a determination that conduct, including harassment, amounts to actionable discrimination, or to diminish or infringe upon the rights protected under any other provision of law. **Sec. 5. General Provisions.** (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

The White House,

December 11, 2019.

NOTE: This Executive order was published in the Federal Register on December 16.

28 USC 1331

The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

28 USC 1343

(a) The district courts shall have original jurisdiction of any civil action authorized by law to be commenced by any person:

(1) To recover damages for injury to his person or property, or because of the deprivation of any right or privilege of a citizen of the United States, by any act done in furtherance of any conspiracy mentioned in section 1985 of Title 42;

(2) To recover damages from any person who fails to prevent or to aid in preventing any wrongs mentioned in section 1985 of Title 42 which he had knowledge were about to occur and power to prevent;

(3) To redress the deprivation, under color of any State law, statute, ordinance, regulation, custom or usage, of any right, privilege or immunity secured by the Constitution of the United States or by any Act of Congress providing for equal rights of citizens or of all persons within the jurisdiction of the United States;

(4) To recover damages or to secure equitable or other relief under any Act of Congress providing for the protection of civil rights, including the right to vote.

28 USC 2201

(a) In a case of actual controversy within its jurisdiction, except with respect to Federal taxes other than actions brought under section 7428 of the Internal Revenue Code of 1986, a proceeding under section 505 or 1146 of title 11, or in any civil action involving an antidumping or countervailing duty proceeding regarding a class or kind of merchandise of a free trade area country (as defined in section 516A(f)(9) of the Tariff Act of 1930), as determined by the administering authority, any court of the United States, upon the filing of an appropriate pleading, may declare the rights and other legal relations of any interested party seeking such declaration, whether or not further relief is or could be sought. Any such declaration shall have the force and effect of a final judgment or decree and shall be reviewable as such.

1  
1ST AMENDMENT

CONGRESS SHALL MAKE NO LAW RESPECTING AN ESTABLISHMENT OF RELIGION OR PROHIBITING THE FREE EXERCISE THEREOF; OR ABRIDGING THE FREEDOM OF SPEECH, OR OF THE PRESS; OR THE RIGHT OF THE PEOPLE PEACEABLY TO ASSEMBLE, AND TO PETITION THE GOVERNMENT OF GRIEVANCES

NYS COUNTERPART :

N.Y.S. CONSTITUTION # 3.

Freedom of worship; religious liberty] §3. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state to all humankind;



and no person shall be rendered incompetent to be a witness on account of his or her opinions on matters of religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state. (Amended by vote of the people November 6, 2001

#### 4TH AMENDMENT

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

#### 8TH AMENDMENT

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

NYS STATE COUNTERPART :

#### 9TH AMENDMENT

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

#### 14TH AMENDMENT

Americans with Disabilities Act (ADA)

The ADA prohibits discrimination on the basis of disability in employment, State and local government, public accommodations, commercial facilities, transportation, and telecommunications. It also applies to the United States Congress.

To be protected by the ADA, one must have a disability or have a relationship or association with an

individual with a disability. An individual with a disability is defined by the ADA as a person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a history or record of such an impairment, or a person who is perceived by others as having such an impairment. The ADA does not specifically name all of the impairments that are covered.

#### **ADA Title II: State and Local Government Activities**

Title II covers all activities of State and local governments regardless of the government entity's size or receipt of Federal funding. Title II requires that State and local governments give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities (e.g. public education, employment, transportation, recreation, health care, social services, courts, voting, and town meetings).

State and local governments are required to follow specific architectural standards in the new construction and alteration of their buildings. They also must relocate programs or otherwise provide access in inaccessible older buildings, and communicate effectively with people who have hearing, vision, or speech disabilities. Public entities are not required to take actions that would result in undue financial and administrative burdens. They are required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that doing so would fundamentally alter the nature of the service, program, or activity being provided.

Complaints of title II violations may be filed with the Department of Justice within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the Department. The Department may bring a lawsuit where it has investigated a matter and has been unable to resolve violations. For more information, contact:

#### **REHABILITATION ACT**

##### **VENUE :**

PURSUANT TO 28 USC 1391 ;

(a)Applicability of Section.—Except as otherwise provided by law—

(1)this section shall govern the venue of all civil actions brought in district courts of the United States; and

(2)the proper venue for a civil action shall be determined without regard to whether the action is local or

transitory in nature.

(b) Venue in General.—A civil action may be brought in—

**(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;**

**( THIS IS MADE LARGER FOR THE CORRUPT LAWYERS WHOM DUMP BOGUS ARGUMENTS UNTO OUR CASES.**

(2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or

(3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

(c) Residency.—For all venue purposes—

(1) a natural person, including an alien lawfully admitted for permanent residence in the United States, shall be deemed to reside in the judicial district in which that person is domiciled;

(2) an entity with the capacity to sue and be sued in its common name under applicable law, whether or not incorporated, shall be deemed to reside, if a defendant, in any judicial district in which such defendant is subject to the court's personal jurisdiction with respect to the civil action in question and, if a plaintiff, only in the judicial district in which it maintains its principal place of business; and

(3) a defendant not resident in the United States may be sued in any judicial district, and the joinder of such a defendant shall be disregarded in determining where the action may be brought with respect to other defendants.

A. THERE ARE 36 DEFENDANTS IN THIS ACTION, 6 ARE FROM THE NORTHERN DISTRICT AND 1 IS FROM NEW JERSEY, 3RD CIRCUIT. IN THIS CASE WE ALSO HAVE DIVERSITY JURISDICTION AS WELL.

**B. THE 6 THAT ARE FROM THE NORTHERN DISTRICT OF NEW YORK HAVE SUPERIOR POSITION OF AUTHORITY UPON WHAT HAS OCCURRED.**

1. NEW YORK STATE UNIFIED COURT SYSTEM

2. NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES

3. NEW YORK STATE OFFICE OF THE INSPECTOR GENERAL

4. SHEILA POOLE
5. EXCELLENCE INITIATIVE
6. NEW YORK STATE ATTORNEY GENERALS OFFICE

**VENUE**

TO BEGIN, WE NOT ONLY HAVE DIVERSITY JURISDICTION, WE HAVE THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES WHICH SUPERVISES CHILD WELFARE WITHIN THE STATE, IN ALBANY, THEY WERE CONTACTED REPEATEDLY THROUGH SHEILA POOLE WHO ALSO LIVES IN ALBANY.

WE ALSO HAVE JANET DIFIORES EXCELLENCE INITIATIVE WHICH IS IN ALBANY AS WELL REGARDING WHAT TAKES PLACE IN THE COURTS OF WHICH SHE IS THE CEO. CONTACTED REPEATEDLY AND OUT OF DEFAULT VIA THE CHARLES HOLLON DONT CALL HER ANYMORE PHONE CALL.

WE HAVE THE NEW YORK STATE ATTORNEY GENERALS OFFICE LOCATED IN ALBANY WHOM WAS CONTACTED REPEATEDLY THROUGH LETITA JAMES.

WE HAVE THE INSPECTOR GENERAL WHOM WAS ALSO CONTACTED REPEATEDLY WHO IS ALSO LOCATED IN ALBANY.

WE HAVE THE NEW YORK STATE UNIFIED COURT SYSTEM IN ALBANY WHOM WAS CONTACTED THROUGH DIFIORE.

**I HAVE BEEN EMAILING THESE ENTITIES WITH SUPERIOR POSITION OF AUTHORITY FOR MORE THAN A YEAR AND NEVER HAD A RESPONSE FROM THEM.**

**SO THIS IS NO 1 EMAIL, AND IM SUING YOU SITUATION.**

**I WILL BE PROVIDING, BEFORE DISCOVERY, ALL CONTACT ATTEMPTED REGARDING THESE MANY CAUSES OF ACTION.**

**THE HEVESI MEETING OF OCTOBER 21, 2021 IS ALSO A MEANS OF NOTICE, NOT JUST**

**BY MY STATEMENTS BUT BY THE STATEMENTS OF OTHERS.**

**REGARDING ANDREW HEVESI, I AM VERY DISAPPOINTED IN HIM. HE CAME ACROSS AS A NICE CONCERNED GUY AT THE HEARING / MEETING AND THEN NOT JUST IGNORED MY EMAILS OVER THE COURSE OF MONTHS BUT EMAILS FROM OTHER PARENTS AS WELL WHICH I WILL PROVIDE EVIDENCE OF. HE IS A TOTAL DISGRACE FOR WHICH THERE IS NO JUSTIFICATION FOR HIS CONDUCT. HE IS CLOSE WITH ANOTHER DISGRACE BY THE NAME OF LETITIA JAMES WHOM APPARENTLY HAS NO CONCERN FOR CHILDREN AND FAMILIES. SHE WAS CONTACTED TO NO AVAIL, LONGER THAN HEVESI WITH NO REPLY.**

**HER FOCUS ON DONALD TRUMP AND RECENTLY IN THE NEWS " AG FILES PETITION TO STOP SALE OF FREEPORT BALLFIELD TO WAREHOUSE DEVELOPER... "**

**THIS DISGRACEFUL WOMAN HAS AN ARMY OF 650 ATTORNEYS AT HER DISPOSAL AND BY THE STATEMENTS OF THOSE AT THE HEVESI MEETINGS, OUTLINING OBSCENE CRIMINALITY AND VIOLATION OF LAW UPON CHILDREN AND PARENTS, DOES NOTHING. THE ENTIRE TRUMP FOCUS AND THIS BALLFIELD NONSENSE WILL NOT SUBSTANTIALLY AFFECT THE LIFE OF ONE NEW YORK CITIZEN. THE LETITIA JAMES / HEVESI COMBO REPRESENT A MIKE TYSON DECEPTIVE CHILD VOICE AND THEN A 1-2 PUNCH COMBINATION UPON CHILDREN AND FAMILIES THAT IS DECEPTIVELY EQUALLY DESTRUCTIVE.**

**I HAVE DEVELOPED THE IMPEACH LETITIAJAMES.COM WEBSITE AND WILL SHORTLY DEVELOP THE ANDREW HEVESI WEBSITE. HOW HE IGNORES THE CORRESPONDENCE OF PARENTS WHOM SPOKE AND WERE SO DEEPLY AFFECTED , NOT TO TAKE NECESSARY ACTION AND NOT TO PROVIDE ANY FOIL IS IRREPREHENSIBLE CONDUCT.**

**PARTIES :**

**PLANTIFF : ROBERT MALEK, ROBERT MALEK C/O MARGARET MALEK**

**1936 HEMPSTEAD TURNPIKE # 109**

**EAST MEADOW, NY. 11554**

**ACS COMPLAINTS@YAHOO.COM**

**718 757 4473, 929 441 8429**

**DEFENDANTS :**

**A. LETITIA JAMES**

**296 LAFAYETTE AVENUE**

**BROOKLYN, NY 11238**

**( PERSONAL AND PROFESSIONAL CAPACITY )**

**B. ADMINISTRATION FOR CHILDRENS SERVICES**

**150 WILLIAM STREET**

**NY , NY 10038**

**C. JESS DANNHAUSER**

**209 MADISON AVE.**

**N.Y N.Y 10016**

**( PERSONAL AND PROFESIONAL CAPACITY )**

**D. NEW YORK STATE UNIFIED COURT SYSTEM**

**20 EAGLE STREET**

**ALBANY, NEW YORK 12207**

**( NORTHERN DISTRICT )**



E. NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES  
40 NORTH PEARL STREET  
ALBANY, NY 12207  
( NORTHERN DISTRICT )

F. NEW YORK STATE OFFICE OF THE INSPECTOR GENERAL  
EMPIRE STATE PLAZA, AGENCY BUILDING 2, 16TH FLOOR  
ALBANY NY 12203  
( NORTHERN DISTRICT )

G. CITY OF NEW YORK  
1 CENTRE STREET  
NY NY 10007

H. ANDREW HEVESI  
7111 YELLOWSTONE BLVD.  
APT. 7F  
FOREST HILLS, N.Y. 11375  
( PERSONAL AND PROFESSIONAL CAPACITY )

I. NYC CHILDREN  
150 WILLIAM STREET  
NY NY 10038  
( A BOGUS, UNLAWFUL ENTITY CLAIMED BY ACS WITH NO FILING WITH THE US  
PATENT AND TRADEMARK OFFICE )

J. SHEILA POOLE

56 STONY BROOK DRIVE

SELKIRK, NY 12158

( IN PERSONAL AND PROFESSIONAL CAPACITY, COMMISSIONER OF THE OFFICE OF  
CHILDREN AND FAMILY SERVICES )

(( NORTHERN DISTRICT ))

K. JANET DIFIORE / JANET DIFIORE GLAZER

15 KENSINGTON ROAD, PH1

BRONXVILLE, N.Y. 10708

( IN PERSONAL AND PROFESSIONAL CAPACITY, CEO OF THE NEW YORK STATE UNIFIED  
COURT SYSTEM, CONDUCTS THE EXCELLENCE INITIATIVE )

L. JACQUELINE WILLIAMS

1000 SCHENCK AVE.

BROOKLYN, N. Y. 11207

( PERSONAL AND PROFESSIONAL CAPACITY )

M. MARGARET INGOGLIA,

( ADDRESS CONFIDENTIAL NEW YORK STATE UNIFIED COURT SYSTEM )

20 EAGLE STREET

ALBANY, N.Y.

N. TRAVIS JOHNSON

8703 5TH AVE

BROOKLYN, NY 11209

( IN PERSONAL AND PROFESSIONAL CAPACITY )

O. ROSMIL ALMONTE

2416 PITKIN AVE.

BROOKLYN, NY 111208

( IN PERSONAL AND PROFESSIONAL CAPACITY )

P. EXCELLENCE INITIATIVE

20 EAGLE STREET

ALBANY, NY 12207

( NORTHERN DISTRICT )

Q. LEGAL AID SOCIETY

199 WATER STREET

NY NY

S. IYESHA WITHERSPOON

309 LAFAYETTE AVE APT 11L, BROOKLYN, NY 11238

( PERSONAL AND PROFESIONAL CAPACITY )

T. BOLADE BEGHO

22419 EDGEWOOD AVE, LAURELTON, NY 11413

( PERSONAL AND PROFESIONAL CAPACITY )

U. LEGAL AID SOCIETY

199 WATER STREET

NY NY

V. PAULA GARCIA

2328 NEWKIRK AVE APT 3A,

BROOKLYN, NY 11226-7525

( PERSONAL AND PROFESIONAL CAPACITY )

W. NICOLA GIBSON

11127 75TH RD.

FOREST HILLS, NY 11375

( PERSONAL AND PROFESIONAL CAPACITY )

X. CORPORATION COUNSEL

100 Church Street

New York, NY 10007

Y. BROOKLYN DA OFFICE

350 Jay Street

Brooklyn, New York 11201

Z. DAVID HANSELL

395 BROADWAY APT 15E

NEW YORK, NEW YORK

( PERSONAL AND PROFESIONAL CAPACITY )

AA. New York County District Attorney's Office

One Hogan Place, New York, NY 10013

BB. JANET SABEL

355 RIVERSIDE DR APT 15E, NEW YORK, NY 10025-2747 (NEW YORK COUNTY)

( PERSONAL AND PROFESIONAL CAPACITY )

CC. LEOTTA GREEN

12399 FLATLANDS AVE APT 6B, BROOKLYN, NY 11207-9223

( PERSONAL AND PROFESIONAL CAPACITY )

DD. KATHRYN CONWAY

356 MEISEL AVE,

SPRINGFIELD, NJ 07081

( PERSONAL AND PROFESIONAL CAPACITY )

EE. STEPHEN LOUIS

235 E 22ND ST APT 7L,

NEW YORK, NY 10010

( PERSONAL AND PROFESIONAL CAPACITY )

FF.

**ARDAISHA HUDSON ( LESIAN PEDOPHILE )**

709 LAFAYETTE AVENUE

APT. 2D

BROOKLYN, NY 11221

( PERSONAL AND PROFESIONAL CAPACITY )

GG. NEW YORK STATE ATTORNEY GENERALS OFFICE

THE CAPITOL

ALBANY, NY 12224

( NORTHERN DISTRICT )

HH. AMANDA WHITE

330 JAY STREET

BROOKLYN NY 11201

( PERSONAL AND PROFESIONAL CAPACITY )

II. AMY SERLIN

556 2ND ST APT 1

BROOKLYN, NY 11215

( PERSONAL AND PROFESIONAL CAPACITY )

JJ. JOSEPH PALOMINO INGOGLIA ( ADDRESS CONFIDENTIAL NEW YORK STATE UNIFIED COURT SYSTEM )

20 EAGLE STREET

ALBANY, N.Y.

KK. RASHIMA FERGUSON ( LESBIAN PEDOPHILE )

400 COZINE AVE.

APT. 5L

BROOKLYN, N.Y. 11207

PERSONAL AND PROFESSIONAL CAPACITY

**TRO REQUESTED :**

**STOP ALL PROCEEDINGS IN ACS COURT WHILE THIS IS BEING DETERMINED.**

**PLACE MY DAUGHTER WITH HER FATHER IMMEDIATELY AND IF NOT WITH ME,  
THOSE WHOM WILL NOT HARM HER AND TREAT HER KINDLY.**

**IF NOT FULL PLACEMENT OF MY DAUGHTER WITH HER FATHER, 84 HOURS A WEEK  
OF VISITATION.**

**THE JUDGE SAID THE SAFETY AND WELFARE OF MY DAUGHTER IS... MY CONCERN.  
HENCEFORTH, PLEASE WRITE AN ORDER THAT GIVES ME THE AUTHORITY TO  
TAKE ALL LAWFUL ACTION UPON MY CONCERN, INCLUDING THE USE OF PHYSICAL  
FORCE AND FEDERAL POLICE AUTHORITY ALONG WITH GUN PERMIT TO PROTECT  
MY OWN CHILD.**

**IF THERE IS AN ORDER OF PROTECTION, RENDER IT VOID.**

**AN ORDER THAT MAKES ME THE GUARDIAN AND CUSTODIAN OF MY DAUGHTER.**

**REFER CRIMES AGAINST MY CHILD AND OR MYSELF FOR CRIMINAL PROSECUTION**

**SUSPEND THE EMPLOYMENT OF THESE DEFENDANTS AND DO THE WORLD A  
FAVOR !**

**ULTIMATE RELIEF :**

**MY DAUGHTER IS TO BE RETURNED TO HER HOME WITH HER FATHER.**

**ACS CASE DISMISSED.**

**MONETARY JUDGEMENT FOR MY DAUGHTER AND I IN THE AMOUNT OF**

---

**CRIMINAL PROSECUTION UPON ANY DEFENDANTS THAT VIOLATED FEDERAL LAW,  
PARTICULARLY 18 USC 241 , 18 USC 242 , 18 USC 1201 AND 18 USC 3283.**

**THE NEW YORK CITY AND AND NEW YORK STATE GOVERNMENTS ARE TO LEAVE US ALONE AND LET US LIVE IN PEACE.**

**IF POSSIBLE, TERMINATE THE EMPLOYMENT OF THESE DEFENDANTS. THEY SHOULD NOT BE AROUND ANY FORMS OF LIFE WHATSOEVER.**

**\*\* NOTE : MY COMMENTS ON THE TRANSCRIPTS ARE FROM MY WORK IN 2020...**

**\*\*\* NOTE : AT THE END OF THE MONTH OF SEPTEMBER, JUDGE SUE NOVICK WASKO OF OCFS COURT IS GOING TO BE DETERMINING THE VALIDITY OF THE FRAUDULENT AMENDED PETITIONS IN A CASE THAT WILL BEGIN AFTER 2 YEARS OF ADJOURNMENTS. JUDGE WASKO OF OCFS KNOWS FACTUALLY BETTER THAN ANYONE WHAT IS ON THE OCFS RECORDS REGARDING THE NEGATIVE BACKGROUND OF MARGARET INGOGLIA, THE ZERO NEGATIVE OF ME AND NOW, THE TWO RECENT INDICATEDS ON MARGARET INGOGLIAS RECORD AND CASE OPEN SERVICES BEING PROVIDED TO THE FAMILY IN REFERENCE TO MY PROPER AND VALID CALLS FOR THE SAFETY AND WELFARE OF MY DAUGHTER AS WELL AS BOTH CHILDREN. I HAVE BROUGHT UP THIS ISSUE TO JUDGE WASKO BEFORE ACS EVEN PRESENTED THEIR AMENDED PETITIONS SO ACS IS TRYING TO COMMIT FRAUD UPON JUDGE WASKOS COURT, KNOWINGLY AND WITH MALICIOUS INTENTION.**

**I AM ASKING THIS FEDERAL COURT, IN REGARDS TO THE YOUNGER DOCTRINE TO ALLOW JUDGE WASKO TO ISSUE DECISION ON THE VALIDITY OF THE FRAUDULENT AMENDED PETITIONS AND UPON DOING SO, TO GIVE FEDERAL COURT FURTHER AUTHORITY / JURISDICTION UPON THEM.**

**ACS DID NOT PRESENT A FRAUDULENT PETITION TO FEDERAL COURT. THEY DID SO KNOWINGLY UPON JUDGE WASKO IN STATE COURT. THIS IS AN INSULT TO JUDGE WASKO ESPECIALLY SINCE ACS KNOWS THE JUDGE KNOWS THEY ARE LYING AND PERPETRATING SUCH FRAUD ON THE COURT REGARDLESS.**

**THEIR HARM IS UPON BOTH THE JUDGE AND I. JUDGE WASKO SHOULD HAVE THE RIGHT TO ADDRESS THE INSULT THAT WAS DONE TO HER AND HER COURT, ESPECIALLY SINCE SHE HAD PRAISED ZULMA MONTANEZ AS BEING A FINE LAWYER AT THE START OF THE CASE, EXPECTING HER TO CONDUCT HERSELF HONORABLY AND PROVIDE TO ME DISCOVERY WHEN SHE DID NOT AND WENT AHEAD TO DISGRACE THE JUDGE UPON HER RECOMMENDATION OF ZULMAS CHARACTER.**

**JUDGE WASKO TO THE BEST OF MY KNOWLEDGE CAN ALSO REQUEST FEDERAL COURT TO HANDLE THIS MATTER ALONG WITH THE OTHER CASES AND CAUSES OF**



ACTION RAISED IN FEDERAL COURT.. IF SO, THEN SUCH ORDER OF COURSE WOULD CONFER FULL JURISDICTION OVER THE ENTIRE DETERMINATION OF THE MATTER TO FEDERAL COURT.. I ALSO BELIEVE THAT IF SHE DOES CHOOSE TO RECUSE HERSELF OF DETERMINATION, SHE COULD AT LEAST ISSUE OPINION UPON THE AMENDED PETITIONS IN REFERENCE / COMPARISON TO WHAT IS STATED IN OCFS RECORDS OF WHICH SHE HAS FULL ACCESS TO. LET'S LET HER DECIDE WHAT SHE WOULD LIKE TO DO...

S/S Robert Malek, Robert Malek, C/O, M.M.

ROBERT MALEK, ROBERT MALEK C/O M.M.

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NEW YORK 11554

718 757 4473

ACSCOMPLAINTS@YAHOO.COM

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- B. FOCUSED EMAIL CORRESPONDENCE THAT PROVIDES THE EVIDENCE OF THE SECRET HEARING...**
- C. EMAIL CORRESPONDENCE WITH KINGS FAMILY COURT WHICH PROVES THE HEARING WAS SECRET AND OFF THE RECORD. IF IT WERE NOT FOR TRAVIS JOHNSON, I WOULD NEVER KNOW...**
- D. EMAIL TO VARIOUS PARTIES ABOUT SUCH JUDGE MISCONDUCT. NO REPLY**
- E. LETTER FROM THE JUDICIAL CONDUCT COMMISSION. ( DO THEY EVER DO ANYTHING ?! )**
- F. THE ERIC GONZALES SUBPOENA**
- G. 3 TRANSCRIPTS OF THE EXPARTE HEARING AMONG OTHER MISCONDUCT.**
- H. TRYING TO OBTAIN FOIL FROM CORPORATION COUNSEL,, BROOKLYN DAS OFFICE AND MANHATTAN DAS OFFICE WHOM WOULD NOT PROVIDE ANYTHING**
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- J. EMAIL TO MANY PARTIES ABOUT THE SECRET HEARING AND ME TRYING TO OBTAIN DOCUMENTARY EVIDENCE. SOMEONE TO HELP OR AT LEAST TRY TO. ( TO NO AVAIL.... )**
- K AND L : MORE OF THE CONENTS OF J ABOVE...**
- M. TEXT MESSAGE WITH GARCIA**
- MC : TEXT CORRESPONDENCE WITH WITHERSPOON, ACS SUPERVISOR**
- N : EMAIL CORRESPONDENCE ON THE 2ND ANNIVERSARY OF MY DAUGHTERS REMOVAL FROM ALMONTE REGARDING WHETHER OR NOT I WAS WILLING TO GET TESTED...**
- O. EMAIL CORRESPONDENCE WITH THE OTHER PARTIES ON THE CASE THAT I WAS SCREENED / TESTED. NOTICE OF CLAIM AND EMAIL EVIDENCE OF FAMILY BEING UNDER COURT AND ACS JURISDICTION AND CONTROL ( FREE APT., FOOD, ETC. ) AND THAT THEY WOULDNT LET ME GET THE FAMILY AN AIR CLEANER DURING COVID. MORE EMAIL CORRESPONDENCE...**
- P. 07/07/2020 COURT REPORT**

**Q. EMAIL TO PARTIES ABOUT BEING CALLED THE " COVID SCARE. "**

**R. LETTERS TO VARIOUS PARTIES REGARDING THE COVID SITUATION, ACS BEING AN " EXECUTIVE ENTERPRISE , " ETC.**

**S. MORE CORRESPONDENCE TO VARIOUS PARTIES ABOUT THE COVID SITUATION.**

**T. NOT A SCREENING TEST BUT A FULL ON COVID DIAGNOSTIC TEST**

**U. TRANSCRIPT OF WHAT WAS SAID IN COURT REGARDING THIS CRAP. SIMPLY SHOCKING BY ACS AND THE JUDGE. WITH TRAVIS JOHNSON BEING ON BOARD WITH ALL THIS.**

**V. OSC TO PUT ME IN JAIL FOR UNFOUNDED CALLS TO THE SCR.**

**W, THE SCR RECORDS OF ABUSE AND NEGLECT OF THE CHILDREN BY MARGARET INGOGLIA AS PER ACS REPORTING !!!!!!!**

**X. THE AMENDED PETITIONS**

**Y. TRANSCRIPT 1-17-20 WHERE I TOLD THE JUDGE SUCH AMENDED PETITION IS A FRAUD ( WHICH IS EXACTLY WHY IT WAS NOT SWORN TO....)**

**Z. DENIAL OF DUE PROCESS WHEN THE GOVERNMENT INTENTIONALLY USES FALSE AND PERJURED EVIDENCE AGAINST A RESPONDENT..**

**AA. THE EXECUTIVE ENTERPRISE ASSERTION BY ACS IN THEIR FILING, ALONG WITH THE KMART SITUATION. MOTHER STEALS WITH CHILDREN AND I SHOULD GO TO JAIL FOR INVESTIGATING AND REPORTING IT.**

**BB. ANSWER TO AMENDED PETITIONS ALONG WITH THE SERVING OF SUCH ANSWER. THERE WAS NO REPLY AND AFTER THAT ACS PROCEEDED UPON 3 TRIAL COURT DATES WITHOUT ME.**

**CC. ACS STATING IN THE REPORTS ITS NOT ANYTHING THERE TO DO WITH ANY CONVERSATION MS INGOGLIA EVER REPORTING THAT MR MALEK IS ABUSIVE TO HER...**

**DD. ACS STATING THEY DONT HAVE PHOTOS OR AUDIO EVIDENCE**

**EE. MARISSA FRIEDBERG REPORT**

# EXHIBIT A



robert malek &lt;abc75abc@gmail.com&gt;

## Next court date ? My legal advisor isn't responding to my inquiry

38 messages

robert malek &lt;abc75abc@gmail.com&gt;

Wed, Dec 8, 2021 at 12:59 PM

To: Henderson Brathwaite <hbrathwa@nycourts.gov>, robert malek <abc75abc@gmail.com>, Robert Maes <rmaes@bds.org>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, "Johnson, Travis" <TMJohnson@legal-aid.org>

Next court date ? My legal advisor isn't responding to my inquiry ?

Robert Malek

Johnson, Travis &lt;TMJohnson@legal-aid.org&gt;

Wed, Dec 8, 2021 at 1:03 PM

To: robert malek <abc75abc@gmail.com>, Henderson Brathwaite <hbrathwa@nycourts.gov>, Robert Maes <rmaes@bds.org>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>  
Cc: "Akram M. Louis" <akramlouis09@gmail.com>

12/15/2021 02:30 PM for continued trial. Teams Meeting Link: <https://notify.nycourts.gov/meet/ag3cf5>

Travis M. Johnson  
Assistant Attorney-in-Charge  
The Legal Aid Society  
Juvenile Rights Practice  
646-784-2853

From: robert malek &lt;abc75abc@gmail.com&gt;

Sent: Wednesday, December 8, 2021 12:59 PM

To: Henderson Brathwaite <hbrathwa@nycourts.gov>; robert malek <abc75abc@gmail.com>; Robert Maes <rmaes@bds.org>; Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>; Johnson, Travis <TMJohnson@legal-aid.org>

Subject: Next court date ? My legal advisor isn't responding to my inquiry

[Quoted text hidden]

Henderson Brathwaite &lt;hbrathwa@nycourts.gov&gt;

Tue, Dec 14, 2021 at 11:07 AM

To: "Johnson, Travis" <TMJohnson@legal-aid.org>, robert malek <abc75abc@gmail.com>, Robert Maes <rmaes@bds.org>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>  
Cc: "Akram M. Louis" <akramlouis09@gmail.com>

Good morning counsel, I hope this finds you all well. The Court needs to adjourn this matter to the next date of 12/21 @ 2pm. Please appear on that date and we will move forward with this case! Thank you and have a wonderful day!

[Quoted text hidden]

Please be CAREFUL when clicking links or opening attachments from external senders.

8/17/22, 12:24 AM

Gmail - Next court date ? My legal advisor isn't responding to my inquiry

Robert Maes <rmaes@bds.org>

Tue, Dec 14, 2021 at 11:10 AM

To: Henderson Brathwaite <hbrathwa@nycourts.gov>, "Johnson, Travis" <TMJohnson@legal-aid.org>, robert malek

<abc75abc@gmail.com>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>

Cc: "Akram M. Louis" <akramlouis09@gmail.com>

Hi Henderson,

I do not have 12/21 at 2pm scheduled for this matter. I only have tomorrow and this Friday from 3:30 to 4:30pm. I am not out of the office on the 21<sup>st</sup>.

**Robert A. Maes, Esq.**

*Senior Staff Attorney*

Brooklyn Defender Services

Family Defense Practice

195 Montague Street, 5<sup>th</sup> Floor  
Brooklyn, NY 11201

e-mail: rmaes@bds.org

phone: (929) 271-5318

[Quoted text hidden]

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---

Johnson, Travis <TMJohnson@legal-aid.org>

Tue, Dec 14, 2021 at 11:11 AM

To: Henderson Brathwaite <hbrathwa@nycourts.gov>, robert malek <abc75abc@gmail.com>, Robert Maes

<rmaes@bds.org>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>

Cc: "Akram M. Louis" <akramlouis09@gmail.com>

I dont have that date in my calendar. The next adjournment I have is 12/17 in the afternoon.

I am away on 12/21. Normally I try to accommodate this case but am unable to that week.

---

**From:** Henderson Brathwaite <hbrathwa@nycourts.gov>

**Sent:** Tuesday, December 14, 2021 11:07 AM

**To:** Johnson, Travis <TMJohnson@legal-aid.org>; robert malek <abc75abc@gmail.com>; Robert Maes <rmaes@bds.org>; Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>

**Cc:** 'Akram M. Louis' <akramlouis09@gmail.com>

**Subject:** RE: Next court date ? My legal advisor isn't responding to my inquiry

[Quoted text hidden]

---

Akram Louis <akramlouis09@gmail.com>

Tue, Dec 14, 2021 at 11:12 AM

To: Robert Maes <rmaes@bds.org>

Cc: Henderson Brathwaite <hbrathwa@nycourts.gov>, "Johnson, Travis" <TMJohnson@legal-aid.org>, robert malek <abc75abc@gmail.com>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>

Mr. Malek,

Your court date is tomorrow December 15 at 2:30 to 5:00pm and Friday December 17 from 3:30 to 4:30

[Quoted text hidden]

**Akram Louis, Esq.**

The Louis Law Firm, PLLC.

300 Cadman Plaza West

12th Floor

Brooklyn, New York 11201

Telephone: (347) 926-3388

Website: [www.lmdivorcelawyers.com](http://www.lmdivorcelawyers.com)

---

Henderson Brathwaite <[hbrathwa@nycourts.gov](mailto:hbrathwa@nycourts.gov)>

Wed, Dec 15, 2021 at 2:49 PM

To: Akram Louis <[akramlouis09@gmail.com](mailto:akramlouis09@gmail.com)>, Robert Maes <[rmaes@bds.org](mailto:rmaes@bds.org)>

Cc: "Johnson, Travis" <[TMJohnson@legal-aid.org](mailto:TMJohnson@legal-aid.org)>, robert malek <[abc75abc@gmail.com](mailto:abc75abc@gmail.com)>, "Almonte, Rosmil (ACS)" <[Rosmil.Almonte@acs.nyc.gov](mailto:Rosmil.Almonte@acs.nyc.gov)>

Ok I am sorry counsel I thought I sent this yesterday but it has been sitting in my outbox. Are all counsel available to appear???

Original message:

Good evening everyone, I hope this finds you well. Please note that this matter will be in front of me to pick new dates. The Court would like for you all to pick from these dates below. This will be on in front of me (at the link below in the signature line) so that we can finalize these dates. Thank you and here are the dates:

Jan. 4<sup>th</sup> from 2pm to 4:30pm with 1<sup>st</sup> hour to address any discovery issues that have been raised since 10/01/2021. We would still have 1.5 hours of trial time.

Jan. 28<sup>th</sup> from 9:30 am to 11 with all trial time.

Feb. 4<sup>th</sup> from 11am to 1pm all trial time.

Feb. 7<sup>th</sup> from 11am to 12pm as to any updates. (conf. time and/or trial time)

Feb. 9<sup>th</sup> from 11:30 am to 1pm

Feb. 18<sup>th</sup> from 9:30am to 11am

Feb. 22<sup>nd</sup> from 2pm to 3pm

Thank you and have a wonderful evening!!!

Henderson O. Brathwaite II, Esq

Court Attorney to the Hon Jacqueline D. Williams

Permanent Link to Part 6A:

- Teams Invite Link: <https://notify.nycourts.gov/meet/0vjd5w>

**Or call in (audio only)**

- +1 347-378-4143, 496831383# United States, New York City
- (833) 262-7886, 496831383# United States (Toll-free)
- Phone Conference ID: 496 831 383#

**From:** Akram Louis <akramlouis09@gmail.com>

**Sent:** Tuesday, December 14, 2021 11:12 AM

**To:** Robert Maes <rmaes@bds.org>

**Cc:** Henderson Brathwaite <hbrathwa@nycourts.gov>; Johnson, Travis <TMJohnson@legal-aid.org>; robert malek <abc75abc@gmail.com>; Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>

[Quoted text hidden]

[Quoted text hidden]

**Akram Louis** <akramlouis09@gmail.com>

Wed, Dec 15, 2021 at 2:50 PM

**To:** Henderson Brathwaite <hbrathwa@nycourts.gov>

**Cc:** Robert Maes <rmaes@bds.org>, "Johnson, Travis" <TMJohnson@legal-aid.org>, robert malek <abc75abc@gmail.com>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>

I am in the lobby

[Quoted text hidden]

**Johnson, Travis** <TMJohnson@legal-aid.org>

Wed, Dec 15, 2021 at 2:53 PM

**To:** Henderson Brathwaite <hbrathwa@nycourts.gov>, Akram Louis <akramlouis09@gmail.com>, Robert Maes <rmaes@bds.org>

**Cc:** robert malek <abc75abc@gmail.com>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>

I am available:

Jan. 4<sup>th</sup> from 2pm to 4:30pm with 1<sup>st</sup> hour to address any discovery issues that have been raised since 10/01/2021.

We would still have 1.5 hours of trial time.

Jan. 28<sup>th</sup> from 10am to 11 with all trial time.

Feb. 4<sup>th</sup> from 11am to 1pm all trial time.

Feb. 7<sup>th</sup> from 11am to 12pm as to any updates. (conf. time and/or trial time)

Feb. 9<sup>th</sup> from 11:30 am to 1pm

Feb. 18<sup>th</sup> from 9:30am to 11am

Feb. 22<sup>nd</sup> from 2pm to 3pm

Get Outlook for iOS

**From:** Henderson Brathwaite <hbrathwa@nycourts.gov>

**Sent:** Wednesday, December 15, 2021 2:49:42 PM

**To:** Akram Louis <akramlouis09@gmail.com>; Robert Maes <rmaes@bds.org>

**Cc:** Johnson, Travis <TMJohnson@legal-aid.org>; robert malek <abc75abc@gmail.com>; Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>

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[Quoted text hidden]



8/17/22, 12:24 AM

Gmail - Next court date ? My legal advisor isn't responding to my inquiry

**Robert Maes** <rmaes@bds.org>

Wed, Dec 15, 2021 at 3:06 PM

To: "Johnson, Travis" <TMJohnson@legal-aid.org>, Henderson Brathwaite <hbrathwa@nycourts.gov>, Akram Louis

<akramlouis09@gmail.com>

Cc: robert malek <abc75abc@gmail.com>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>

Mr. Brathwaite,

Can you please clarify whether we have court Friday afternoon at 3:30pm?

And that we are picking dates to replace the one that was scheduled today?

Also, I have this case on for February 7 from 11-12? Is that accurate?

Here is my availability based on Mr. Johnson's:

Jan. 4<sup>th</sup> 2-4:30

Feb. 18<sup>th</sup> 10-11

Feb. 22<sup>nd</sup> 2-3

[Quoted text hidden]

[Quoted text hidden]

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**Henderson Brathwaite** <hbrathwa@nycourts.gov>

Wed, Dec 15, 2021 at 3:09 PM

To: Robert Maes <rmaes@bds.org>, "Johnson, Travis" <TMJohnson@legal-aid.org>, Akram Louis

<akramlouis09@gmail.com>

Cc: robert malek <abc75abc@gmail.com>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>

I apologize for the confusion. The Court will be vacated Friday's appearance and will move forward in the New Year. Thank you for the new dates and Mr. Louis is also available for those dates. Ms. Almonte, can you do the dates below. Thank you.

[Quoted text hidden]

---

**Almonte, Rosmil (ACS)** <Rosmil.Almonte@acs.nyc.gov>

Wed, Dec 15, 2021 at 4:17 PM

To: Henderson Brathwaite <hbrathwa@nycourts.gov>, Robert Maes <rmaes@bds.org>, "Johnson, Travis"

<TMJohnson@legal-aid.org>, Akram Louis <akramlouis09@gmail.com>

Cc: robert malek <abc75abc@gmail.com>

Good Afternoon,

Can we pick other dates? None of those date work for me.

**Rosmil Almonte | Team Leader**

Division of Family Court Legal Services

Phone: 718-802-2733 | Mobile: 646-866-3699

[Rosmil.almonte@acs.nyc.gov](mailto:Rosmil.almonte@acs.nyc.gov)

---

**From:** Henderson Brathwaite <hbrathwa@nycourts.gov>

**Sent:** Wednesday, December 15, 2021 3:10 PM

**To:** Robert Maes <rmaes@bds.org>; Johnson, Travis <TMJohnson@legal-aid.org>; Akram Louis <akramlouis09@gmail.com>

**Cc:** robert malek <abc75abc@gmail.com>; Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>

**Subject:** [EXTERNAL] RE: Next court date ? My legal advisor isn't responding to my inquiry

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to [phish@cyber.nyc.gov](mailto:phish@cyber.nyc.gov) as an attachment (Click the More button, then forward as attachment).

[Quoted text hidden]

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**Henderson Brathwaite** <hbrathwa@nycourts.gov>

Wed, Dec 15, 2021 at 4:19 PM

**To:** "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Robert Maes <rmaes@bds.org>, "Johnson, Travis" <TMJohnson@legal-aid.org>, Akram Louis <akramlouis09@gmail.com>

**Cc:** robert malek <abc75abc@gmail.com>

Those are the only dates that the Court would have available. Can you please get coverage??

[Quoted text hidden]

---

**Almonte, Rosmil (ACS)** <Rosmil.Almonte@acs.nyc.gov>

Wed, Dec 15, 2021 at 4:20 PM

**To:** Henderson Brathwaite <hbrathwa@nycourts.gov>, Robert Maes <rmaes@bds.org>, "Johnson, Travis" <TMJohnson@legal-aid.org>, Akram Louis <akramlouis09@gmail.com>

**Cc:** robert malek <abc75abc@gmail.com>

I cannot find coverage for a continue FF

[Quoted text hidden]

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**Henderson Brathwaite** <hbrathwa@nycourts.gov>

Wed, Dec 15, 2021 at 4:30 PM

**To:** "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Robert Maes <rmaes@bds.org>, "Johnson, Travis" <TMJohnson@legal-aid.org>, Akram Louis <akramlouis09@gmail.com>

**Cc:** robert malek <abc75abc@gmail.com>

Wait did we start the FF? That was not my understanding. However, has Ms. Gibson covered for you before? Just trying to move this along.

[Quoted text hidden]

---

**Almonte, Rosmil (ACS)** <Rosmil.Almonte@acs.nyc.gov>

Wed, Dec 15, 2021 at 4:31 PM

**To:** Henderson Brathwaite <hbrathwa@nycourts.gov>, Robert Maes <rmaes@bds.org>, "Johnson, Travis" <TMJohnson@legal-aid.org>, Akram Louis <akramlouis09@gmail.com>

**Cc:** robert malek <abc75abc@gmail.com>

Yes, this is a continue FF. Ms. Gibson has not covered the FF for me.

[Quoted text hidden]

**Johnson, Travis** <TMJohnson@legal-aid.org>

Wed, Dec 15, 2021 at 4:31 PM

To: Henderson Brathwaite <hbrathwa@nycourts.gov>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Robert Maes <rmaes@bds.org>, Akram Louis <akramlouis09@gmail.com>  
Cc: robert malek <abc75abc@gmail.com>

Yes. Mr. Maes' client is currently on the stand and has given a significant amount of testimony.

Travis M. Johnson  
Assistant Attorney-in-Charge  
The Legal Aid Society  
Juvenile Rights Practice  
646-784-2853



---

**From:** Henderson Brathwaite <hbrathwa@nycourts.gov>

**Sent:** Wednesday, December 15, 2021 4:30 PM

**To:** Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>; Robert Maes <rmaes@bds.org>; Johnson, Travis <TMJohnson@legal-aid.org>; Akram Louis <akramlouis09@gmail.com>  
**Cc:** robert malek <abc75abc@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

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**Henderson Brathwaite** <hbrathwa@nycourts.gov>

Wed, Dec 15, 2021 at 4:34 PM

To: "Johnson, Travis" <TMJohnson@legal-aid.org>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Robert Maes <rmaes@bds.org>, Akram Louis <akramlouis09@gmail.com>  
Cc: robert malek <abc75abc@gmail.com>

How about 1/31/22 from 10-11:30am?

[Quoted text hidden]

---

**Johnson, Travis** <TMJohnson@legal-aid.org>

Wed, Dec 15, 2021 at 4:35 PM

To: Henderson Brathwaite <hbrathwa@nycourts.gov>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Robert Maes <rmaes@bds.org>, Akram Louis <akramlouis09@gmail.com>  
Cc: robert malek <abc75abc@gmail.com>

I am available.

Travis M. Johnson  
Assistant Attorney-in-Charge  
The Legal Aid Society  
Juvenile Rights Practice  
646-784-2853

---

**From:** Henderson Brathwaite <hbrathwa@nycourts.gov>

**Sent:** Wednesday, December 15, 2021 4:34 PM

**To:** Johnson, Travis <TMJohnson@legal-aid.org>; Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>; Robert Maes <rmaes@bds.org>; Akram Louis <akramlouis09@gmail.com>  
**Cc:** robert malek <abc75abc@gmail.com>

[Quoted text hidden]

[Quoted text hidden]

---

**Almonte, Rosmil (ACS)** <Rosmil.Almonte@acs.nyc.gov>

Wed, Dec 15, 2021 at 4:36 PM

To: Henderson Brathwaite <hbrathwa@nycourts.gov>, "Johnson, Travis" <TMJohnson@legal-aid.org>, Robert Maes <rmaes@bds.org>, Akram Louis <akramlouis09@gmail.com>  
Cc: robert malek <abc75abc@gmail.com>

## EXHIBIT B

**abc75abc@gmail.com**

---

**From:** robert malek <abc75abc@gmail.com>  
**Sent:** Tuesday, December 14, 2021 2:12 PM  
**To:** Victoria Navarro  
**Subject:** Adjourned !!!!

----- Forwarded message -----

**From:** Henderson Brathwaite <[hbrathwa@nycourts.gov](mailto:hbrathwa@nycourts.gov)>  
**Date:** Tue, Dec 14, 2021, 11:07 AM  
**Subject:** RE: Next court date ? My legal advisor isn't responding to my inquiry  
**To:** Johnson, Travis <[TMJohnson@legal-aid.org](mailto:TMJohnson@legal-aid.org)>, robert malek <[abc75abc@gmail.com](mailto:abc75abc@gmail.com)>, Robert Maes <[rmaes@bds.org](mailto:rmaes@bds.org)>, Almonte, Rosmil (ACS) <[Rosmil.Almonte@acs.nyc.gov](mailto:Rosmil.Almonte@acs.nyc.gov)>  
**Cc:** Akram M. Louis <[akramlouis09@gmail.com](mailto:akramlouis09@gmail.com)>

Good morning counsel, I hope this finds you all well. The Court needs to adjourn this matter to the next date of 12/21 @ 2pm. Please appear on that date and we will move forward with this case! Thank you and have a wonderful day!

**From:** Johnson, Travis [mailto:[TMJohnson@legal-aid.org](mailto:TMJohnson@legal-aid.org)]  
**Sent:** Wednesday, December 8, 2021 1:03 PM  
**To:** robert malek <[abc75abc@gmail.com](mailto:abc75abc@gmail.com)>; Henderson Brathwaite <[hbrathwa@nycourts.gov](mailto:hbrathwa@nycourts.gov)>; Robert Maes <[rmaes@bds.org](mailto:rmaes@bds.org)>; Almonte, Rosmil (ACS) <[Rosmil.Almonte@acs.nyc.gov](mailto:Rosmil.Almonte@acs.nyc.gov)>  
**Cc:** 'Akram M. Louis' <[akramlouis09@gmail.com](mailto:akramlouis09@gmail.com)>  
**Subject:** Re: Next court date ? My legal advisor isn't responding to my inquiry

12/15/2021 02:30 PM for continued trial. Teams Meeting Link: <https://notify.nycourts.gov/meet/ag3cf5>

Travis M. Johnson

Assistant Attorney-in-Charge

The Legal Aid Society

Juvenile Rights Practice

646-784-2853

---

**From:** robert malek <[abc75abc@gmail.com](mailto:abc75abc@gmail.com)>

**Sent:** Wednesday, December 8, 2021 12:59 PM

**To:** Henderson Brathwaite <[hbrathwa@nycourts.gov](mailto:hbrathwa@nycourts.gov)>; robert malek <[abc75abc@gmail.com](mailto:abc75abc@gmail.com)>; Robert Maes <[rmaes@bds.org](mailto:rmaes@bds.org)>; Almonte, Rosmil (ACS) <[Rosmil.Almonte@acs.nyc.gov](mailto:Rosmil.Almonte@acs.nyc.gov)>; Johnson, Travis <[TMJohnson@legal-aid.org](mailto:TMJohnson@legal-aid.org)>

**Subject:** Next court date ? My legal advisor isn't responding to my inquiry

Next court date ? My legal advisor isn't responding to my inquiry ?

Robert Malek

Please be CAREFUL when clicking links or opening attachments from external senders.

Recipients

Cc: robert malek <[abc75abc@gmail.com](mailto:abc75abc@gmail.com)>  
Subject: Re: Next court date ? My legal advisor isn't responding to my inquiry

Yes. Mr. Maes' client is currently on the stand and has given a significant amount of testimony |

Travis M. Johnson  
Assistant Attorney-in-Charge  
The Legal Aid Society  
Juvenile Rights Practice  
646-784-2853

From: Henderson Brathwaite <[hbrathwaite@nycourts.gov](mailto:hbrathwaite@nycourts.gov)>  
Sent: Wednesday, December 15, 2021 4:30 PM  
To: Almonte, Rosmil (ACS) <[Rosmil.Almonte@acs.nyc.gov](mailto:Rosmil.Almonte@acs.nyc.gov)>; Robert Maes <[rmaes@bds.org](mailto:rmaes@bds.org)>; Johnson, Travis <[TMJohnson@legal-aid.org](mailto:TMJohnson@legal-aid.org)>; Akram Louis <[Akramlouis09@gmail.com](mailto:Akramlouis09@gmail.com)>  
Cc: robert malek <[abc75abc@gmail.com](mailto:abc75abc@gmail.com)>  
Subject: RE: Next court date ? My legal advisor isn't responding to my inquiry

# EXHIBIT C





robert malek &lt;abc75abc@gmail.com&gt;

**Response To Questions**

2 messages

kingsfamilycourt <kingsfamilycourt@nycourts.gov>  
To: "abc75abc@gmail.com" <abc75abc@gmail.com>

Wed, Mar 23, 2022 at 1:54 PM

Good Afternoon Mr. Malek,

Please see the responses to your questions below in red.

Respectfully,

Kings County Family Court

robert malek <abc75abc@gmail.com>

Dear kings family court,

*Was there a court hearing on December 15, 2021 in case number Nn19410-18/ nn19411-18?*

*Did Margaret Ingoglia give testimony on this day according to your records?*

Thank you,

Robert Malek

*There was no court hearing on December 15, 2021. No testimony was given on December 15, 2021.*

Dear Kings family court,

*Was there a hearing between December 14 and December 16 2021 where Margaret ingoglia gave testimony ?*

14

8/17/22, 1:01 AM

Gmail - Response To Questions

*Thank you,*

*Robert Malek*

☐ *There was no hearing between December 14 and December 16, 2021 where Margaret Ingoglia gave testimony.*

15

## EXHIBIT D



robert malek &lt;abc75abc@gmail.com&gt;

**judge misconduct**

robert malek &lt;abc75abc@gmail.com&gt;

Sat, Mar 19, 2022 at 9:09 AM

To: letitia.james@ag.ny.gov, sheila.poole@ocfs.ny.gov, jess.dannhauser@acs.nyc.gov, HEVESIA@nyassembly.gov, jdifiore@nycourts.gov, SCJC <cjc@cjc.ny.gov>, IG <ig@nycourts.gov>

On Thu, Feb 17, 2022, 2:14 PM robert malek &lt;abc75abc@gmail.com&gt; wrote:

----- Forwarded message -----

From: robert malek &lt;abc75abc@gmail.com&gt;

Date: Wed, Feb 16, 2022, 4:46 AM

Subject: judge misconduct

To: <cjc@cjc.ny.gov.getnotify.com>, <ig@nycourts.gov.getnotify.com>, <sheila.poole@ocfs.ny.gov.getnotify.com>, <jdifiore@nycourts.gov.getnotify.com>, <jess.dunnhauser@acs.nyc.gov.getnotify.com>, <hevesia@nyassembly.gov.getnotify.com>

Dear Judicial Committee,

Dear Sheila Poole, Commissioner of the Office of Children and Family Services

Dear Janet Difiore, Excellence Initiative

Dear Inspector Generals Office,

Please view these files and the files in the other email I had just sent to you. on 7-31-2018, acs, along with my childs mother filed a neglect petition against me. I find it extremely suspicious that since then she has never appeared in court until trial on october 14, 2021 though I had no evidence to the contrary to know otherwise.

However, recently, here is evidence that the court attorney adjourned to the 21st and meanwhile the court held secret testimony from my childs mother with me, the pro se respondent NOT in attendance.

I have been lied to of there being an adjournment when there was not.

How is this supposed to be an impartial tribunal when there is exparte communication and testimony given to the court without me being able to respond to or know what was said by petittioer ?

My negative correspondence to Louis Akram is for good cause due to circumstances of other matters though not relevant here.

I appreciate your attention to this matter.

Sincerely,  
Robert Malek  
7187574473

----- Forwarded message -----

From: robert malek &lt;abc75abc@gmail.com&gt;

To: Victoria Navarro &lt;vikkinavarro@hotmail.com&gt;

Cc:

Bcc:

Date: Tue, 14 Dec 2021 14:12:03 -0500

Subject: Adjourned !!!! 17

----- Forwarded message -----

**From:** Henderson Brathwaite <hbrathwa@nycourts.gov>  
**Date:** Tue, Dec 14, 2021, 11:07 AM  
**Subject:** RE: Next court date ? My legal advisor isn't responding to my inquiry  
**To:** Johnson, Travis <TMJohnson@legal-aid.org>, robert malek <abc75abc@gmail.com>, Robert Maes <rmaes@bds.org>, Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>  
**Cc:** Akram M. Louis <akramlouis09@gmail.com>

Good morning counsel, I hope this finds you all well. The Court needs to adjourn this matter to the next date of 12/21 @ 2pm. Please appear on that date and we will move forward with this case! Thank you and have a wonderful day!

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**Cc:** 'Akram M. Louis' <akramlouis09@gmail.com>  
**Subject:** Re: Next court date ? My legal advisor isn't responding to my inquiry

12/15/2021 02:30 PM for continued trial. Teams Meeting Link: <https://notify.nycourts.gov/meet/ag3cf5>

Travis M. Johnson  
Assistant Attorney-in-Charge  
The Legal Aid Society  
Juvenile Rights Practice  
646-784-2853

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**To:** Henderson Brathwaite <hbrathwa@nycourts.gov>; robert malek <abc75abc@gmail.com>; Robert Maes <rmaes@bds.org>; Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>; Johnson, Travis <TMJohnson@legal-aid.org>  
**Subject:** Next court date ? My legal advisor isn't responding to my inquiry

Next court date ? My legal advisor isn't responding to my inquiry ?  
Robert Malek

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----- Forwarded message -----

From: robert malek <abc75abc@gmail.com>

To: Henderson Brathwaite <hbrathwa@nycourts.gov>, "Akram M. Louis" <akramlouis09@gmail.com>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Robert Maes <rmaes@bds.org>, "Johnson, Travis" <TMJohnson@legal-aid.org>

Cc:

Bcc:

Date: Wed, 15 Dec 2021 19:22:22 -0500

Subject: Today was adjourned according to email from brathwaite yesterday. Did the court hold ff after I was told otherwise?

To all of you people of questionable sanity....

1. First of all Louis akram was informed he was fired before the appearance.
2. Second of all he cannot appear for me as an attorney since he isn't mine. He is only an advisor.
3. Today was adjourned by Brathwaite until the 21st.
4. Then parties aren't available the 21st.
5. I have no idea what is going on from there nor could any other human being from the mass of insane attorney emails.

Sincerely,  
Robert Malek

----- Forwarded message -----

From: robert malek <abc75abc@gmail.com>

To: Victoria Navarro <vikkinavarro@hotmail.com>

Cc:

Bcc:

Date: Tue, 14 Dec 2021 14:12:03 -0500

Subject: Adjourned !!!!

----- Forwarded message -----

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Travis M. Johnson

Assistant Attorney-in-Charge

The Legal Aid Society

Juvenile Rights Practice

646-784-2853

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**Subject:** Next court date ? My legal advisor isn't responding to my inquiry

Next court date ? My legal advisor isn't responding to my inquiry ?

Robert Malek

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----- Forwarded message -----

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**To:** Henderson Brathwaite <hbrathwa@nycourts.gov>, "Akram M. Louis" <akramlouis09@gmail.com>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Robert Maes <rmaes@bds.org>, "Johnson, Travis" <TMJohnson@legal-aid.org>

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5. I have no idea what is going on from there nor could any other human being from the mass of insane attorney emails.

8/17/22, 12:45 AM

Gmail - judge misconduct

Sincerely,  
Robert Malek

21



# EXHIBIT E



NEW YORK STATE  
COMMISSION ON JUDICIAL CONDUCT

JOSEPH W. BELLUCK, CHAIR  
TAA GRAYS, VICE CHAIR  
HON. FERNANDO M. CAMACHO  
JODIE CORNGOLD  
HON. JOHN A. FALK  
HON. ANGELA M. MAZZARELLI  
HON. ROBERT J. MILLER  
MARVIN RAY RASKIN  
RONALD J. ROSENBERG  
GRAHAM B. SEITER  
AKOSUA GARCIA YEBOAH  
MEMBERS  
CELIA A. ZAHNER, CLERK

61 BROADWAY, SUITE 1200  
NEW YORK, NEW YORK 10006  
646-386-4800 518-299-1757  
TELEPHONE FACSIMILE  
www.cjc.ny.gov

**CONFIDENTIAL**

March 30, 2022

ROBERT H. TEMBECKJIAN  
ADMINISTRATOR & COUNSEL  
MARK LEVINE  
DEPUTY ADMINISTRATOR  
BRENDA CORREA  
JENNIFER L. LOWRY  
PRINCIPAL ATTORNEYS  
MELISSA DIPALO  
VICKIE MA  
ERIC ARNONE  
SENIOR ATTORNEYS  
KELVIN S. DAVIS  
STELLA E. GILLILAND  
ADAM B. KAHAN  
STAFF ATTORNEYS  
ALAN W. FRIEDBERG  
SPECIAL COUNSEL

Via Email: abc75abc@gmail.com  
Mr. Robert Malek

Re:2021/N-1071

Dear Mr. Malek:

This will acknowledge receipt of your additional information received  
March 19, 2022.

The information will be added to your complaint file.

We will contact you after the Commission has reviewed the matter.

Very truly yours  
*Stacy Warner*  
Stacy Warner  
Administrative Assistant

# EXHIBIT F

**FROM ACS COMPLAINTS.COM REGARDING THE GONZALES SUBPOENA**

THIS EXHIBIT CONTAINS EVIDENCE OF THE OCTOBER 26, 2018 ASSAULT, AND THE NOVEMBER 2 ASSAULT. ALSO, WITHIN INVESTIGATIONS WERE CLOSED BY ACS, ONE IN 1 DAY WITHOUT INVESTIGATION, THE OTHER IN 3 DAYS. THEY WERE THEN SENT TO THE BROOKLYN DAS OFFICE. FROM THERE, THEY DISAPPEARED.... WHAT HAPPENED TO THEM ? SO I THEN FILED FOR A SUBPOENA UPON ERIC GONZALEZ OFFICE....AT THIS POINT, I WAS PROHIBITED FROM TAKING PICTURES AND VIDEO SO I WAS RESTRICTED AS TO THE EXTENT OF EVIDENCE I COULD OBTAIN OF MY DAUGHTERS ASSAULTS AFTER OCTOBER 16, 2018. THIS IS WHY I DONT HAVE THE PICTURES OF MY DAUGHTERS FACE ON THIS DAY.

ON THIS DAY, MY DAUGHTER HAD TWO FACIAL HEAD INJURIES AND ONE ON HER FACE. AS SOON AS I SAW HER, ACS HUDSON EXCLAIMS, ROBERT I MINNIE TRIPPED OVER JOES FOOT WALKING OUT OF THE ELEVATOR. SO WHAT HAPPENED MINNIE SHE ASKED ? AND THEN MINNIE IN FEAR, PARROTED WHAT HUDSON HAD SAID.... THREE SEPARATE FACIAL INJURIES DONT HAPPEN FROM A TRIP AND A TRIP NONE THE LESS OVER.... JOES FOOT.

THE PICTURES OF MY DAUGHTERS THUMB WAS ALL I COULD PHOTOGRAPH SINCE ACS HUDSON WAS ON PATROL ALONG WITH ACS LATISHA SAMUELS...

\*\*\*\*\*ONE THING HAS TO BE REMEMBERED, AND KEPT IN MIND AT ALL TIMES AND THAT IS WHEN A PERSON IS THROWN, THERE ARE INTERNAL INJURIES.....IN ADDITION TO THE EXTERNAL. AND LO AND BEHOLD, MY DAUGHTER AT A LATER TIME WAS FOUND TO HAVE BLOOD IN HER URINE.....\*\*\*\*\*

**FROM ACS COMPLAINTS.COM IN DESCRIPTION OF WHAT HAD OCCURRED**

THE ABOVE IS THE SUBPOENA FOR ERIC GONZALEZ APPEARANCE REGARDING WHAT HAPPENED TO THE INVESTIGATIONS OF MY DAUGHTERS ASSAULTS. JUDGE JACQUELINE WILLIAMS LIES TO REP FROM THE DA. UNKNOWN WHAT OTHER LIES MAY BE HAVE BEEN MADE WHILE I WAS NOT IN THE COURROOM. IF I WAS NO IN THE COURTROOM, HOW DO I KNOW THE JUDGE LIED ? TRANSCRIPTS. AFTER THE SECRET HEARING WAS HELD, THE JUDGE ON THE RECORD TOLD THE DA THAT MARGARET WAS THERE WITH OUR DAUGHTER TOO SEE IF SHE WAS OKAY. MARGARET HAD NEVER APPEARED. SUCH EVENDENCE CAN BE FOUND ON THE JUDGE JACQUELINE WILLIAMS PAGE, TRANSCRIPTS 2-10-20, 2-20-20, 3-13-20.

2/10/2020

ROBERT MALEK

2609 EAST 14TH STREET # 304

BROOKLYN, NEW YORK 11235

abc75abc@gmail.com

929-441-8429

KINGS COUNTY DISTRICT ATTORNEYS OFFICE

ERIC GONZALES

350 JAY STREET

BROOKLYN, NEW YORK 11201

Re: Subpoena Request

I, \_\_\_\_\_ employed as \_\_\_\_\_ of the KINGS COUNTY DISTRICT ATTORNEYS OFFICE have received notarized 2 page " subpoena request " letter from Robert Malek and corresponding 28 page document within to be given to Eric Gonzales or other duly authorized representative to address such matter. Robert Malek has shown me a copy of his N.Y.S id card upon presentation of this document.

\_\_\_\_\_  
SIGNATURE

2/10/2020

ROBERT MALEK  
2609 EAST 14TH STREET # 304  
BROOKLYN, NEW YORK 11235  
abc75abc@gmail.com  
929-441-8429

KINGS COUNTY DISTRICT ATTORNEYS OFFICE  
ERIC GONZALES  
350 JAY STREET  
BROOKLYN, NEW YORK 11201

Re: Subpoena Request

I, \_\_\_\_\_ employed as \_\_\_\_\_ of the KINGS COUNTY DISTRICT ATTORNEYS OFFICE have received notarized 2 page " subpoena request " letter from Robert Malek and corresponding 28 page document within to be given to Eric Gonzales or other duly authorized representative to address such matter. Robert Malek has shown me a copy of his N.Y.S id card upon presentation of this document.

\_\_\_\_\_  
SIGNATURE

2/10/2020

ROBERT MALEK

2609 EAST 14TH STREET # 304

BROOKLYN, NEW YORK 11235

abc75abc@gmail.com

929-441-8429

KINGS COUNTY DISTRICT ATTORNEYS OFFICE

ERIC GONZALES

350 JAY STREET

BROOKLYN, NEW YORK 11201

Re: Subpoena Request

Dear Eric Gonzales,

Hello. Please view the following subpoena request which is on calendar to be heard on feb. 20, 2020 from 12 - 1.

The matter of the subpoena request is whether or not ACS has falsified documents in regards to closing cases regarding physical assaults of my daughter, referenced by the SCR of Albany. Call number 1 was closed in their investigation data provided to the SCR within only 1 day ( turn to page 12 ) when there is no investigation referenced in their notes or provided in Discovery. Call number 2 was closed in their investigation within only 3 days as data provided to the SCR. Rather than investigating, they referred to matter to your office on 11/26/18 and 10:42 am. Me being the father of my daughter, having provided much information of my daughters assaults to the SCR by her step brother, Joe Palomino and her mother, Margaret Ingoglia has never been contacted. I have spoken to Deputy Inspector Caroline Roe of the Mahattan Child Abuse Squad. She had no knowledge of your referral regarding these matters.

In lieu of Eric Gonzales being subpoenaed to appear



in court, I as my own attorney am requesting a letter from your office as to all information / data / documents / photographs / recordings you may have in regards to this referral. If they have provided nothing to you and such referral was false, please inform as such via notarized letter I will come to pick up from your office.

If ACS has in fact falsified such documents, intentionally not investigating my daughters assaults, I will be requesting of the court a bar of ACS from the courtroom when I hold my physical abuse presentation of my daughter which has been granted by Judge Williams. Furthermore, I will be requesting in lieu of ACS appearance, for Eric Gonzales or a representative of the Kings County District Attorneys office to appear instead to view the presentation of not just my daughters assaults by her mother and step brother but of further criminal behavior on the part of employees of ACS.

The judge wished to hold the hearing of my daughters abuse asap, even requesting a hearing today. I have requested an adjournment in the interests of justice not to hold the hearing today pending your answer of whether or not ACS did or did not refer the crimes detailed within to your office. If they did not, I do not want to further compromise a criminal investigation having ACS in the courtroom, viewing this evidence and other evidence that I have against them.

Thank You,

Sincerely,

Robert Malek

RECEIVED

JAN 14 2020

KINGS COUNTY FAMILY COURT

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

ACS, Petitioner

vs.

NN 19410-18 #27

NN-19411-18 #24

FILE NUMBER 235429

ROBERT MALEK, Respondent

**ORDER TO SHOW CAUSE REQUESTING  
JUDICIAL SUBPOENA OF THE BROOKLYN  
DISTRICT ATTORNEYS OFFICE, ERIC GONZALES**

UPON THE AFFIDAVIT IN SUPPORT OF ORDER TO SHOW CAUSE FOR JUDICIAL SUBPOENA, VERIFIED THE 14 DAY OF JANUARY, 2020, ANNEXED HERETO, IT IS **ORDERED** THAT ACS SHOW CAUSE BEFORE THIS COURT AT 330 JAY STREET, NEW YORK, ON THE 17 DAY OF JANUARY, 2020, AT 2PM O CLOCK IN THE MORNING / AFTERNOON OF THIS DAY, OR AS SOON THEREAFTER AS THE PARTIES CAN BE HEARD, WHY AN ORDER SHOULD NOT BE MADE AS FOLLOWS :

**JUDICIAL SUBPOENA ISSUED FOR THE APPEARANCE OF  
THE BROOKLYN DISTRICT ATTORNEYS OFFICE , ERIC GONZALES**

**I AM REQUESTING THE FOLLOWING RELIEF :**

1. THE BROOKLYN DISTRICT ATTORNEYS OFFICE / ERIC GONZALES, MUST APPEAR AND PROVIDE ANY EVIDENCE THEY HAVE RECEIVED FROM ACS OR IF ACS NEVER SENT THEM ANY NOTIFICATION WHATSOEVER. EXHIBIT A PAGE 10.
2. THE BROOKLYN DISTRICT ATTORNEYS OFFICE NEEDS TO INFORM THE COURT AND ALL PARTIES IF ANY INVESTIGATION TOOK PLACE AND IF SO WHAT WAS THE OUTCOME AND

DETAILS.

Pockets# NN 19410-18 #27  
NN 19411-18 #24

3. ALL DOCUMENTS PERTAINING TO THE INVESTIGATION IF ONE TOOK PLACE.

AND IT IS FURTHER ORDERED THAT SERVICE BY EMAIL ( WHICH IS HOW THE PARTIES ARE ROUTINELY HANDLING  
CORRESPONDENCE - I HAVE AN ACCEPTANCE EMAIL FROM TRAVIS JOHNSON LEGAL AID, ACCEPTING EMAIL SERVICE  
AND I AGREED LIKEWISE ) OF A COPY OF THIS ORDER TOGETHER WITH THE PAPERS UPON WHICH IT IS GRANTED UPON  
\_\_\_\_\_, ON OR BEFORE THE 16<sup>th</sup> DAY OF Jan, 2020 BE DEEMED SUFFICIENT SERVICE.

DATED: 1, 15, 2020

JAN 15 2020

ENTER

  
HON. JACQUELINE D. WILLIAMS  
FAMILY COURT JUDGE

EXHIBIT A

CONNECTIONS  
STAGE SUMMARY

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32242803  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/6/2018

INTAKE NARRATIVE

Call Narrative

Narrative:

Four year old ~~Margaret~~ had two suspicious bruises on her forehead 11/2/18 and there was no consistent explanation for the child's injuries. She also had a faint mark on her left cheek. The mother (Margaret) and older brother (Joseph) have a history of injuring the child in the recent past. The mother is aware that Joseph hurts ~~Margaret~~, but does not keep the younger child safe. The role of the father (Robert) is unknown.

18 yrs old

CONNECTIONS  
STAGE SUMMARY

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32242803  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/6/2018

SAFETY ASSESSMENT

Assessment Date:

Type: CPS 7 day

Event Status: SUSP

Event Date:

Decision:

Selected Safety Factors:

Safety Factors that place the child(ren) in immediate danger of serious harm:

• None

Comment:

Mitigating Strengths and Resources:

Interventions:

Comments:

CONNECTIONS  
STAGE SUMMARY

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32242803  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/6/2018

INVESTIGATION CONCLUSION

Investigation Dates

Intake Received Date: 11/06/2018  
Incident Occurred:  
Investigation Begun Date: 11/06/2018  
Investigation Completed Date: 11/07/2018

Time: 01:38 PM  
Time:

Risk Rating:

Determination: Suspended --

Duplicate Stage ID: 32219607

Closure Reason: Closed as Duplicate - OF WHAT?  
with

High Risk Comments:

Fatality - No Surviving Children: No

WHERE IS THE INVESTIGATION

CONNECTIONS  
STAGE SUMMARY

*[Handwritten signature]*

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32268697  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/23/2018

INTAKE NARRATIVE

Call Narrative

Narrative:

Joe (14) has a severe psychiatric history where he gets very angry and is physically abusive. Sometime around 10/11/18, Joe hit M [REDACTED] (4) in an unknown manner, and as a result M [REDACTED] sustained a bulging bump with a scrape and bruise on it on her forehead. Sometime around 10/26/18, Joe hit M [REDACTED] in an unknown manner and on the left side of her neck behind her ear she sustained a bruise. On the right side of her neck behind her ear, she sustained a rash and bruising. The mother (M [REDACTED]) is aware of Joe's history and has not made arrangements to keep M [REDACTED] safe.

The father (Robert) and Joe have unknown roles.



**CONNECTIONS  
STAGE SUMMARY**

**CASE ID:** 26871553  
**CASE NAME:** Ingoglia, Margaret  
**CD:** M05

**STAGE:** Investigation  
**STAGE ID:** 32268587  
**STAGE NAME:** Ingoglia, Margaret  
**REPORT DATE:** 11/23/2018

**\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY**

**CONNECTIONS  
STAGE SUMMARY**

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32268597  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/23/2018

**SAFETY ASSESSMENT**

Assessment Date:

Type:

CPS 7 day

Event Status:

SUSP

Decision:

Event Date:

**Selected Safety Factors:**

**Safety Factors that place the child(ren) in immediate danger of serious harm:**

• None

**Comment:**

**Mitigating Strengths and Resources:**

**Interventions:**

**Comments:**

CONNECTIONS  
STAGE SUMMARY

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32268597  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/23/2018

**INVESTIGATION CONCLUSION**

Investigation Dates

Intake Received Date: 11/23/2018  
Incident Occurred:  
Investigation Begun Date: 11/23/2018  
Investigation Completed Date: 11/26/2018

Time: 12:21 PM  
Time:

Risk Rating:

Determination: Suspended

Duplicate Stage ID: 32219607

Closure Reason: Closed as Duplicate

High Risk Comments:

Fatality - No Surviving Children: No

CASE NAME: Ingoglia, Margaret  
STAGE NAME: Ingoglia, Margaret  
B.J.

CASE ID: 26871553  
STAGE ID: 32268597

Investigation  
Progress Notes

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

Event Date: 11/23/2018  
Entry Date: 11/23/2018  
Author: Joly, Farah  
Method: Joly, Farah  
Location:  
Type(s): Supervisor/Managerial Review  
Purpose(s): Initial  
Other Participant(s):  
Family Participant(s):  
Focus:  
Progress Notes Narrative:

End of Note

Duration: Final  
Note Status: Joly, Farah  
Entered By:

This is subsequent report. CPSSII met CPS face to face to discuss the reported concerns which state: *Discussed with Robert*  
Joe (14) has a severe psychiatric history where he gets very angry and is physically abusive. Sometime around 10/11/18, Joe hit Margaret (4) in an unknown manner, and a result Margaret sustained a bulging bump with a scrape and bruise on it on her forehead. Sometime around 10/26/18, Joe hit Margaret in an unknown manner and on the left side of her neck behind her ear she sustained a bruise. On the right side of her neck behind her ear, she sustained a rash and bruising. The mother (Margaret) is aware of Joe's history and has not made arrangements to keep Margaret safe.

The father (Robert) and Joe have unknown roles.

Miscellaneous Information:

The source is working with the father who disclosed that Margaret had these different injuries. The father found out about these injuries during a supervised visit. The father has medical documents about Joe's psychiatric health, but it is unknown how he obtained those documents as he is not Joe's biological parent and doesn't live in the home with the mother or Margaret and Joe.

The father has photos and a video of Margaret stating that Joe hurt her. The father also suspects that Joe may have sexually assaulted Margaret because she mentioned something about Joe and a bed, but further details weren't available. In the past when the father lived with the family, he said that Joe would make sexual advances toward the mother and look up pornographic videos on the Internet. It is unknown if the mother intervened at this time. Joe may be in therapy but further details are unknown. *that is sent to ANDREW BIERMAN*

*I had a video of her testimony + shared it w. the police ANDREW BIERMAN*  
*TIME OUT.*  
In January of 2018, Joe beat his own biological father (Juan Palomino) until he was unconscious over a verbal argument. Further details are unknown. In 2015, Juan punched his son in the arm because he couldn't find Ben Gaylor him. This incident was reported and previously investigated by ACS.

**CONNECTIONS  
STAGE SUMMARY**

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: K 18

STAGE: Investigation  
STAGE ID: 32109640  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 8/9/2018

**CASE SUMMARY**

STAGE ID	STAGE NAME	STAGE TYPE	DT OPEN	DT CLOSE	DET.	STAT.	REASON STAGE	CLASS.	SUB-CLASS
32697959	Ingoglia, Margaret	INV	SUB	8/13/2019	9/18/2019	UNF	APRV	<u>CLOSED</u>	
32697942	Ingoglia, Margaret	INT	SUB	8/13/2019	8/13/2019			Case open-Services	CPS - Familial
32587776	Ingoglia, Margaret	INV	DUP	5/30/2019	6/3/2019	SUS	APRV	Closed as Duplicate	CPS - Familial
32587712	Ingoglia, Margaret	INT	SUB	5/30/2019	5/30/2019				CPS - Familial
32530176	Ingoglia, Margaret	INT	ADD	4/29/2019	6/3/2019				CPS - Familial
32516413	Ingoglia, Margaret	INV	SUB	4/19/2019	6/18/2019	IND	APRV	Closed - Additional Report	CPS - Familial
32516289	Ingoglia, Margaret	INT	SUB	4/19/2019	4/19/2019			Case open-CPS required	CPS - Familial
32337130	Ingoglia, Margaret	INV	SUB	1/7/2019	2/4/2019	IND	APRV		CPS - Familial
32336887	Ingoglia, Margaret	INT	SUB	1/7/2019	1/7/2019			Case open-CPS required	CPS - Familial
32335348	Ingoglia, Margaret	INT	ADD	1/6/2019	1/23/2019				CPS - Familial
32268597	Ingoglia, Margaret	INV	DUP	11/23/2018	11/26/2018	SUS	APRV	Closed - Additional Report	CPS - Familial
32268449	Ingoglia, Margaret	INT	SUB	11/23/2018	11/23/2018			Closed as Duplicate	CPS - Familial
32242803	Ingoglia, Margaret	INV	DUP	11/6/2018	11/7/2018	SUS	APRV	Closed as Duplicate	CPS - Familial
32242665	Ingoglia, Margaret	INT	SUB	11/6/2018	11/6/2018				CPS - Familial
32238080	Ingoglia, Margaret	INT	ADD	11/2/2018	11/30/2018			Closed - Additional Report	CPS - Familial
32234721	Ingoglia, Margaret	INV	DUP	11/1/2018	11/3/2018	SUS	APRV	Closed as Duplicate	CPS - Familial
32234519	Ingoglia, Margaret	INT	SUB	11/1/2018	11/1/2018				CPS - Familial
32229711	Ingoglia, Margaret	INV	DUP	10/29/2018	11/2/2018	SUS	APRV	Closed as Duplicate	CPS - Familial
32229701	Ingoglia, Margaret	INT	ADD	10/29/2018	11/30/2018			Closed - Additional Report	CPS - Familial
32229581	Ingoglia, Margaret	INT	SUB	10/29/2018	10/29/2018				CPS - Familial
32219607	Ingoglia, Margaret	INV	SUB	10/23/2018	12/21/2018	UNF	APRV	Case open-Services	CPS - Familial
32219517	Ingoglia, Margaret	INT	SUB	10/23/2018	10/23/2018				CPS - Familial
32202909	Ingoglia, Margaret	INT	ADD	10/13/2018	12/2/2018			Closed - Additional Report	CPS - Familial
32145148	Ingoglia, Margaret	INV	DUP	9/6/2018	9/12/2018	SUS	APRV	Closed as Duplicate	CPS - Familial
32145125	Ingoglia, Margaret	INT	SUB	9/6/2018	9/6/2018				CPS - Familial
32135089	Ingoglia, Margaret	INV	SUB	8/29/2018	10/17/2018	UNF	APRV	Case open-Services	CPS - Familial
32135066	Ingoglia, Margaret	INT	SUB	8/29/2018	8/29/2018				CPS - Familial
32127911	Ingoglia, Margaret	INT	ADD	8/24/2018	8/27/2018			Closed - Additional Report	CPS - Familial
32120803	Ingoglia, Margaret	INT	DUP	8/19/2018	8/27/2018			Closed - Duplicate Report	CPS - Familial
32120474	Ingoglia, Margaret	INV	SUB	8/18/2018	8/29/2018	UNF	APRV	Case open-Services	CPS - Familial
32120443	Ingoglia, Margaret	INT	SUB	8/18/2018	8/18/2018				CPS - Familial
32117166	Ingoglia, Margaret	INV	DUP	8/15/2018	8/17/2018	SUS	APRV	Closed as Duplicate	CPS - Familial
32117121	Ingoglia, Margaret	INT	SUB	8/15/2018	8/15/2018				CPS - Familial
32109736	Ingoglia, Margaret	INT	ADD	8/10/2018	8/14/2018			Closed - Additional Report	CPS - Familial
32109640	Ingoglia, Margaret	INV	DUP	8/9/2018	8/15/2018	SUS	APRV	Closed as Duplicate	CPS - Familial
32109587	Ingoglia, Margaret	INT	SUB	8/9/2018	8/9/2018				CPS - Familial
32053647	Ingoglia, Margaret	INV	SUB	6/28/2018	8/28/2018	IND	APRV	Case open-CPS required	CPS - Familial
32053377	Ingoglia, Margaret	INT	SUB	6/28/2018	6/28/2018				CPS - Familial
31743371	Ingoglia, Margaret	INV	SUB	12/29/2017	3/12/2018	IND	APRV	Case open-CPS required	CPS - Familial
31743321	Ingoglia, Margaret	INT	SUB	12/29/2017	12/29/2017				CPS - Familial
31710004	Ingoglia, Margaret	FSS	CWS	12/7/2017					CPS - Familial
31709999	Ingoglia, Margaret	FSI	CWS	12/7/2017	12/7/2017				CPS - Familial
31708154	Ingoglia, Margaret	INV	INI	12/7/2017	2/7/2018	UNF	APRV	Case open-Services	CPS - Familial

Date Printed: 10/1/2019 6:31:01PM

Page: 1

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Investigation  
Progress Notes

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE NAME: Ingoglia, Margaret  
STAGE NAME: Ingoglia, Margaret

CASE ID: 26871553  
STAGE ID: 32268597

*\*CPS is to find out what the family would like to see happen.\**


*-Screen for sexuality, bullying, on going substance use/mental health and gang affiliation.*

*\*Speak with neighbors/building superintendent for collateral reasons.*

*\*Follow up with supervision after the 24/48hr contact.*

.....End of Note.....  
Event Date: 11/26/2018 Event Time: 10:42 AM Duration:  
Entry Date: 11/26/2018 Dist.Agy: A66 Note Status: Final  
Author: Entered By: Green, Leotta  
Method:  
Location:  
Type(s): Supervisor/Managerial Review  
Purpose(s): Coordinate/Monitor  
Other Participant(s):  
Family Participant(s):  
Focus:

Progress Notes Narrative:

On 11/26/2018 @ 10:42 am the case is being referred to the Brooklyn DA office. 

.....End of Note.....

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

RECEIVED

JAN 14 2020

KINGS COUNTY FAMILY COURT

ACS, Petitioner

vs.

ROBERT MALEK, Respondent

NN 19410-18 #27

NN-19411-18 #24

FILE NUMBER 235429

AFFIDAVIT IN SUPPORT OF  
ORDER TO SHOW CAUSE REQUESTING  
JUDICIAL SUBPOENA UPON THE  
BROOKLYN DISTRICT ATTORNEYS OFFICE

ERIC GONZALES

I, ROBERT MALEK, BEING DULY SWORN, TO THE BEST OF MY KNOWLEDGE AND BELIEF,  
STATE THE FOLLOWING :

1. ON 11-26-18, ACS ACCORDING TO THEIR NOTES FORWARDED AN "INVESTIGATION" TO THE  
DISTRICT ATTORNEYS OFFICE FOR ~~TWO~~<sup>3</sup> ASSAULTS OF MY DAUGHTER. SUCH INVESTIGATION,  
ONE OF THEM WAS CLOSED BY THEM ( ACS ) WITHIN ONE DAY AND THE OTHER 3 DAYS.

EXHIBIT A, Pgs 9, 10

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS "INVESTIGATION" WAS NEVER SENT AND  
REPRESENTS PURPOSEFUL FALSIFICATION OF DOCUMENTS. A CRIME.

2. ACS CLOSING THEIR "INVESTIGATION" WITHIN ONLY 1-3 DAYS, WHILE THEY FORWARDED A  
CRIMINAL INVESTIGATION TO THE DA'S OFFICE OF ASSAULT OF A CHILD, OF WHICH NO  
EVIDENCE EXISTS OF ANY INVESTIGATION BY ANY DAS OFFICE, WHILE ACS REFUSES TO  
PROVIDE DISCOVERY FROM JAN 8, 2019 ONWARD IS HIGHLY SUSPECT AND UNDOUBTEDLY,  
FALSIFICATION OF DOCUMENTS WITH INTENT OF CONCEALMENT OF A CRIME IN RELATION  
TO A CHILDS SAFETY AND WELFARE.

2.5 THERE WAS NO INVESTIGATION BY ACS. NOT IN DISCOVERY NOTES

3. THE DISTRICT ATTORNEYS OFFICE MUST APPEAR AND PROVIDE ANY EVIDENCE THEY

HAVE RECEIVED FROM ACS OR IF ACS NEVER SENT THEM ANY NOTIFICATION WHATSOEVER.

4. THE DISTRICT ATTORNEYS OFFICE NEEDS TO INFORM THE COURT AND ALL PARTIES IF ANY INVESTIGATION TOOK PLACE AND IF SO WHAT WAS THE OUTCOME AND DETAILS.

SWORN TO BEFORE ME ON THE 14<sup>th</sup> DAY OF January 2020

Krista Sessoms

NOTARY PUBLIC

Robert Malek

ROBERT MALEK

KRISTA SESSOMS  
Notary Public, State of New York  
No. 04SE6219517  
Qualified in Kings County  
Commission Expires March 29, 2022



EXHIBIT A

CONNECTIONS  
STAGE SUMMARY

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: MDS

STAGE: Investigation  
STAGE ID: 32242803  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/6/2018

INTAKE NARRATIVE

Call Narrative

Narrative:

Four year old M[REDACTED] had two suspicious bruises on her forehead 11/2/18 and there was no consistent explanation for the child's injuries. She also had a faint mark on her left cheek. The mother (M[REDACTED]) and older brother (Joseph) have a history of injuring the child in the recent past. The mother is aware that Joseph hurts M[REDACTED], but does not keep the younger child safe. The role of the father (Robert) is unknown.

CONNECTIONS  
STAGE SUMMARY

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32242803  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/8/2018

**SAFETY ASSESSMENT**

Assessment Date:

Type: CPS 7 day

Event Status: SUSP

Event Date:

Decision:

Selected Safety Factors:

Safety Factors that place the child(ren) in immediate danger of serious harm:

• None

Comment:

Mitigating Strengths and Resources:

Interventions:

Comments:

CONNECTIONS  
STAGE SUMMARY

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32242803  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/6/2018

INVESTIGATION CONCLUSION

Investigation Dates

Intake Received Date: 11/06/2018  
Incident Occurred:  
Investigation Begun Date: 11/06/2018  
Investigation Completed Date: 11/07/2018

Time: 01:38 PM  
Time:

Risk Rating:

Determination: Suspended --

Closure Reason: Closed as Duplicate

Duplicate Stage ID: 32219607

*- OF WHAT?  
WHY*

High Risk Comments:

Fatality - No Surviving Children: No

*WHERE IS THE INVESTIGATION*

CONNECTIONS  
STAGE SUMMARY

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
- AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32268597  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/23/2018

INTAKE NARRATIVE

Call Narrative

Narrative:

Joe (14) has a severe psychiatric history where he gets very angry and is physically abusive. Sometime around 10/11/18, Joe hit Margaret (4) in an unknown manner, and as a result Margaret sustained a bulging bump with a scrape and bruise on it on her forehead. Sometime around 10/26/18, Joe hit Margaret in an unknown manner and on the left side of her neck behind her ear she sustained a bruise. On the right side of her neck behind her ear, she sustained a rash and bruising. The mother (Margaret) is aware of Joe's history and has not made arrangements to keep Margaret safe.

The father (Robert) and Joe have unknown roles.

**CONNECTIONS  
STAGE SUMMARY**

**CASE ID:** 26871553  
**CASE NAME:** Ingoglia, Margaret  
**CD:** M05

**STAGE:** Investigation  
**STAGE ID:** 32268697  
**STAGE NAME:** Ingoglia, Margaret  
**REPORT DATE:** 11/23/2018

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CONNECTIONS  
STAGE SUMMARY

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32268597  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/23/2018

SAFETY ASSESSMENT

Assessment Date:

Type:

CPS 7 day

Event Status:

SUSP

Event Date:

Decision:

Selected Safety Factors:

Safety Factors that place the child(ren) in immediate danger of serious harm:

• None

Comment:

Mitigating Strengths and Resources:

Interventions:

Comments:

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CONNECTIONS  
STAGE SUMMARY

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: M05

STAGE: Investigation  
STAGE ID: 32268597  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 11/23/2018

INVESTIGATION CONCLUSION

Investigation Dates

Intake Received Date: 11/23/2018

Incident Occurred:

Investigation Begun Date: 11/23/2018

Investigation Completed Date: 11/26/2018

Time: 12:21 PM  
Time:

Risk Rating:

Determination: Suspended

Closure Reason: Closed as Duplicate

Duplicate Stage ID: 32219607

High Risk Comments:

Fatality - No Surviving Children: No



CASE NAME: Ingoglia, Margaret  
STAGE NAME: Ingoglia, Margaret  
B.J.

Investigation  
Progress Notes  
CASE ID: 26871553  
STAGE ID: 32288597

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

Event Date: 11/23/2018  
Entry Date: 11/23/2018  
Author: Joly, Farah  
Method: Joly, Farah  
Location: Joly, Farah  
Type(s): Supervisor/Managerial Review  
Purpose(s): Initial  
Other Participant(s):  
Family Participant(s):  
Focus:  
End of Note  
Duration: A66  
Note Status: Final  
Entered By: Joly, Farah

Progress Notes Narrative:

This is subsequent report. CPSSII met CPS face to face to discuss the reported concerns which state:

*DRUGS WERE REPORTED*  
Joe (14) has a severe psychiatric history where he gets very angry and is physically abusive. Sometime around 10/11/18, Joe hit Margaret (4) in an unknown manner, and a result Margaret sustained a bulging bump with a scrape and bruise on it on her forehead. Sometime around 10/26/18, Joe hit M. in an unknown manner and on the left side of her neck behind her ear she sustained a bruise. On the right side of her neck behind her ear, she sustained a rash and bruising. The mother (M.) is aware of Joe's history and has not made arrangements to keep M. safe.

The father (Robert) and Joe have unknown roles.

Miscellaneous Information:

The source is working with the father who disclosed that M. had these different injuries. The father found out about these injuries during a supervised visit. The father has medical documents about Joe's psychiatric health, but it is unknown how he obtained those documents as he is not Joe's biological parent and doesn't live in the home with the mother or M. and Joe.

*THAT IS NOT RO ANDREW BIERMAN*  
The father has photos and a video of M. stating that Joe hurt her. The father also suspects that Joe may have sexually assaulted M. because she mentioned something about Joe and a bed, but further details weren't available. In the past when the father lived with the family, he said that Joe would make sexual advances toward the mother and look up pornographic videos on the internet. It is unknown if the mother intervened at this time. Joe may be in therapy but further details are unknown.

*AND A VIDEO OF HER TESTIMONY + SHARED IT W. THE POLICE ANDREW BIERMAN*  
*NOT SO. I SAID I*  
*TIME OUT.*  
In January of 2018, Joe beat his own biological father (Juan Palomino) until he was unconscious over a verbal argument. Further details are unknown. In 2015, Juan punched his son in the arm because he couldn't find Ben Gay for him. This incident was reported and previously investigated by ACS.

X  
X

**CONNECTIONS  
STAGE SUMMARY**

\*\*\*\*WARNING\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553  
CASE NAME: Ingoglia, Margaret  
CD: K18

STAGE: Investigation  
STAGE ID: 32109640  
STAGE NAME: Ingoglia, Margaret  
REPORT DATE: 8/9/2018

**CASE SUMMARY**

STAGE ID	STAGE NAME	STAGE TYPE	DT OPEN	DT CLOSE	DET.	STAT.	REASON STAGE	CLASS.	SUB-CLASS
							<u>CLOSED</u>		
32697959	Ingoglia, Margaret INV	SUB	8/13/2019	9/18/2019	UNF	APRV	Case open-Services	CPS - Familial	
32697942	Ingoglia, Margaret INT	SUB	8/13/2019	8/13/2019				CPS - Familial	
32587776	Ingoglia, Margaret INV	DUP	5/30/2019	6/3/2019	SUS	APRV	Closed as Duplicate	CPS - Familial	
32587712	Ingoglia, Margaret INT	SUB	5/30/2019	5/30/2019				CPS - Familial	
32530176	Ingoglia, Margaret INT	ADD	4/29/2019	6/3/2019				CPS - Familial	
32516413	Ingoglia, Margaret INV	SUB	4/19/2019	6/18/2019	IND	APRV	Closed - Additional Report	CPS - Familial	
32516289	Ingoglia, Margaret INT	SUB	4/19/2019	4/19/2019			Case open-CPS required	CPS - Familial	
32337130	Ingoglia, Margaret INV	SUB	1/7/2019	2/4/2019	IND	APRV	Case open-CPS required	CPS - Familial	
32336887	Ingoglia, Margaret INT	SUB	1/7/2019	1/7/2019				CPS - Familial	
32335348	Ingoglia, Margaret INT	ADD	1/6/2019	1/23/2019				CPS - Familial	
32268597	Ingoglia, Margaret INV	DUP	11/23/2018	11/26/2018	SUS	APRV	Closed - Additional Report	CPS - Familial	
32268449	Ingoglia, Margaret INT	SUB	11/23/2018	11/23/2018			Closed as Duplicate	CPS - Familial	
32242803	Ingoglia, Margaret INV	DUP	11/6/2018	11/7/2018	SUS	APRV	Closed as Duplicate	CPS - Familial	
32242865	Ingoglia, Margaret INT	SUB	11/6/2018	11/6/2018				CPS - Familial	
32238080	Ingoglia, Margaret INT	ADD	11/2/2018	11/30/2018				CPS - Familial	
32234721	Ingoglia, Margaret INV	DUP	11/1/2018	11/3/2018	SUS	APRV	Closed - Additional Report	CPS - Familial	
32234519	Ingoglia, Margaret INT	SUB	11/1/2018	11/1/2018			Closed as Duplicate	CPS - Familial	
32229711	Ingoglia, Margaret INV	DUP	10/29/2018	11/2/2018	SUS	APRV	Closed as Duplicate	CPS - Familial	
32229701	Ingoglia, Margaret INT	ADD	10/29/2018	11/30/2018				CPS - Familial	
32229581	Ingoglia, Margaret INT	SUB	10/29/2018	10/29/2018			Closed - Additional Report	CPS - Familial	
32219607	Ingoglia, Margaret INV	SUB	10/23/2018	12/21/2018	UNF	APRV	Case open-Services	CPS - Familial	
32219617	Ingoglia, Margaret INT	SUB	10/23/2018	10/23/2018				CPS - Familial	
32202909	Ingoglia, Margaret INT	ADD	10/13/2018	12/2/2018				CPS - Familial	
32145148	Ingoglia, Margaret INV	DUP	9/6/2018	9/12/2018	SUS	APRV	Closed - Additional Report	CPS - Familial	
32145125	Ingoglia, Margaret INT	SUB	9/6/2018	9/6/2018			Closed as Duplicate	CPS - Familial	
32135089	Ingoglia, Margaret INV	SUB	8/29/2018	10/17/2018	UNF	APRV	Case open-Services	CPS - Familial	
32135066	Ingoglia, Margaret INT	SUB	8/29/2018	8/29/2018				CPS - Familial	
32127911	Ingoglia, Margaret INT	ADD	8/24/2018	8/27/2018				CPS - Familial	
32120803	Ingoglia, Margaret INT	DUP	8/19/2018	8/27/2018			Closed - Additional Report	CPS - Familial	
32120474	Ingoglia, Margaret INV	SUB	8/18/2018	8/29/2018	UNF	APRV	Closed - Duplicate Report	CPS - Familial	
32120443	Ingoglia, Margaret INT	SUB	8/18/2018	8/18/2018			Case open-Services	CPS - Familial	
32117166	Ingoglia, Margaret INV	DUP	8/15/2018	8/17/2018	SUS	APRV	Closed as Duplicate	CPS - Familial	
32117121	Ingoglia, Margaret INT	SUB	8/15/2018	8/15/2018				CPS - Familial	
32109736	Ingoglia, Margaret INT	ADD	8/10/2018	8/14/2018				CPS - Familial	
32109640	Ingoglia, Margaret INV	DUP	8/9/2018	8/15/2018	SUS	APRV	Closed - Additional Report	CPS - Familial	
32109587	Ingoglia, Margaret INT	SUB	8/9/2018	8/9/2018			Closed as Duplicate	CPS - Familial	
32053647	Ingoglia, Margaret INV	SUB	6/28/2018	8/28/2018	IND	APRV	Case open-CPS required	CPS - Familial	
32053377	Ingoglia, Margaret INT	SUB	6/28/2018	6/28/2018				CPS - Familial	
31743371	Ingoglia, Margaret INV	SUB	12/29/2017	3/12/2018	IND	APRV	Case open-CPS required	CPS - Familial	
31743321	Ingoglia, Margaret INT	SUB	12/29/2017	12/29/2017				CPS - Familial	
31710004	Ingoglia, Margaret FSS	CWS	12/7/2017					CPS - Familial	
31709999	Ingoglia, Margaret FSI	CWS	12/7/2017	12/7/2017				CPS - Familial	
31708154	Ingoglia, Margaret INV	INI	12/7/2017	2/7/2018	UNF	APRV	Case open-Services	CPS - Familial	

Date Printed: 10/1/2019 6:31:01PM

Investigation  
Progress Notes

\*\*\*\*\*WARNING\*\*\*\*\*  
CONFIDENTIAL INFORMATION  
AUTHORIZED PERSONNEL ONLY

CASE NAME: Ingoglia, Margaret  
STAGE NAME: Ingoglia, Margaret

CASE ID: 26871553  
STAGE ID: 32268597

*\*CPS is to find out what the family would like to see happen-*

*-Screen for sexuality, bullying, on going substance use/mental health and gang affiliation.*

*\*Speak with neighbors/building superintendent for collateral reasons.*

*\*Follow up with supervision after the 24/48hr contact.*

-----End of Note-----

Event Date:	11/26/2018	Event Time:	10:42 AM	Duration:	
Entry Date:	11/26/2018	Dist. Agy:	A66	Note Status:	Final
Author:				Entered By:	Green, Leotta
Method:					
Location:					
Type(s):	Supervisor/Managerial Review				
Purpose(s):	Coordinate/Monitor				
Other Participant(s):					
Family Participant(s):					
Focus:					

Progress Notes Narrative:

On 11/26/2018 @ 10:42 am the case is being referred to the Brooklyn DA office. ←

-----End of Note-----

FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

\_\_\_\_\_  
ACS, Petitioner

vs.

NN 19410-18

NN-19411-18

FILE NUMBER 235429

ROBERT MALEK, Respondent

\_\_\_\_\_  
**COURT ISSUED SUBPOENA**

**DUCES TECUM**

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK :

YOU ARE HEREBY COMMANDED to appear at the Family Court of the State of New York, County of Kings  
at 330 Jay Street, Brooklyn, New York on the \_\_\_\_\_ day of \_\_\_\_\_ 2020, at \_\_\_\_\_ o'clock in  
the \_\_\_\_\_ of said day, and bring the following:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FOR FAILURE TO PROVIDE SUCH DOCUMENTS AND THINGS, YOU WILL BE LIABLE TO FINE  
AND IMPRISONMENT.

By Order of the Court

\_\_\_\_\_  
Clerk of the Court

# EXHIBIT G

59

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1 THE CLERK: Good afternoon. This is case  
2 numbers 52 through 55 on the calendar in the matter of  
3 Palomino and Malek. Counsel, your appearances please.

4 MS. ALMONTE: Special Assistant Corporation  
5 Counsel by Rosmil Almonte on behalf of the Commissioner  
6 of ACS. Good afternoon, Your Honor.

7 THE COURT: Ok. Good afternoon.

8 MR. MAES: Good afternoon. Robert Maes M-A-E-  
9 S, Brooklyn Defender Service appearing on behalf of Ms.  
10 Ingoglia.

11 THE COURT: Yes.

12 MR. JOHNSON: The Legal Aid Society by Travis  
13 Johnson, appearing on behalf of the subject children.

14 THE COURT: Ok.

15 THE CLERK: Raise your right hand. Do you  
16 swear and affirm to tell the truth in all matters before  
17 this Court?

18 MS. HUDSON: Yes.

19 THE CLERK: Starting with you, your name,  
20 title, agency and spell your last name.

21 MS. HUDSON: ACS CPS Ardaisha Hudson H-U-D-S-O-  
22 N.

23 THE CLERK: Thank you.

24 MS. GARCIA: Paula Garcia, G-A-R-C-I-A, ACS.

25 THE CLERK: You may be seated.

1 MS. GARCIA: Good afternoon.

2 THE COURT: Ok. And you said Hudson, right?

3 MS. HUDSON: Yes.

4 THE COURT: Ok. All right. Thank you all. I  
5 think by now you must have the papers that Mr. Malek  
6 filed last Friday late in the afternoon. And so, I had  
7 in response to that requested that Ms. Ingoglia be  
8 present today along with ~~Maes~~ so that Mr. Johnson  
9 could have a conversation with her and so that Mr. Maes  
10 could have a conversation with his client. And I  
11 expected Mr. Malek to be here. He's usually here first  
12 thing in the morning for any time of day. So so it is  
13 unusual but I understand that he may have emailed you all  
14 and so if anybody--

15 MR. JOHNSON: I believe he I believe the email  
16 was to Mr. Bathwait.

17 THE COURT: Ok.

18 MR. JOHNSON: And we were copied on it.

19 THE COURT: Oh, I see.

20 MR. JOHNSON: Is my recollection.

21 THE COURT: Ok. And what was the substance of  
22 what he's requesting then?

23 MR. JOHNSON: My memory I don't have the email  
24 with me. Maybe Mr. Maes has it. Was that he was asking  
25 for an adjournment in the interest of justice because he



1 wanted to compile evidence and also to give Mr. Maes and  
2 myself time to review all the things that he sent us over  
3 the weekend.

4 THE COURT: Ok. All right. So I--

5 MR. JOHNSON: But there was no there was no  
6 response saying that we were adjourning today.

7 THE COURT: Right.

8 MR. JOHNSON: I mean that was my recollection  
9 is that's the last email that I remember receiving from  
10 him.

11 THE COURT: Ok. The other thing is he doesn't  
12 sound like he had a date in mind. If I'm hearing you  
13 correctly, he didn't propose a date?

14 MR. JOHNSON: He has the he keeps referencing  
15 the 20<sup>th</sup> which I think is a date we've already picked.

16 THE COURT: Right.

17 MR. JOHNSON: So that seems to be the date he  
18 has in mind.

19 MR. MAES: Yes, that's that is yeah that's what  
20 Mr. Malek basically said in his email. As for the 20<sup>th</sup>, I  
21 don't know I wasn't present when the 20<sup>th</sup> was picked. I  
22 am not in the office on that day. I'm going to try to  
23 seek coverage because I don't want this to be delayed any  
24 further.

25 THE COURT: Yeah.

1 MR. MAES: And I--

2 THE COURT: Because we selected it a while ago.  
3 And it's a it's a fact finding date so--

4 MS. ALMONTE: (inaudible) it's actually not for  
5 fact finding. It's on for--

6 THE COURT: A hearing.

7 MS. ALMONTE: All the separate motions that  
8 have been filed.

9 THE COURT: Yes, it's it is a hearing but we're  
10 moving into the fact finding because the motions are not  
11 going to take us all so much time. **WE'LL JUST BRISK THROUGH  
MALEKS MOTIONS AND GET  
RIGHT TO THE ACS GODS PETITION...**

12 MS. ALMONTE: Your Honor, the situation is that  
13 I filed a contempt motion which corresponds to the fact  
14 finding and I'm also have the amended petition that is  
15 supposed to be served to him by February 20<sup>th</sup>. So at it's  
16 going to be duplicative evidence that's going to be heard  
17 at the fact finding which is already scheduled for March.

18 So, I suppose on on February 20<sup>th</sup>, we could just address  
19 some of Mr. Malek's concerns, discuss the mental health  
20 whether he's going to submit to imminent risk assessment  
21 or not.

22 THE COURT: Ok. As I said, I'm not going to  
23 create a huge record here today. But I am going to keep  
24 that date.

25 MR. MAES: I'm not asking to adjourn it. 3 I'm

1 just wanting the Court to be aware that I will be seeking  
2 coverage. It's my understanding it'll just be Ms.  
3 Ingoglia's testimony or maybe? But there will be someone  
4 here from my office.

5 THE COURT: Ok. **AND THEN EVERYONE LIES ON FEB. 20,**  
**2020 THIS IS IMPORTANT...**

6 MR. MAES: The one other thing I wanted to  
7 address is I'm sorry that Ms. Ingoglia is not present. I  
8 wasn't actually aware that the Court asked for her to be  
9 here and (inaudible) coverage had been made. But I did  
10 speak with Ms. Ingoglia with the social workers and Ms.  
11 Kennings this morning. You know I think it's just  
12 important for the Court to know that ACS did come to the  
13 house on Thursday. There were no concerns raised. I and  
14 that we are in support of the contempt motion that ACS is  
15 filing. I understand the Court's desire not to create a  
16 huge record but I just need the Court to know that we  
17 were not taking a position before but in light of the  
18 recent events and the numerous emails that I've received  
19 from Mr. Malek and what's contained therein in them and  
20 all the motions and the constant visits from ACS that Ms.  
21 Ingoglia while she does want to respect his rights as a  
22 HAHAHAHA. HAVENT SEEN MY DAUGHTER FOR THE PAST ~7 MONTHS... AS OF OCTOBER 8, 2020  
father to visit with the kids, is supporting ACS's motion  
23 just because it's really detrimentally impacting their  
24 lives. And yeah.

NAKED PICTURES OF MY DAUGHTER INDEED ARE UNHEALTHY... HOW ABOUT  
THE JUDGE VACATE THE ORDER OF NO RECORDING AND ALLOW ME  
TO PRESENT AUDIO AND VIDEO EVIDENCE...  
ACS JOINS IN WITH THEIR SIGNS IN THEIR FACILITY...

25 THE COURT: Ok. All right. So--

1 MR. JOHNSON: Also, I just want to put on the  
2 record I did not know that there was a plan for my client  
3 to be here today. We already had a scheduled appointment  
4 AND GIVE JOE PALOMINO ANOTHER PACK OF BUSINESS CARDS AS TO NOT TALK TO THE POLICE !!!!!  
GO TO TRANSCRIPT DATE:  
to see her next week when school was out.

5 THE COURT: Ok. What day is that?

6 MR. JOHNSON: I want to say the 12<sup>th</sup> but I'm not  
7 certain of that because it's with the social worker from  
8 our office.

9 THE COURT: The 12<sup>th</sup> is week then.

10 MR. JOHNSON: I'm sorry. It's supposed—

11 MS. ALMONTE: The 17<sup>th</sup>.

12 MS. GARCIA: It's the week of the 17<sup>th</sup>.

13 MR. JOHNSON: Thanks thanks.

14 THE COURT: Ok. All right. Ok. So, we're  
15 adjourned to February 20<sup>th</sup>.

16 MR. JOHNSON: Oh, actually it might be is the  
17 school out on this week on the 12<sup>th</sup>?

18 MS. ALMONTE: Hm hm.

19 MR. JOHNSON: So, it might be actually I think  
20 the social worker—

21 MS. ALMONTE: No wait wait. Starting the—

22 MS. GARCIA: No, starting the 17<sup>th</sup>.

23 MS. ALMONTE: The 17<sup>th</sup> (inaudible)

24 MR. MAES: It's Lincoln's Birthday on  
25 Wednesday.

1 MR. JOHNSON: The Court's closed? Got it. So,  
2 it's next week when school is out we're seeing them.

3 THE COURT: Ok. So, the 20<sup>th</sup> is next week as  
4 well. The 20<sup>th</sup> is next Thursday. Ok. So we'll be back  
5 next Thursday and we'll I'll have Mr. Brathwait send an  
6 email and cc: all of you that that's the date for next  
7 week and that we will be addressing his motions.

8 MS. ALMONTE: And service on the amended  
9 petition. **HERE AGAIN, SHE MENTIONED AMENDED PETITION SINGULAR AND ONLY  
SERVED ME WITH ONE..**

10 THE COURT: And service, yes. Ok? And so and  
11 I will briefly ask Mr. Brathwait to include that  
12 Margaret, the child, has been seen by--

13 MR. JOHNSON: We have an appointment together.

14 THE COURT: ACS and there's an appointment for  
15 her to visit with her attorney. Ok?

16 MR. JOHNSON: Thank you.

17 THE COURT: Ok. Thank you.

18  
19 **AS LONG AS THERE IS ACS AND THE ATTORNEY FOR THE CHILD, THE CHILDS  
20 FATHER BECOMES WORTHLESS.....**  
21  
22  
23  
24  
25

1 (Whereupon this proceeding was adjourned at 2:30 p.m.)

2

CERTIFICATION

3

I, Susan L. Pellegrini, certify that the foregoing transcript  
4 in the Matter of ACS-Kings v. Robert Malek was prepared using  
5 the required transcription equipment and is a true and  
6 accurate transcript of the recording.

7

Signature Susan L. Pellegrini (Electronic Signature)

8

9

271 Osborne Road  
Loudonville, NY 12211  
10 (518) 496-6477

11

Date: September 2, 2020

12

13

14

**NO ORDER FOR THIS DAY....**

15

16

17

18

19

20

21

22

23

24

25

68

-X

V.

0-04907

235429

APPEARANCE

-X

1 THE CLERK: Good afternoon. This is case  
2 numbers 25 through 53 on the calendar in the matter of  
3 Ingoglia and Palomino. Counsel, your appearances.

4 MS. ALMONTE: Special Assistant Corporation  
5 Counsel by Rosmil Almonte on behalf of the Commissioner  
6 of ACS. Good afternoon, Your Honor.

7 THE COURT: Ok. Good afternoon.

8 MR. HUSAIN: Brooklyn Defender Services Murtaza  
9 Husain for Ms. Ingoglia. I'm covering this case for Mr.  
10 Robert Maes. Good afternoon.

11 THE COURT: Ok.

12 MR. JOHNSON: The Legal Aid Society by Travis  
13 Johnson, appearing on behalf of the subject children.

14 THE COURT: Ok. Thank you.

15 THE CLERK: Do you swear and affirm to tell the  
16 truth in all matters before this Court?

17 MR. MALEK: (inaudible)

18 THE CLERK: State your full name and relation  
19 to the child or children.

20 MR. MALEK: Robert Malek, father of ~~Ms. Almonte~~  
21 ~~Ms. Almonte~~, stepfather of Joe Palomino.

22 THE CLERK: You may be seated.

23 THE COURT: Ok. Thank you. All right. So  
24 let's because I want to do this because it's now 2:30. So  
25 Ms. Almonte?



1 MS. ALMONTE: Yes, Your Honor, I do have the  
2 amended petition that I am providing to Mr. Malek today  
3 in Court. Jurisdiction to be deemed complete on the  
4 amended petition.

5 THE COURT: Ok. If you could answer the  
6 question did ACS do a regular home visit to Ms. Ingoglia  
7 and---

8 MS. ALMONTE: There's been many home visits,  
9 Your Honor, since the last time we were in Court because  
10 Mr. Malek has continued to file call in more cases to the  
11 state central registry. There was a they saw the child  
12 yesterday. They went to the home yesterday and observed  
13 both children. The most recent report that was called in  
14 by Mr. Malek alleged that Mimi was injured by Joe and  
15 there was a mark on her forehead. That was investigated.  
16 The children were observed fine. What actually happened  
17 was that they were getting ready to leave to the visit  
18 and Joe told Mimi that she had to stop playing, told her  
19 it's time to put on your coat. She got upset and she  
20 head butted him. And then that's why she had the mark on  
21 her on her forehead. The the I believe that Mr. Malek  
22 filed an Order to Show Cause at in February the first  
23 week of February, alleging that his visits were not that  
24 Ms. Ingoglia was not bringing the child to her to the  
25 visits. However, that was also discussed with Mr. Malek

1 that the visitation schedule had to be changed because  
2 Joe now has a scheduled doctor visit every Tuesday. It  
3 was a discussion with him that it was going to be held on  
4 Mondays instead of Tuesday. And that the agency had  
5 already spoken to him about extending his two visits for  
6 that week by 2 hours in order to make up that day that it  
7 was missed.

8 THE COURT: Ok. All right. And so Mondays are  
9 now the visiting day?

10 MS. ALMONTE: So I believe it's Monday and  
11 Thursdays. Just one I'm trying to get the exact two days  
12 of the week.

13 THE COURT: Ok. So would today today's  
14 Thursday right?

15 MR. MALEK: Hm hm.

16 THE COURT: Today would be a visiting day?

17 MS. ALMONTE: Either it's either Mondays and  
18 Wednesdays or Mondays and Thursday. I can't remember. I  
19 know it's two days a week.

20 THE COURT: Ok. And what is the timing of  
21 those visits?

22 MS. ALMONTE: So, it's usually at 4:00. From  
23 4-6.

24 THE COURT: Ok. Ok. Now Mr. Malek, again,  
25 just so you know because you were you came in with your

1 emergency order the Friday before this discussion and I  
2 think that was around February 7<sup>th</sup>.

3 MS. ALMONTE: Yes. And by and that was already  
4 discussed. So on February 6<sup>th</sup>, they had already discussed  
5 what was his makeup time and so we're not certain as to  
6 why the Order to Show Cause was filed, especially since  
7 they already told him they were going to extend his  
8 visits to make up for that visit for that time that he  
9 missed.

10 THE COURT: Right. Now what I also know is  
11 that the following Monday when you were not able to be  
12 here, Ms. Ingoglia was here. She she was she came in  
13 **PERJURY. SHE WAS NOT.**  
14 with I believe with at least one of the children. I'm  
15 not sure. But she didn't come into the courtroom because  
16 we then understood that Mr. Malek was requesting an  
17 adjournment. So, she's she attempted to be responsive  
18 and Mr. Maes was present. But we did not call the case  
19 on for the merits of the case. And so, as far as I'm  
20 concerned, that Order to Show Cause really at this point  
could be—

**DISMISSED BY THER VIRTUE OF PERJURY....**

21 MS. ALMONTE: Dismissed.

22 THE COURT: Denied or dismissed because—

23 MS. ALMONTE: Everything had been addressed,

24 Your Honor. **BY THE VIRTUE OF PERJURY. TURN BACK TO 2/10/20. SHE WAS  
NOT IN THE COURTHOUSE WITH THE CHILDREN.**

25 THE COURT: The the the emergency check was

1 done. There have been there has been contact with the  
2 mother and the children. There's no evidence of any  
3 ongoing issue. And there's a schedule for these visits.

4 MS. JOHNSON: And Minnie was produced for an  
5 interview with us on the 12<sup>th</sup>.

6 THE COURT: Ok. So there we go. So, I just  
7 MY DAUGHTER SAID MOMMY WAS GOING TO KILL HER, I GUESS WHEN SHE IS DEAD THERE WILL BE CAUSE FOR  
CONCERN. WE'LL WAIT TILL SHE IS DEAD. GREAT IDEA.  
8 want to say that because there's so many pieces of either

9 orders to show cause or at this point new petitions being

10 filed. And I I think that we need to be aware of what

11 AND FORGET ABOUT WHAT YOU ARE FILING...

12 really is outstanding. And in terms of any ongoing

13 concerns you have, Mr. Malek, if they are documented as

14 you were attempting to say on February 6<sup>th</sup> or 7<sup>th</sup> in these

15 O-petitions, of course once they're served we have to

16 THEY WERE. WE WILL JUST ALLOW ACS TO INVESTIGATE AND DECIDE EVERYTHING.  
17 address them as well. In terms of the next date, let's

18 see that is March where did I see it?

19 MS. ALMONTE: So Your Honor, so the next date  
20 that I have is for this case is March 24. I have it from  
21 10 to 11 but the Court also scheduled another matter that  
22 I have on at 10:30 that date. Then the day the next date  
23 that I have is April 1<sup>st</sup>.

24 THE COURT: Ok. I have very little timing  
25 between now and March I think I might have a slot that  
opened up next week. But I don't--

MS. ALMONTE: I'm not here Your Honor next  
week.

1 THE COURT: Ok. And then I'm just going to  
2 address one other issue that has come up and that's with  
3 MHS. Ok. I have 3:00 to 4:30 on March 13<sup>th</sup>, which is a  
4 Friday afternoon.

5 MS. ALMONTE: Sorry, 3:00?

6 THE COURT: 3:00 to 4:30 on--

7 MS. ALMONTE: And that's for what?

8 THE COURT: That would be on well ok the ROP's  
9 on the old petitions. The contempt hearing I'm going to  
10 back and review because I don't know if that's needed  
11 either. And then the outstanding motions. I have blocks  
12 of 2 hours for the fact findings. I see those in April.

13 MS. ALMONTE: So I have yeah so I have April  
14 1<sup>st</sup>. So March 13 would be just to address whatever  
15 evidence Mr. Malek wants to present and to address all  
16 **ALLLLL THE OUTSTANDING MOTIONS, ALL IN ONE APPEARANCE, APPROX 20 OF THEM.**  
the outstanding motions so we can know what we're going  
17 to address what we're actually going to be heard at at  
18 the hearings on March 24 and April 1<sup>st</sup>.

19 THE COURT: In April. Right.

20 MS. ALMONTE: Ok.

21 THE COURT: Ok? So Mr. Malek, we have a plan  
22 that would allow for you to make sure that you've served  
23 and that the attorneys may accept service in Court. I  
24 don't know if they're going to. I can't direct them to.  
25 But they may. And if they do, then you can start to look

1 at what it is you are trying to present, and they may ask  
2 you what what is this what do we need this machine for?  
3 I don't even know. And then we'll have the machine here  
4 the video projector. We'll have it here on the next date  
5 in case we use it.

6 MS. ALMONTE: Your Honor, (inaudible) copy of  
7 the report. Is this from the last court date? I think  
8 since Mr. Malek was not here, I didn't hand it up to the  
9 Court.

10 THE COURT: And then Mr. Husain, I want to in  
11 not I want to I am insisting that those children be  
12 produced for visits. I said it to Mr. Maes on many  
13 occasions. I want them produced on time. And I want  
14 them produced.

HAAAAAAAAAAAAHA

15 MR. HUSAIN: That's understood, Your Honor.

16 THE COURT: Ok. VIOLINS PLEASE....

17 MR. HUSAIN: I believe this probably the issue  
18 has been discussed previously. The diabetes appointments  
19 I mean the Tuesday appointments are a big part of the  
20 reason why those dates didn't work. I believe the mother  
21 was trying to bring the child to those appointments and  
22 to the visit.

23 THE COURT: Ok.

24 MR. HUSAIN: And hopefully that will no longer  
25 be an issue given the new (inaudible)

1 THE COURT: Ok. Now Mr. Malek, Mr. Johnson,  
2 are you accepting service the the O's that Mr. Malek  
3 filed are large. And evidently, I think that's that's  
4 what's happening with with them being uploaded.

5 MR. JOHNSON: Taking so long?

6 THE COURT: Uploaded to our systems. So, if  
7 Mr. Malek has extra copies for you all today, he can  
8 either give them to you or have them mailed to Mr.  
9 Johnson at Legal Aid, Ms. Almonte at FCLS and Mr. Husain  
10 at Brooklyn Defenders.

11 MR. HUSAIN: Mr. Maes.

12 THE COURT: Yes.

13 MR. MALEK: Now, my understanding is that  
14 downstairs that they were going to be making copies and  
15 mailing those out, so do I have to serve them the family  
16 offense petitions or are they serving them the family  
17 offense petitions?

18 THE COURT: They may be sending it out to Ms.  
19 Ingoglia. That's probably what they were trying to say  
20 because her address is confidential.

21 MR. MALEK: Well because there are two there  
22 were two family offense petitions. How do I know what  
23 they're serving and what they're not you know what  
24 they're not serving?  
25

1 THE COURT: They would serve both. They would  
2 if they told you they're going to send it to her, they're  
3 sending both pieces to her.

4 MR. MALEK: They also have to send it to the  
5 other parties here too and I I've--

6 THE COURT: No. They would not have I don't  
7 believe they would have agreed to to send it. We can  
8 make a phone call, but I don't believe they would have  
9 maybe they weren't as clear but what they would have  
10 expected you to do is to then accomplish the service.

11 MR. MALEK: Oh, ok. Now Mr. Travis, you told  
12 him that he was willing to accept service by email. Is  
13 that still but that's as far as I know that's a voluntary  
14 thing. I told him I'd accept the same from him. Is that  
15 still standing or is that not standing?

16 MR. JOHNSON: Yes, but a 225-page document may  
17 not come through. But if it does, I will absolutely  
18 receive it that way.

19 MR. MALEK: I may have to put it into different  
20 parts.

21 THE COURT: Ok. Ms. Almonte?

22 MS. ALMONTE: Since this is 200 and something  
23 pages, I want to be served a hard copy.

24 THE COURT: Ok.

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25 MS. ALMONTE: I could take it now from him but

IF ITS A FAMILY OFFENSE PETITION I AM FILING AGAINST MARGARET INGOGLIA OR JOE  
PALOMINO, I DONT HAVE TO SERVE ANYONE. THE COURT SERVES THEM.  
I HAVE NO OBLIGATION TO SERVE THE OTHER PARTIES.



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I'm I don't want it to be emailed.

THE COURT: Ok..

MR. MALEK: No. I wasn't ready for that. I thought they were making copies downstairs. I just have a copies for myself and I had courtesy copies for you. But that's that's all I have. You know what's disappointing to me is that they come in and you and you trust what they say. That they say their side and it's like oh okay 'sounds good. They're lying. They're straight out lying. And I really--

THE COURT: You think they're lying about visiting the home? Look Mr. Malek, you're not going to draw us into a discussion.

MR. MALEK: Not about visiting. Not about visiting the home. No, about the substance of saying that oh talk about the cancellation--

MS. ALMONTE: (inaudible) what happened--

MR. MALEK: Well let me finish please. You know you've had your chance. As far as the cancellations go, there were 4 cancellations in a two in a two-week period in a two week period. As it was I'm going to see Minnie only one time one week and one time the next week even though you know it's supposed to be twice each week. There were repeated changes of of days and cancellations where even this week I was just told, ok it's a different

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1 it's a different time. It's it's 12 to 3. And that's  
2 you know you know if you can handle that time, you can.  
3 If you can't, you can't. The constant changes of of days  
4 is is a tool with which to make it difficult for the  
5 other parent to accommodate to a constant change of  
6 schedule and and times. And on top of that, there were 4  
7 cancellations in a two-week period where even though I  
8 was able to be flexible on both those weeks for any day  
9 at any time, I still was only seeing Minnie two days out  
10 of out of two weeks. So, they come in and they make it  
11 THEY LIE....  
12 sound like yeah you know everything is fine. And also,  
13 the story that they told what happened between Minnie and  
14 Joe is not true. What do they do? They go and ask the  
15 mother oh what happened. You know ok. I spoke to Minnie  
16 all right. And if the Court would allow me to record,  
17 I'd play (inaudible) play the recording, I'd play the  
18 recording and you could listen to it and see what Minnie  
19 had to say what happened. Minnie as far as what she told  
20 me, she wanted to play the video game and then then she  
21 had--

**MALEK DO NOT SAY ANYTHING FOR YOUR DAUGHTERS SAFETY OR  
WELFARE AGAINST THE ACS GODS CLIENTS.**

MS. HUSAIN: Your Honor--

MR. MALEK: Well no no no no. I gave you a  
chance no I gave you a chance to talk. Stop.

THE CLERK: Mr. Malek, you can't talk like that

in Court.

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1 MR. MALEK: One at a time. I give him a chance  
2 to talk. I have to have the floor now. Ok?

3 THE CLERK: Have a seat. Just have a seat.

4 MR. MALEK: But he's standing up.

5 THE CLERK: Ok. Yes, I'm telling you to have a  
6 seat.

7 MR. MALEK: Ok.

8 THE CLERK: Thank you, sir.

9 MR. MALEK: Ok.

10 MR. HUSAIN: Simply, Your Honor, if we're  
11 taking testimony, it sounds like it sounds like the  
12 respondent father is seeking to give the Court testimony  
13 about the children's statement. If this is a hearing,  
14 then we should have a hearing. But I'm asking that he  
15 not be permitted to present evidence essentially in the  
16 context of a (inaudible)

17 THE COURT: All right. Ok.

18 MR. MALEK: I could tell I could tell you what  
19 what she said happened. I visited with her.

20 THE COURT: Mr. Mr. Mr. Malek.

21 MR. MALEK: I could tell you what she said.

22 THE COURT: That is why I first of all they  
23 cannot respond first of all because they haven't even  
24 **????? I AM TRYING TO TELL THE COURT WHAT SHE SAID, NOT WHAT ACS SAID THE**  
**MOTHER SAID HAPPENED...**  
seen what it is you're asking about and referring to.  
**BUT ACS OF COURSE DID.**

25 MR. MALEK: Can you ask them what happened is

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1 what I'm saying (inaudible)

2 THE COURT: I asked for a status update. I did  
3 ask for a status update as to how the child is doing. In  
4 terms of what you are requesting the Court to make a  
5 decision on, as I said we are at the point where we've  
6 scheduled a lot of time for you and your family and in  
7 terms of those O-petitions, I want to see them myself  
8 because I don't even know if the relief you are  
9 **REALLY? HOWS ABOUT FOSTER CARE, CHANGE IN CUSTODY OR AN OOP FOR MY DAUGHTER? SIMPLE.**  
requesting is appropriate for those types of petitions.

10 Now, I just indicated to Mr. Husain who's here for his  
11 colleague, Mr. Maes, that the child is to be produced on  
12 **HAHAHAHAHAHA**  
time and and on the dates. What I'm going to now say Mr.  
13 Malek which affects you is that I want ACS to produce a  
14 report by the next date from February 1<sup>st</sup> forward as to  
15 when visits were scheduled and what happened to each  
16 visit. **I AM NOT BELIEVED. IT IS ALL ACS...**

17 MS. ALMONTE: So Your Honor, the report says  
18 everything that happened in the since it goes back from  
19 January January 14 so it goes back to every visit. It  
20 talks about the arranged made up time. We're talking  
21 about a single mother with two children. Things are  
22 going to happen. **MUSIC PLEASE !!!!!**

23 THE COURT: I don't want to hear about it, Ms.  
24 Almonte.

25 MS. ALMONTE: I understand--

THE COURT: I want that child produced.

MS. ALMONTE: And she they are. But every time this is a discussion with Mr. Malek about why something has to change, it's not like it's just dropped on him. It's a discussion and he's just not flexible at all. This is part of his manipulation.

MR. MALEK: That's that's no this here we go again with the lies. It's absolutely I'm not flexible at all. Are you kidding me?

**I CANT STAND UP NOW.**

THE CLERK: Have a seat, Mr. Malek.

MR. MALEK: There have been about 30 cancellations in the past year and a half or so. I'm not flexible?

THE COURT: Ok.

MR. MALEK: That's absolutely not true. The thing is they make stuff up. And as far what happened between between Minnie and Joe, I don't know why you don't want to hear as far as with my side. I was the one that that that got the information from Minnie. I called the SCR for a very good reason because there was a physical altercation between the kids. The physical altercation between the kids because look I go to the SCO parenting pro--

MS. ALMONTE: Your Honor, (inaudible)

MR. MALEK: I go to the SCO I go to the SCO parenting program.

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1 MS. ALMONTE: (inaudible)

2 MR. MALEK: I learned it's very important to be  
3 a proper role model and and in the police report, it  
4 clearly says where the mother said that she smacks and  
5 yells at Minnie. So, if you have a parent that's  
6 smacking and yelling at your kids—

7 **CANT STAND UP AGAIN.. I AM A PRISONER...**  
8 THE CLERK: Have a seat. Thank you, sir.

9 MR. MALEK: Their kids as of ok that's that's a  
10 bad role model. So, what are the kids do? Then what the  
11 kids do is now they are parroting the same type of  
12 behavior and now they're getting into a physical  
13 altercation where supposedly Minnie hit Joe in the mouth  
14 and then Minnie and then Joe got back into a physical  
15 altercation with her. And she had a minor injury on her  
16 head. Wait a minute. There's a better way for children—

17 THE COURT: Mr. Malek, again we're not going to  
18 go off off course here today. I'm going--

19 MR. MALEK: It's a powder keg.

20 THE COURT: It is off course. It's off course  
21 at this point. **I DONT GIVE A DAMN ABOUT YOUR CHILD !!!!!**

22 MR. MALEK: If the children are fighting with  
23 if the children are and it's not really like the  
24 children. Joe is like a father figure in a sense.

25 THE COURT: Mr. Malek?

MR. MALEK: It's dangerous.

IDONT GIVE A (\*&amp;^(\*&amp;^(\*&amp;^

1 THE COURT: I'm done with that issue for the  
2 moment. What I do want to address is the MHS situation.  
3 MHS has reached out to me to... ok. MHS has reached out to  
4 me because they're concerned about the way you're  
5 interacting with them. So, I say that to say that I have  
6 to review that. I have to reach out to them to find out  
7 what the issue is. And we're going to address that on  
8 the next date as well.

9 MR. MALEK: Well, I have to put on the record  
10 that they are that they are lying, and I can prove it.

11 THE COURT: Ok.

12 MR. MALEK: George Valez said it on three  
13 different days that he's tried to contact me for an  
14 assessment there. He wrote down the I asked him really  
15 what days? What day what day? He gave me the days. He  
16 gave me the times. I can show you in my Verizon  
17 interface that he never tried to contact me on those days  
18 and times. So so so when Ms. Almonte says well what's  
19 happening with Mr. Malek and the assessment and trying to  
20 get a case against me to put me in jail for being in  
21 contempt of court, right?

22 THE COURT: There's no-- yeah.

23 MR. MALEK: In contempt of court, then what is  
24 what is George Valez do? George Valez says oh yeah I  
25 tried to contact you on these days, Mr. Malek, and you

1 know you see see Mr. Malek is trying to avert the  
2 process.

3 THE COURT: Ok.

4 MR. MALEK: He actually sent me an email where  
5 he lied. It took 14 days for him to contact me. He lied  
6 that he contacted me 3 times previously which I can prove  
7 it to you. Then he took 9 days after that and then it  
8 was 10 and and then it was I don't have time for at least  
9 10 days after after after Court.

10 THE COURT: Ok. Mr. Malek?

11 MR. MALEK: I mean I I have all the  
12 correspondence with me. I can show I can give I can give  
13 you every email.

14 THE COURT: Mr. Malek, you have yet to provide  
15 us with an independent source demonstrating that you have  
16 gone through an assessment and have recommendations and  
17 therapy. **LYING AGAIN I PROVIDED ON 8-29-19 AND SHE DIDNT HAVE THE TIME.  
EVERYTHING IS MY FAULT.....**

18 MR. MALEK: Well I am I am working on that. I  
19 did go to a doctor the other day. I'm working on that.

20 THE COURT: Ok. So, I would like to see that  
21 on Feb on March 13<sup>th</sup>, as well as--

22 MS. ALMONTE: Your Honor, just for the record--

23 THE COURT: No no. Stop please. And I would  
24 like to know that you have responded back to MHS. I--  
25 also going to look into what is the issue there. I



1 to close this record now because I have a case coming up  
2 from Corrections. And we do need to clear the room. So,  
3 we're back March 13<sup>th</sup> at 3 p.m. That's only 2 and a half  
4 to 3 weeks from now. Mr. Malek, I am not approving any  
5 future filings at this point in time. You filed what you  
6 filed today. I'm not approving of any orders to show  
7 cause or any filings to be made absent an absolute  
8 emergency that I will review myself before it is put on  
9 our calendar. And—  
WELL THANK GOD SHE IS GOING TO REVIEW SOMETHING  
I FILE. MAYBE I SHOULD FILE EVERYTHING ALL OVER AGAIN.

10 MR. MALEK: I still don't I still don't have  
11 discovery from them from January 7, 2019 forward. You  
12 know I don't have—  
OSC FOR SANCTIONS FOR DISCOVERY ON JAN 17, 2020  
MOTION TO COMPEL IN SEPTEMBER 2019  
NOW THE PUNISHMENT IS..... ASK THEM BY EMAIL. WHATEVER.....

13 THE COURT: You can send that via email what  
14 you're lacking at this point. As it is now, the record  
15 is now closed, and I would like Ms. Almonte for as I said  
16 that ongoing report as to what is going on with these  
17 visits for Joe and Minnie.

18 MS. JOHNSON: Minnie.

19 THE COURT: Ok? Just for Minnie. Correct.  
20 Ok? Thank you.

21 THE CLERK: This matter is adjourned. Good  
22 day.

(Whereupon this proceeding was adjourned at 2:50 p.m.)

CERTIFICATION

I, Susan L. Pellegrini, certify that the foregoing transcript in the Matter of ACS-Kings v. Robert Malek was prepared using the required transcription equipment and is a true and accurate transcript of the recording.

Signature Susan L. Pellegrini (Electronic Signature)

271 Osborne Road  
Loudonville, NY 12211  
(518) 496-6477

Date: September 2, 2020

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1 THE CLERK: Good afternoon, this is case  
2 numbers 40 through 71 on the calendar in the matter of  
3 Malek and Ingoglia. Counsel, your appearances please.

4 MS. ALMONTE: Special Assistant Corporation  
5 Counsel by Rosmil Almonte on behalf of the Commissioner  
6 of ACS. Good afternoon, Your Honor.

7 THE COURT: Ok, good afternoon.

8 MR. JOHNSON: The Legal Aid Society by Travis  
9 Johnson, appearing on behalf of the subject children.

10 MR. MAES: Robert Maes M-A-E-S, Brooklyn  
11 Defender Services, appearing on behalf of Ms. Ingoglia.

12 THE CLERK: Parties raise your right hands. Do  
13 you swear or affirm to tell the truth in all matters  
14 before this Court?

15 MS. GARCIA: Yes.

16 MR. MALEK: Yes I do.

17 THE CLERK: Name, title and agency and spell  
18 your last name.

19 MS. GARCIA: Paula Garcia G-A-R-C-I-A, ACS.

20 THE CLERK: Full name and relation to the child  
21 or children?

22 MR. MALEK: Robert Malek, father of M~~alek~~  
23 M~~alek~~ and stepfather of Joe Palomino.

24 THE CLERK: You may be seated.  
25

1 THE COURT: Ok. Good afternoon to everyone.  
2 All right. Mr. Maes, for the record where is Ms.  
3 Ingoglia?

4 MR. MAES: So Ms. Ingoglia and the children  
5 have (inaudible) so she's not bringing them in given the  
6 situation with COVID (inaudible) She wasn't inclined to  
7 Court today and I told her that (inaudible) primarily  
8 sorry this matter is concerning order to show causes and  
9 (inaudible) Mr. Malek that this wouldn't be best day for  
10 her to come. But she is I can reach her by phone if I do  
11 actually need her.

12 MR. MALEK: What is what is COVID?

13 MR. MAES: The virus that (inaudible)

14 MR. MALEK: Oh, that's why she doesn't even  
15 have it?

16 MR. MAES: Well this is part of no nobody has  
17 it.

18 MR. MALEK: Oh ok.

19 MR. MAES: It's just a--

20 MR. MALEK: Oh precaution. Yeah I also I share  
21 the same worry maybe along with Mr. Maes and I I informed  
22 all counsel this morning that this first thing I'd like  
23 to bring up this morning is is for visitations to be  
24 moved to Manhattan. I'd rather expose myself to any risk  
25 by taking a train than than the family. So, I'd like to

1 address some of that in the beginning.

2 THE COURT: The visits are in Brooklyn, right?

3 MS. JOHNSON: They are.

4 MR. MALEK: And the mother lives in Manhattan  
5 so it's more convenient for the mother, it's safer for  
6 the family.

7 MS. ALMONTE: I'm sorry. How does Mr. Malek--

8 THE COURT: Right.

9 MS. ALMONTE: Know where the family lives?

10 MR. MALEK: Of course I know that. That's been  
11 told--

12 MS. ALMONTE: (inaudible) confidential--

13 MR. MALEK: No, that's been told to me. That's  
14 been to me by the by the police.

15 MS. ALMONTE: It's been confidential  
16 (inaudible) (inaudible) doesn't know that.

17 MR. MALEK: Yes. How can she say who's told me  
18 what and who and who hasn't told me?

19 MS. ALMONTE: Why would police tell him where  
20 they live?

21 MR. MALEK: And who hasn't told me.

22 MS. ALMONTE: They're in a confidential DV  
23 shelter.

24 MR. MALEK: That's not I have been told by  
25 various sources that they're in Manhattan. Ok?

1 MS. ALMONTE: So, you're saying that you have  
2 you're acknowledging that you violated the order of  
3 protection by trying to seek out where they're living.

4 MR. MALEK: That's absolutely not true. I did  
5 not seek I did not seek--

6 MS. ALMONTE: So why are you inquiring as to  
7 where they're living?

8 MR. MALEK: I did not inquire wait wait wait.  
9 I did not inquire. It also happens it also just so  
10 happens to be in discovery that I provided was their  
11 address at the at the hotel.

12 MS. ALMONTE: 'Nope. **PERJURY ON THE PART OF ALMONTE**

13 MR. MALEK: Yes yes oh yes ok look. Now  
14 they're committing perjury again. I declare under  
15 penalty of perjury that in discovery was there address at  
16 the hotel. And I will produce that if I can't produce it  
17 right now because I don't have the discovery that I was  
18 given. I will produce it by Monday morning. I'll give  
19 it to Mr. Brathwait and that way you'll see that that's  
20 how I knew they were in Manhattan. Now do I know if they  
21 are in Manhattan right at this point now?

22 THE COURT: All right. Mr. Malek,--

23 MR. MALEK: No, I don't.

24 THE COURT: We're not going we're not going to  
25 veer off subject today.

1 MR. MALEK: Ok. But you know it was a nice  
2 try.

3 THE COURT: So what I am going to do--

4 MR. MALEK: But it's not true.

5 THE COURT: What I am going to do is I'm not  
6 going to I don't need to step into where the visits  
7 actually take place. If ACS speaks with Ms. Ingoglia and  
8 she'd like to be in a different office to do visit to  
9 bring Margaret for visits, I don't have an issue with  
10 that. Mr. Johnson, if you want to take a position on  
11 where the visits take place, that's for you. And Mr.  
12 Maes of course, you'll speak with your client and what is  
13 convenient to her for visits otherwise.

14 MR. MALEK: And and then also regarding  
15 assaults of my daughter, the reason why they went it went  
16 to the Child Abuse Squad in Manhattan was because I was  
17 told obviously, they lived in Manhattan. When I go over  
18 to the 69 Precinct, I'm told it went to the Manhattan  
19 Child Abuse Squad. They tell me well that's because they  
20 live in Manhattan. That's how I get the reports out of  
21 Manhattan because the the investigating precinct is where  
22 they live. That goes together.

23 THE COURT: Ok, Mr. Malek. So, ACS will reach  
24 out to you if there's any change in the direction of  
25 where the visits take place. Ok. Let's move on. All



1 right--

2 MS. ALMONTE: Your Honor, I provided the Court  
3 an updated report and I just emailed it to both counsel  
4 and Mr. Malek. But it discusses the visits. The Court  
5 wanted to know detail how the visits from the beginning  
6 of the year, what had been missed and what had been made  
7 up to the Court.

8 THE COURT: Ok. We're going to come back to  
9 that in terms of the minutes and the hours and the days.  
10 Right? The calculation.

11 MS. ALMONTE: The 500 minutes have been made up  
12 a long time ago. This is just going from after that time  
13 was made up.

14 THE COURT: Ok. All right. Ok. So, what I  
15 wanted to do this afternoon because I think our next date  
16 is in April. We do have another date.

17 MR. MALEK: Honestly, Your Honor, I think that  
18 it wasn't in March concerning the starting of trial but I  
19 filed a a motions and I served them last week on counsel  
20 regarding the adjournment of trial because I have not  
21 received discovery. The last time that we were in Court--

22 THE COURT: You just indicated that you had  
23 discovery.

24 MR. MALEK: Oh yeah. From I have I have I have  
25 discovery from oh about June of 2018 over until about

1 January 7 of of 2019, which contains a lot of redacted  
2 parts. However, I don't have anything after that. I  
3 don't have other types of of discovery that I put in in  
4 my motion. So you know--

5 MS. ALMONTE: I can provide Mr. Malek updated  
6 discovery with regards to every unfounded case that he's  
7 called in against Ms. Ingoglia, if that's what he's  
8 referring to.

9 MR. MALEK: No, I'm entitled to the whole  
10 discovery record.

11 THE COURT: Ok, Mr. Malek, I want us to be  
12 clear. You know when we go to fact finding on this case,  
13 the fact finding is with respect to you as a respondent,  
14 ok? So whatever allegations you are trying to prove with  
15 respect to all of these orders to show cause and and the  
16 O-petitions and any other motions you may have are your  
17 own assertions. But at this point, when we start the  
18 fact finding, the fact finding is with respect to you as

THE MALEK LYNCHING.....

19 a respondent that ACS brought a case here against you.  
20 SO I FILE FAMILY OFFENSE PETITIONS STARTING IN 2018 AND THEY SHOULD BE HEARD FOR THE SAFETY AND  
WELFARE OF MY DAUGHTER SOMETIME AFTER TRIAL 2+ YEARS LATER..

21 And so, that's if in terms of updated discovery yes, Ms.  
22 Almonte will turn over updated discovery to you. I am  
going to start with motion--

23 MS. ALMONTE: I mean Your Honor--

24 MR. MALEK: I have--

25 MS. ALMONTE: Can we start with this one?

ACS  
CHERRY PICKING  
DISCOVERY

1 MR. MALEK: I just object to them cherry-  
2 picking the the discovery as far as what I should see and  
3 what and what I should not see. How are they to know  
4 whether or not something that's said is relevant to  
5 something that wasn't that that was said maybe a year  
6 ago. You know they could say they could make a statement  
7 yesterday that could contradict a statement of 2 years  
8 ago. So they're going to now cherry-pick as far as what  
9 I see and what I don't see and they're going to say well  
10 only in relation to the calls that you made we're going  
11 to provide discovery in relation to how we came to that  
12 decision of unfounded. But meanwhile, I know that my  
13 calls were founded. So, they're going to produce  
14 evidence in regards to why I should have evidence that  
15 means that I'm I'm not I have no standing, that my calls  
16 are unfounded. I mean do you follow me? They're  
17 providing evidence in regards to why they feel that my  
18 calls are unfounded. Wait a minute. No. You provide me  
19 all the evidence and I'll and through the evidence, I'll  
20 tell you what's founded. Not you're going to tell me.

21 MS. ALMONTE: Maybe I can explain. I will  
22 provide him the records. The ultimate result of every  
23 investigation is that they're unfounded. I don't know  
24 what he wants me to tell him other than that is the  
25 outcome of every case he's called in. The records are

1 going to say what what they're going to say but at the  
2 end of the record, they're going to report that the case  
3 overall has been unfounded. Technically, he's not  
4 entitled to that information because it's unfounded. But  
5 because I filed an amended petition seeking to amend the  
6 pleadings to include his absurd behavior and how that has  
7 causing harm to the child, I am providing that discovery.  
8 But I don't have control as to what ACS determines the  
9 outcome of every investigation that he's called in.

10 MR. MALEK: The SCR the SCR records have  
11 nothing to do with the family progress notes and the  
12 investigation progress notes that I've already received.  
13 That's what I'm looking for. The SC the SCR and all that  
14 that's another thing on top of it. I'm also I'm also  
15 entitled to any photos, audio--

16 MS. ALMONTE: I don't (inaudible) I don't have  
17 anything that says audio--

18 MR. MALEK: What what happened--

19 MS. ALMONTE: Photos or audio.

20 MR. MALEK: Well, there's there's the ok  
21 there's the October 19 incident which I have brought up  
22 repeatedly where my daughter said in front of two Legal  
23 Aid social workers and an ACS worker that were taking  
24 there I'm sorry where they're taking handwritten notes  
25 that she was scared of mommy and Joe and she's begging

1 and crying to go home with daddy. And this was also the  
2 day right after you ordered me Your Honor to stop  
3 recording. That was when the the sexual allegations  
4 started against me immediately after that and and have  
5 not stopped. They have not started that before. But  
6 started immediately when you didn't--

7 MS. ALMONTE: Your Honor, he--

8 MR. MALEK: Wait wait wait. When you didn't  
9 let me have have evidence and at this October 19 date was  
10 when ACS claimed that I went under that my daughter took  
11 her pants off and I went under the covers with her and  
12 all this stuff, which is not true. And then on top of  
13 that, the truth is both of them are withholding my  
14 daughter crying and crying and begging that she was  
15 scared of mommy and Joe and to go home with daddy. And  
16 I've I've emailed Travis Johnson about this. I've  
17 brought this up in my filings and they don't and they  
18 never say anything about it. It's time that I receive  
19 every since I was evaluated as well, I have to receive  
20 discovery on it.

21 MR. JOHNSON: I don't have those notes. They  
22 they're they I don't have them. **HES LYING**

23 THE COURT: Right. !!!!!!! HOW DOES THE COURT KNOW ?!?!?!?!?

24 MR. MALEK: Dana Dana and Gweneth were there.

25 MR. JOHNSON: Also--

WE DONT WANT TO GO THERE !!!!!!! DANGER DANGER DANGER !!!

99 12

THE COURT: Mr. Malek, please stop.

MR. JOHNSON: I don't have the notes. There

was no order that I turn over any notes. I spoke

PERJURY. HORTON WAS A LAWYER THE OTHER PERSON WAS A SOCIAL WORKER  
extensively with Ms. Horton and the other social worker

that attended that visit to observe the visits. So, I  
know their version of events of what happened. They do  
not match what we're being told here today. But I've no  
intention of calling either of them as witnesses. I'm  
not presenting a case. I don't believe the Court has  
signed any subpoena for any records. But in the social  
work file for this case, there are no handwritten notes  
from that visit. AND HE WONT GIVE ME HER NAME. GO TO EMAIL \_\_\_\_\_.

THE COURT: Ok.

MR. JOHNSON: We all met together after that  
visit. AND THEY WERE TWIDDLING THEIR THUMBS WHILE EVALUATING. ?????  
OF COURSE THEY WERE TAKING NOTES.

THE COURT: All right. And Mr. Malek,--

MR. MALEK: Not true. They were taking  
handwritten notes (inaudible) not true not true.

THE COURT: Mr. Johnson is an officer of the  
Court as an attorney here and he's not going to be

misrepresenting his what he has or what he's able to

OH NO, AH HA, SO THE ATTORNEYS ARE THE OFFICERS OF THE COURT AND WHO AM I ? I WAS THERE AND THEY WERENT. REGARDLESS, THEY ARE OFFICERS OF THE COURT  
I AM SO THAT'S THE PROBLEM AFTERALL. THEY ARE TO BE BELIEVED AND THE PRO SE IS NOT BECAUSE HE IS NOT AN OFFICER OF THE COURT !!!  
divulge. If he he just wouldn't be doing that.

MR. MALEK: Well I'm not lying. They were  
there taking hand... all right. Look, I have a letter here  
from my psychiatrist that says that--

**SHUT UP MALEK !!!!! STOP DEFENDING YOURSELF !**

1 THE COURT: Mr. Malek, please stop. This is  
2 I'm directing this discussion today. Ok. So, Ms.  
3 Almonte, to go back to the point about discovery, Ms.  
4 Almonte, as again as an officer of the Court, I would  
5 like for you to state for the sake of the record what it  
6 is that you will provide to Mr. Malek to bring the  
7 discovery up to date.

8 MS. ALMONTE: So I will provide--

9 THE COURT: And and also address if you have  
10 any photographs or audio or any other visual pieces that  
11 you will be providing to Mr. Malek.

12 MS. ALMONTE: I have no there's no recordings  
13 and there is no pictures that I will provide. I don't  
14 have any in my possession. If I were to obtain something  
15 of of recording or photos from my clients, I will  
16 definitely provide it to counsel. I don't have any of  
17 that at this moment. And none has been made to my  
18 attention. With regards to the case work, the case case  
19 notes, I will provide from January 2009 to the present.  
20 Those the investigation dealing with all the unfounded  
21 cases that Mr. Malek has called in and any updated SFS  
22 notes (inaudible) notes. Those are the only thing I  
23 have.

24 THE COURT: Ok.

25 MR. MALEK: (inaudible) investigation--

1 MR. JOHNSON: I will look again. I will look  
2 DANA CRISON  
3 through Ms. Grayson is no longer with The Legal Aid  
4 Society, but we have obviously the file for this case. I  
5 will look again. And I will check with Ms. Horton. But  
6 I've had this conversation twice already, but I will look  
7 myself. And if there are any notes from an Oct from this  
8 2018 visit that they observed, I will gladly provide  
9 them. **HE IS LYING. I AM DOING RESEARCH.... HE WONT EVEN GIVE ME MRS  
GRAYSON'S FIRST NAME....**

THE COURT: Ok.

10 MS. ALMONTE: I mean I am calling Ms. Hudson,  
11 the worker on that day on the stand. Mr. Malek has can  
12 cross examine her, ask her anything he wants to ask her  
13 regarding that date.

THE COURT: Ok.

14 MR. MALEK: But wait wait oh yes, that's true.  
15 That's great. But I'd like to have your discovery, so I  
16 know what I'm going to cross examine her on before before  
17 she's on the stand. Not to try and get information out  
18 of someone when they're on the stand say that's  
19 discovery. I mean look even when it came time to your  
20 Order that my that ACS is supposed to provide to all  
21 counsel on March 1 the imminent risk assessment in  
22 reference to my daughter, the psychiatric exam after she  
23 cried and begged and screamed not to go home with mommy  
24 and Joe at Kevin Geraci on January 17. On January 18 you  
25



1 issued the Order (inaudible) provided to all counsel on  
2 March 1. It has never it has never been provided to to  
3 all counsel. So that's an issue that I have. The other  
4 issue that I have is that there were 3 assaults of my  
5 daughter that and and one of them in the in the CPS  
6 reports was closed in one day. The other one in 3 days.  
7 And then on that third day was when ACS supposedly  
8 referred those 3 assaults over to the District Attorney's  
9 Office and I was given no discovery as far as were they  
10 in fact turned over to the District Attorney's Office,  
11 was it was it a fraud and falsification of records that  
12 they never did. I have I spoke with with Detective  
13 Caroline Roe and she doesn't know anything about an  
14 investigation going from the DA's Office to them. I've  
15 tried emailing Eric Gonzalez and mailing him repeatedly  
16 that I have proof of, and he's not getting back to me.  
17 So I have to know the truth as far as what happened to  
18 those 3 assaults of my daughter that were sent on  
19 11/26/2018 that I have that that Mr. Johnson has has a  
20 copy of that as well it was in the family offense  
21 petition. If we're talking about discovery with ACS,  
22 what happened to those assaults. What happened to that  
23 investigation?

24 MR. JOHNSON: So someone from the DA's Office  
25 was in Court on the last court date indicating my they

1 were here she sat right here. She was in Court and she  
2 said that there was a referral made but that it wasn't in  
3 their jurisdiction because he was a minor. So that would  
4 have gone to Corp Counsel's Office and not them.

5 THE COURT: Hm hm.

6 MR. JOHNSON: I don't know why they didn't  
7 speak. She came she was here on the last court date.

8 MR. MALEK: I had no idea I was here--

9 MR. JOHNSON: I don't know.

10 MR. MALEK: They wait wait the last court date,  
11 there was no one here from the DA's Office that I knew  
12 about. How is this possible?

13 MR. JOHNSON: I'm not making it up. She was  
14 here. I had no--

15 MS. ALMONTE: In the back.

16 MR. JOHNSON: She was in the back. She sat in  
17 the back.

18 MR. MALEK: And she spoke about and she spoke  
19 about that the last hearing?

20 MS. ALMONTE: She didn't get on the record.  
21 Nobody asked her to be on the record.

22 THE COURT: No, she didn't she was not on the  
23 record. **HOW DOES THE JUDGE KNOW ABOUT THIS AND WHY WASNT I TOLD THEN  
OR THIS TIME IN COURT UNLESS I INQUIRED ?!?!?!?**

24 MR. MALEK: No one asked her. Oh, ok. See  
25 that's why I don't know about this. Well I got to find

1 out you know what happened with this investigation of  
2 these 3 assaults of my daughter. !!!!!!!!! 104 1? ↓

3 THE COURT: Ok, Mr. Malek, that's your concern,  
4 meaning that you can pursue whatever information you'd  
5 like to pursue about whatever the DA's Office has done  
6 with those investigations. But that's not central to  
7 what is going on here right now. Ok? WAIT A MINUTE. DOESNT IT  
HAVE TO DO WITH THE  
UNFOUNDED CALLS? OF  
COURSE IT DOES.

8 MR. MALEK: You know there's Your Honor there's  
9 6 case open services, there's 2 indicateds, you know what  
10 and then we got 2 Article 10's in the past, one to two  
11 indicated. What if what if I just would say you know  
12 what ok what if right? I were to say ok I'm guilty of  
13 inadequate guardianship. Can we please now move on to  
14 the safety and protection of my children? Because  
15 obviously, if we take a look at the mother and what's  
16 going and the history,--

JUST NOT IN FAMILY COURT. HERE, ACS IS GOD.

17 THE COURT: You can pursue that, Mr. Malek.

18 MR. MALEK: And history, I'm--

19 THE COURT: Mr. Malek, I'm going to close this  
20 record--

21 MR. MALEK: I beat this game 10 to 1.

22 THE COURT: If you don't stop. Ok? As I said  
23 to you at the start of this appearance today,--

24 MR. MALEK: Right.

25 THE COURT: We're going to proceed in an

1 N orderly fashion here today because I want to start the  
2 the fact finding on the next date. In terms of the  
3 referrals that may have been made or investigations that  
4 are ongoing from the DA's Office, you have to call the  
5 DA's Office and continue to find out--

6 MR. MALEK: I have.

7 THE COURT: What's going on.

8 MR. MALEK: I have.

9 THE COURT: I don't know what's going on. I  
10 have received no communication from the DA's Office so I  
11 can't speak to what I don't have.

12 MR. MALEK: Can I go to a different Judge ok--

13 MS. ALMONTE: (inaudible)

14 MR. MALEK: (inaudible) respect, would you mind  
15 if you if you put in the minutes that can I take this  
16 matter then maybe to a different Judge as far as if you  
17 only want to handle this case inadequate guardianship  
18 against me-- WHAT ABOUT THE FAMILY OFFENSE PETITIONS ????

19 ~~THE COURT: That's all I have jurisdiction...~~

20 MR. MALEK: Oh oh.

21 MS. ALMONTE: Your Honor, I do have an answer  
22 with regard to the therapy for M~~MALEK~~. I have answers  
23 and I think it relates to this matter with regard to the  
24 therapy, the assessment. So she it's a 3 part  
25 assessment. She already completed 2. And then next when

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1 is the next appointment for the 3<sup>rd</sup> one?

2 MR. MAES: On the 18<sup>th</sup> of March.

3 MS. ALMONTE: On the 18<sup>th</sup> of March. That's the  
4 last assessment for therapy.

THIS IS NOT TRUE IT IS PERJURY. I HAVE SUPREVISOR FERGUSON TELLING ME ON TAPE THAT THE 3 WERE COMPLETED  
MONTHS AGO. *AUDIO TAPE AVAILABLE*

5 THE COURT: For Margaret--

6 MS. ALMONTE: For Margaret.

7 THE COURT: The child.

8 MS. ALMONTE: The child, yes.

9 THE COURT: Ok. And so when is that next the  
10 third assessment? When is the third meeting?

11 MS. ALMONTE: (inaudible)

12 MS. GARCIA: Yes,--

13 THE COURT: When is that?

14 MS. ALMONTE: March 18<sup>th</sup>.

15 MS. GARCIA: March the 18<sup>th</sup>.

16 THE COURT: Ok. And so after that, it's  
17 anticipated that there will be a report--

18 MS. GARCIA: Yes.

*WHERE ARE THESE RECORDS? NEVER PROVIDED.*

19 THE COURT: That will be circulated.

THAT WAS NEVER CIRCULATED..... I HAVE THE EMAILS WHERE THE THERAPIST WOULDNT GIVE  
ACS ANYTHING....

20 MS. GARCIA: I got a report this (inaudible)

???

21 THE COURT: Ok. I WAS NEVER GIVEN ANYTHING...

22 MS. GARCIA: (inaudible) I'm satisfied.

23 THE COURT: Ok. Does that satisfy your concern  
24 about what is being done to meet with ~~Mona~~ to figure  
25 out if there is some concern that she's articulating to a

1 therapist?

2 MR. MALEK: Ah--

3 THE COURT: Because it's ongoing evidently.

4 MR. MALEK: Ok. The matter is is that when  
5 when this abuse occurred was when she should have been  
6 evaluated to to ascertain as to what had happened, not to  
7 wait let's say 6 months or or a year later to do an  
8 evaluation and say ok well she seems fine now. Well she  
9 definitely wasn't fine when this happened. Now maybe we  
10 can't go backwards but I do want to make it clear to the  
11 Court here that you know as far as violation of court  
12 order and safety and welfare of my daughter, that's  
13 something that should have been handled at that at that  
14 time in due diligence. And we have the the two clear  
15 situations where my daughter did in fact behave in the  
16 manner that which I tell you of crying and begging and  
17 fear, we have a situation where ACS did not do the the  
18 investigation of my daughter's psychological state at the  
19 time. And then and then on October 19, the reason why I  
20 brought up my psych report is I'm not crazy I note there  
21 were two social workers there taking notes and also an  
22 ACS worker taking handwritten notes at that time that  
23 were there when my daughter had this you know had this  
24 fear and was crying. So--

25 MR. JOHNSON: (inaudible)

1 MR. MALEK: October 19, 2018. Ok.

2 THE COURT: Ok. Now, Mr. Johnson has just  
3 indicated that he is going to look back again through the  
4 records that his office maintains through the case the  
5 social workers and if there's anything to provide to you  
6 in terms of discovery, he will as he has represented,  
7 make that available. Ms. Almonte has already addressed  
8 discovery for a certain time period. And whatever she  
9 has that is appropriate to again turn over, she will do  
10 WHICH SHE DIDNT.....I HAVE RECEIVED NOTHING....  
so. So, I think that let's see if I--

11 MR. MALEK: Ok. I also like to I'm I did file  
12 motions regarding this that may be in your system that I  
13 served last week. I also the situation ok let me put it  
14 over here--

15 THE COURT: I just want to close--

16 MR. MALEK: The situation of the the situation  
17 of the of the K Mart shoplifting thing, I'd like to know  
18 what happened.

19 THE COURT: Mr. Malek, Mr. Malek, I'm closing  
20 one issue.

21 MR. MALEK: Ok.

22 THE COURT: I'm closing the issue that the  
23 discovery is going to be provided to you so that when we  
24 choose a next date which will probably be because I don't  
25 see a future date in April as I thought, when we choose

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1 the next date in April or May--

2 MS. ALMONTE: I have April 1<sup>st</sup>.

3 THE COURT: Let's see. I'll look for it.

4 MS. ALMONTE: I have April 1<sup>st</sup> for for 30  
5 minutes and then I have other dates in April. But maybe  
6 I'm mistaken. I thought I had..

7 THE COURT: Ok. I will look for those other  
8 dates.

9 MS. ALMONTE: I can--

10 THE COURT: But those will be once that  
11 discovery is turned over and I guess I can ask for a  
12 report from you, Ms. Almonte, that things are turned over  
13 by April by March 30<sup>th</sup>, then we're going to be ready to  
14 start on that trial date.

15 MS. ALMONTE: Your Honor, there is also a--

16 MR. MALEK: There there's--

17 MS. ALMONTE: There's several items that Mr.  
18 Malek has turned over that I believe that he anticipates  
19 to introduce in evidence. But I have objections to all  
20 of it.

21 THE COURT: Ok.

22 MS. ALMONTE: So, I don't know how we're going  
23 to address this.

24 THE COURT: Ok.

25 MR. MALEK: Well also regarding regarding



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1 discovery, there are redacted notes that were provided to  
2 me which is which concerns me. There's the K Mart  
3 shoplifting incident that that also had occurred with  
4 Margaret shoplifting with the with the children. I've  
5 called the I've called the SCR about that and if ACS  
6 wants to say that that's unfounded, then I I filed on  
7 January 17 a whole slew of order to show causes and a  
8 response affidavit that hasn't been addressed in  
9 reference to the that that issue and and and other issue  
10 and other issues as well.

11 THE COURT: As to your orders to show cause,  
12 the motions that you filed, I'm asking counsel today that  
13 if they have any opposition to and I'm looking at numbers  
14 20 through I think it's 32. 20 through 28 is what I have  
15 in 29 is what I have in front of me.

16 MS. ALMONTE: So 20 so 22 through 29?

17 THE COURT: 2-0 through 29. Ok? That's what I  
18 have in front of me. If there's any opposition to be  
19 filed by any one of you, including Mr. Maes, then I would  
20 ask that all of it be filed by again by March 30<sup>th</sup>. And I  
21 will be issuing decisions on all of these applications  
22 these orders to show cause-- JUDGE NEVER DID SO AND NO ONE ELSE  
HAS EITHER....

23 MS. ALMONTE: Your Honor, that's--

24 THE COURT: I don't want this confused with the  
25 trial.

1 MS. ALMONTE: Can we have can I have some  
2 additional time? It's a lot of motions.

3 MR. MALEK: Well yeah and then also I'd like to  
4 have time for depositions which I'm entitled to in a  
5 civil case, interrogatories, admissions and depositions.  
6 And also, how I can now also I want to invoke best  
7 evidence rule. If they're going to if they're going to  
8 give me hearsay, if I call the SCR, we have someone  
9 that's writing what they think I said and then that's  
10 being given over to ACS and then over to me and presented  
11 to me. Wait a minute but this isn't this isn't the exact  
12 evidence the exact thing that I said. I can't be  
13 responsible for what someone thinks that I say and  
14 respond to what someone thinks that I say. And then  
15 also, I have to have the name of the person who actually  
16 made the call. So, I'm requesting best evidence rule. I  
17 want the actual recordings. And I I put that in the in  
18 the order to show causes. I want to know what I'm  
19 defending against. And then, in addition, if if if ACS  
20 is trying to--

21 THE COURT: Mr. Malek, part of your obligation  
22 in terms of your own defense--

23 MR. MALEK: Yeah.

24 THE COURT: Is to procure obtain the  
25 information that you feel is necessary for your defense.

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1 You've chosen not to be represented at this point. I'm  
2 not going to advise you on how to proceed. So, having  
3 said that, if you choose to bring in legal counsel to  
4 assist you and to consult with, perfectly fine. If you  
5 wish to write another motion to articulate why there  
6 should be some additional effort made to provide you with  
7 whatever you're asking for, that's fine. If it's in one  
8 of these binders-- IT IS. SHE NEVER READS THEM.

9 MR. MALEK: It is. It's in one of the order to  
10 show.. yeah.

11 THE COURT: Ok. And these binders--

12 MR. MALEK: Well it's in it's in it's in the  
13 white one. That's maybe different. That's probably the  
14 motion to compel.

15 THE COURT: I have two black ones. The other  
16 one is inside (inaudible)

17 MR. MALEK: Ok so yeah the big white one.

18 MS. ALMONTE: What number is it?

19 MR. MALEK: Well the big white here with the  
20 order to show causes is the one that that's requesting  
21 the audio files from the SCR. And then also the other  
22 the other thing that I have a problem with is that if if  
23 I call the SCR because my daughter says something, which  
24 I which I have to report this,--

1 THE COURT: I have it as number 25 and 28 right  
2 here. That's the SCR and the hotline and case notes from  
3 the CPS hotline.

4 MS. ALMONTE: I don't know what those notes  
5 are, Your Honor.

6 THE COURT: So I'm just saying we can address  
7 it and if ACS is seeking additional time to respond--

8 MR. MALEK: And I need additional time to also  
9 go through discovery.

10 THE COURT: The Shoplifting the shop shoplifting  
11 excuse me incident I see is K Mart.

12 MR. MALEK: Yes.

13 THE COURT: Ok. Have that. Ok. So, I'll look  
14 for mid-April for a date on the opposition or responses  
15 to Mr. Malek's numerous motions. I know I don't really  
16 have trial dates until about June.

17 MR. MALEK: Ok.

18 THE COURT: Realistically I think that's when  
19 my trial dates will be.

20 MR. MALEK: I'm sorry--

21 THE COURT: And we're going to day to day on  
22 this so that we can finish within a week. Ok?

23 MR. MALEK: That's good. Your Honor, if I if I  
24 call up the SCR because my daughter tells it's a problem  
25 I have that if my daughter tells me something, right, and

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1 I call the SCR and then ACS is being ACS is being the  
2 plaintiff in this case, then goes to say that no my  
3 daughter never said this and you know what Mr. Malek is  
4 harassing his family.. Put him in jail. It's like no no  
5 no wait a minute. So, what is this supposed to be like?  
6 A swearing contest under under penalty of perjury as far  
7 who's telling the truth? There there I requested here a  
8 vacation of the of the order regarding regarding and  
9 retroactive regarding the recording issue. How can I  
10 possibly have a defense or defend myself when I say that  
11 my daughter said something. They say oh no she didn't,  
12 Mr. Malek is lying. Put him in jail. Ok. I mean what  
13 kind of defense do I have to this except to say well look  
14 here here's the recording, play the tape. Outside of  
15 that, I become guilty by just what trying to protect my  
16 own daughter? I have an obligation under the law to  
17 report this and to and and as as my daughter's father.  
18 So you know this whole thing of not recording I am in  
19 I'll tell you I am in favor recording the visits and  
20 putting them on video and presenting it to all the  
21 counsel and that way you can all see how I treat my  
22 daughter. Because she lies and the other ACS workers are  
23 lying too as far as what's going on at visitation. She's  
24 making she's making allegations--

25 THE CLERK: No pointing. NO POINTING !!!!!!!!!  
NOW I AM BEING TOLD WHAT  
TO DO WITH MY OWN BODY.

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1 MR. MALEK: Of of—

2 THE CLERK: Mr. Malek, don't point at

3 (inaudible) HERE WE GO AGAIN.....

4 MR. MALEK: Oh, I'm sorry. I apologize. Of  
5 sexual allegations between myself and my daughter as far  
6 as I'm rubbing my daughter all over her body. This is  
7 absolute perjury. It's lies. Kevin Geraci never said  
8 this. But this nonsense started right after you you put  
9 forth the order up Mr. Malek don't record anymore. And  
10 wham they got me right away with starting to make sexual  
11 allegations. That's funny in the original petition--

12 THE COURT: Mr. Malek, have you reviewed the  
13 petition?

14 MR. MALEK: There's so sexual allegation and  
15 that started when my daughter was brought to the hospital  
16 on on it was like on June 28, 2018. ACS worker comes to  
17 the home says oh my daughter's vagina is red. Take her  
18 to the hospital. Took my daughter off to the hospital.  
19 Doctors saw nothing. ACS's attack on me regarding sexual  
20 allegations has been going on now for a while.

21 THE COURT: Ok.

22 MR. MALEK: And it's and it's absolutely not  
23 true.

24 THE COURT: Ok.

25 MR. MALEK: And how am I supposed to even

1 defend myself, to to to what she says or what they say?

2 MS. ALMONTE: He's (inaudible)

3 MS. JOHNSON: I'm just going to say for the  
4 record I'm not aware of any sexual allegations. But  
5 that's not (inaudible) conversations that I'm having  
6 (inaudible)

7 MS. ALMONTE: Your Honor, I don't know either.

8 MR. MALEK: Ok.

9 MS. ALMONTE: The only thing I know is that he  
10 has called in reports to the state central registry  
11 saying that ~~Ma~~, the child ~~Ma~~ had been  
12 sexually abused, so there are unfounded cases that he's  
13 called accusing Joe the other subject child, Joseph, of  
14 **NOT TRUE** sexually abusing ~~Ma~~. But there's no allegations  
15 that he himself we have never made allegations that Mr.  
16 Malek is sexually abusing the child. I don't know where  
17 he's getting this from. **COURT REPORTS**

18 MR. MALEK: Ok.

19 THE COURT: All right. And Mr. Malek, in terms  
20 of--

21 MR. MALEK: I'd like wait wait no I'd like to  
22 respond to that. That's not wait wait this is not so. I  
23 have not I have not called the SC I have not called the  
24 SCR alleging sexual abuse. I have told the SCR regarding  
25 a situation that could be could have been sexual abuse

1/7

1 because of the facts of what had occurred afterwards.  
2 And that is definitely a a concern. But I never said  
3 that I know that actually Joe is sexually abusing Minnie.  
4 I described the situation in detail I can I can describe  
5 what happened over here. And it is it is very  
6 suspicious. But have do I have actual knowledge of  
7 sexual abuse occurring? No and I've never told the SCR  
8 that. If you take a look at the reports lately coming  
9 out of ACS, it is it is saying how Mr. Malek he rubs he  
10 rubs his daughter all over her body and... Like no no no. I  
11 don't do that. Ok? So there no there's and also the  
12 reason why you put me over at CFS to begin with just to  
13 remind you is because they did make the allegation that  
14 my daughter took her pants and Mr. Malek went under the  
15 covers with her. So no, they've they've done their side/  
16 as far as trying to me look like some type of sex  
17 offender.

18 THE COURT: All right. Mr. Malek, thank you  
19 for explaining your point.

**SO NOW THAT SHE LET ME " EXPRESS  
MYSELF " WHAT IS THE DECISION ON  
THE RECORDING ISSUE ???!!**

20 MR. MALEK: Ok.

21 THE COURT: But, April 17<sup>th</sup> is an Intake day for  
22 me. I'll put this on at 9:30 just to confirm that all  
23 the opposition papers are in. I'll put the case on for  
24 decision probably about around May 5<sup>th</sup> or 6<sup>th</sup>. And then  
25 we'll I'm going to look for at least two to three days



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1 for trial time back to back so that we can move forward.

2 MR. MALEK: Will I have time to hold any  
3 depositions if I like if I wish to?

4 MS. ALMONTE: I don't see what's the point of  
5 depositions? The witnesses are going to be here. This  
6 is a case of domestic violence, Your Honor. He it would  
7 be it would intimidate our witness. It's going to be  
8 already hard for her to be interrogated by her

9 ????????????  
perpetrator. I don't see what the depositions are  
10 necessary for. **IT IS MY RIGHT TO DO SO.**

11 THE COURT: Well, I did agree and I thought I  
12 said that (inaudible) at a court date or two ago that we  
13 could use the technology courtroom if necessary for her  
14 your witness being Ms. Margaret.

15 MR. MALEK: Objection. Oh, I'm sorry I  
16 (inaudible)

17 THE COURT: Ok. So that would be if I think  
18 Mr. Maes had already made that application.

19 MR. MAES: Yes. And that's for which witness,  
20 I'm sorry?

21 MS. ALMONTE: Your client.

22 MR. MAES: He wants to depose my client?

23 MS. ALMONTE: Yes.

24 THE COURT: Yes.

25 MR. MAES: I didn't know that you wanted to

1 depose my client. I would you know—

2 MR. MALEK: I'm entitled to confront the  
3 witnesses before me. That's my constitutional right.

4 THE COURT: And you will be because if she's  
5 called by ACS, there we will use the technology courtroom  
6 and any witness can avail themselves of that technology  
7 if they are feeling uncomfortable or concerned.

8 MR. MAES: Yes. I mean Your Honor, my client  
9 is not opposed to testifying. Obviously, she would want  
10 to be a witness for ACS. I think I will just if I need  
11 to an file (inaudible) paper to to try to challenge the  
12 form in which he asks Ms. Ingoglia questions, I will do  
13 that forthwith

14 THE COURT: Ok.

15 MR. MALEK: Well I'm entitled to--

16 MR. MAES: With regards to the deposition.

17 MS. ALMONTE: We're doing a closed circuit  
18 closed circuit.

19 MR. MAES: In regards to a deposition, I would  
20 oppose any kind of deposition. I don't think that would  
21 that would infringe on his right to confrontation if he  
22 ultimately has the right to cross examine her (inaudible)

23 THE COURT: Correct. **WRONG. I HAVE THE RIGHT .**  
**TO DEPOSITIONS.**

24 MR. MAES: I do not think that it's in the best  
25 interest of (inaudible)

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THE COURT: Right. **NOT IN THE BEST INTERESTS OF  
THE PLAINTIFF.... ?????**

MR. MALEK: Well I disagree. I object to being  
on closed circuit on closed circuit TV. As far as I  
know, that that's that that's not proper in this in this  
type of situation. I have the right to confront the  
witness before me in a courtroom and not for it to be on  
some electronic TV. **CORRECT**

THE COURT: That technology is used every day  
here, Mr. Malek.

MR. MALEK: Probably under--

THE COURT: It is used every day in trial  
situation everyday here.

MR. MALEK: Probably under severe probably  
under severe circumstances of of abuse rather rather than  
just neglect of of a woman being beaten. I don't think  
that the allegations of he controlled the finances and he  
mentally abused me and I was afraid of him but but he  
never touched me. You know I don't think that the facts  
of this case rise to having this like poor woman out of  
the courtroom because she was so abused. This is not  
that level of of case. We don't have a criminal I was  
never even arrested for anything. We don't have this in  
some type of criminal matter.

THE COURT: Ok.

MR. MALEK: I think this is improper.

/21

1 THE COURT: Well if you're opposed to that and  
2 you have a basis upon which to be opposed, you'll respond  
3 to that. But in the meantime, we will schedule it as  
4 such. And I'll start with the third week in June. Are  
5 you all here at that time? Ok. **RESPOND TO THAT HOW. WHERE  
IS THERE MOTION FOR THE  
RIGHT TO DEVIATE FROM THE NORM?**

6 MR. MAES: (inaudible) look at dates. I'm  
7 sorry. I do have one preliminary matter and I am asking  
8 Mr. Malek to accept service on a V-docket that my client  
9 filed on the 5<sup>th</sup> of March (inaudible) joined on that.

10 THE COURT: Did you say the O's?

11 MR. MAES: My client filed a custody petition--

12 THE COURT: Oh V?

13 MR. MAES: Yes.

14 THE COURT: Ok. **I THOUGHT THE NEGLECT PETITION WAS THE  
ONLY PETITION THE COURT HAS JURISDICTION ON,  
RIGHT?**

15 MR. MAES: And I am asking the parties to  
16 accept service here in Court. Today is the return date.

17 MR. MALEK: I've also filed a custody petition  
18 in the past as well in this case. **OF COURSE THAT HAS BEEN IGNORED  
FOR 2 YEARS....**

19 MR. MAES: Will you accept service?

20 MR. JOHNSON: I will.

21 MR. MALEK: Ok. Now, I filed I filed other  
22 other motions that I served on the parties last week.  
23 And I scanned I had them I brought them down to the  
24 office today.

25 THE COURT: You filed something today you said?

/22

1 MR. MALEK: Well I served them last week and I  
2 filed some motions today and one of them was a notice of  
3 motion for sanctions against ACS and Legal Aid for  
4 failure to provide discovery. Like I said we're dealing  
5 with that notice of motion for discovery and inspection,  
6 notice of motion to request adjournment of trial which  
7 apparently happened. Then I have another notice of  
8 motion for my daughter and I to be able to go to Church  
9 together as we did before 7/31/2018. It's been two years  
10 and we haven't been able to go to Church together. And  
11 then also I filed a notice of motion for sanctions  
12 against Margaret Ingoglia for 28 statements of  
13 impeachment regarding physical abuse of herself and the  
14 children to ACS and Kevin Geraci. And the reason why I  
15 think that's the reason why I think that's relevant is  
16 that as I as I've said before that when you when you have  
17 someone that's making allegations that they were  
18 physically abused when they were pregnant to caseworkers,  
19 this is done for a reason. This is done to affect the  
20 impartiality of the caseworkers and to get people who  
21 deal with me to hate me. And I and Margaret Ingoglia has  
22 been has been consistently doing this to the ACS to the  
23 ACS workers as well as CFS. And regarding this this  
24 case, the extent to which she has has lied here has been  
25 to the point of being criminal. Where she's actually

/23

1 made an SCR call in 2015 that I found out about that said  
2 that I was I was physically assaulting her with the child  
3 with the child in the home and she's and she's clearly in  
4 her own statements in ACS records contradicted herself.  
5 So you know these statements that she's made also even to  
6 my own daughter are are terrible. And it's it goes  
7 (inaudible) parental alienation. It affects whether or  
8 not ACS feels that they would like to have lunch  
9 (inaudible) visits or multi-visits with my daughter or  
10 whatever but these type of of of contradictions by  
11 Margaret Ingoglia are serious are serious because they're  
12 criminal statements made against me to I would assume she  
13 probably made them to Mr. Travis as well. She made if I  
14 prove she made them to ACS repeatedly as well as CFS,--

15 MR. JOHNSON: I have not had a conversation  
16 about (inaudible)

17 MR. MALEK: Oh, you haven't?

18 MR. JOHNSON: (inaudible) my client.

19 MR. MALEK: Oh, ok.

20 MR. JOHNSON: (inaudible)

21 MR. MALEK: Ok. Then all right that's fine.  
22 But I did file this motion. I I think it's important  
23 that you see it in reference to the the statements that  
24 Margaret has made which are which are very disturbing.

25 THE COURT: Ok. "WHATEVER"

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1 MR. MALEK: I mean even even Joe as as as quite  
2 frankly, even ACS we have over here where Margaret's  
3 saying that I physically abused her, I physically abused  
4 the child, and Joe saying it too, maybe ACS would want to  
5 amend their petition to physical abuse.

6 THE COURT: Ok.

7 MR. MALEK: You know but then again when you  
8 take a look at all the contradictory statements--

9 THE COURT: Did you did you serve did you serve  
10 Mr. Malek all of those whatever it is that you've  
11 indicated is new filings?

12 MR. MALEK: Yes, yes, Your Honor. Yes.

13 THE COURT: Have you served that on everybody  
14 has a copy of whatever you're referring to?

15 MS. ALMONTE: (inaudible) served that you filed  
16 that today.

17 MR. MALEK: No, I I gave it into the Court to  
18 be scanned today but I served it last Friday.

19 THE COURT: Ok.

20 MR. MALEK: Remember like it didn't go through  
21 in everyone's email so then you said ok so the next day,  
22 I went and I served I served it to and I provided proof  
23 of service.

24 THE COURT: Ok.

25

/25

1 MR. JOHNSON: I'm just asking the only thing I  
2 would like to respond to now is the motion for sanctions  
3 of the Legal Aid Society.

4 THE COURT: Hm hm.

5 MR. JOHNSON: I was never ordered to provide  
6 discovery so I can't be sanctioned for something that was  
7 not ordered to me.

8 THE COURT: Right.

9 MR. JOHNSON: I'm actually agreeing if I find  
10 notes to turn them over as a courtesy. I'm not I'm not  
11 required to to do that. But just out of a sense fair of  
12 ~~HE IS LYING. ONE WAS A LAWYER AND ONE WAS A SOCIAL WORKER. GWYNETH HORTON WAS THE~~  
~~LAWYER DANA GRAYSON OR GREYSON WAS THE SOCIAL WORKER..... MAYBE I AM STILL INVESTIATING...~~  
I'm not calling either of my social workers as a witness

13 just out of a sense of fair play if I find notes  
14 ~~???????????????? I WANT THEM IN THE COURTROOM. FAIR PLAY ????~~  
(inaudible) no problem turning them over but I'll just  
15 leave it at that. I was never ordered to so I cannot be  
16 sanctioned (inaudible)

17 MR. MALEK: It's like you said I never would  
18 have filed that against Mr. Johnson if all the emails I  
19 sent him (inaudible) if would have said that yeah Mr.  
20 Malek you know I'll look into for you. I wouldn't have  
21 filed that against him. He's never he'd never respond to  
22 ~~HE WILL NOT GIVE THE THE CORRECT SPELLING OF DANA GREYSON'S NAME AND I CANT FIND HER IN ANY SOCIAL WORKER~~  
~~DATABASE OR LAWYER~~  
me. I I I don't know why. BECAUSE HE IS HIDING SOMETHING

23 MR. JOHNSON: (inaudible)

24 THE COURT: So if you've received recent recent  
25 submissions by Mr. Malek or recent applications by Mr.



1 Malek, because I thought we were up to motion number 32,  
2 then I am including that in the opposition papers that  
3 I'd like to see by mid-April. I'm looking at April 17<sup>th</sup>.  
4 And they can just be you know submitted. NEVER WERE....

5 MR. JOHNSON: (inaudible) do 20 up until—

6 THE COURT: Yes, 20 til the end.

7 MS. ALMONTE: Just—

8 THE COURT: And and I'm not taking about the O-  
9 petitions— **WE ARENT EVEN GOING TO BE ADDRESSING THEM**  
**.NO JURISDICTION ?!?!?!?**

10 MS. ALMONTE: Can I just is it possible—

11 THE COURT: I'm just talking about the motions.

12 MS. ALMONTE: Can I respond to them in one  
13 motion or do I have to respond to them individually? Can  
14 I just do one motion responding to 20 to 30?

15 THE COURT: Just if you're going to respond in  
16 one filing, then please just make sure it's clear as to  
17 which number you're referring to. And then I can address  
18 that. And then I'm going to I don't know that I need to  
19 put the case on for a decision. I can issue a written  
20 decision and we can move forward from there. **NEVER HAPPENED**

21 MS. ALMONTE: Your Honor—

22 THE COURT: I can put one little one status  
23 conference on in mid-May and I'm looking at my calendar  
24 at the same time and whereas I have dates in June, I have  
25 more time in July to go day to day from the 7<sup>th</sup> through

/27

1 about the 11<sup>th</sup>. And then we can finish all of this at  
2 that time.

3 MR. MALEK: I'd like to I would like to go  
4 ahead with with presenting the family offense petitions.

5 WHY HAVE ME SERVE IF YOU HAVE NO INTENTION OF ADDRESSING ?!?!?  
6 You had asked me to to serve them. I served it on on Mr.

7 Johnson. I have no problem on serving it with you know  
8 MAES WAS SERVED BECAUSE HIS CLIENT WAS SERVED.  
9 serving it to the other parties, but the problem that I  
10 that I had which is why I stopped is because when it  
11 comes to the presentation of the family offense petition,  
12 we have investigation documents coming coming out of of  
13 FOIL as well as documents coming out of the the DA's  
14 Office. I have had dialog with Deputy Inspector Caroline  
15 Roe and I've I've requested a subpoena in in my order to  
16 show causes a subpoena of Eric Gonzalez. You know the  
17 matter is that in order to properly present this family  
18 offense petition, we we need to have someone I think the  
19 Court would want expert opinion as far as I know that  
20 Deputy Inspector told me that she would have prosecuted  
21 Margaret and Joe but Minnie was too young to put on the  
22 stand. Ok? Deputy Inspector Roe can provide expert

23 opinion onto these onto these investigation documents  
24 that I received out of FOIL. This way there's no issue  
25 as far as foundation of evidence, is this authentic or  
26 so  
27 not, no it's obviously authentic if Deputy Inspector  
28 Caroline Roe says they are. And then as far as as far as

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1 what happened with those 3 assaults of my daughter with  
2 ACS going over to the DA's Office and all, I think that  
3 they could you know Inspector Roe and Eric Gonzalez's  
4 office can shed light on what actually happened with  
5 those 3 assaults. Were they were they investigated?

6 MS. ALMONTE: I just don't see what's the  
7 point. It doesn't relate at all to the Article 10  
8 petition that has been filed in Court. Whether an  
9 assault or (inaudible) happened, it does not relate to  
10 this proceeding. **OF COURSE IT DOES DUE TO ACS CLAIMING ALL MY CALLS  
WERE UNFOUNDED.**

11 THE COURT: I think that's what I've been  
12 trying to say to Mr. Malek that he has to pursue that  
13 **AND WE'LL JUST HANG YOU HERE**  
14 through the DA's Office because if that's if you're  
15 asking for them to file something as a criminal--

16 MR. MALEK: Criminal matter.

17 THE COURT: Matter--

18 MR. MALEK: A criminal prosecution.

19 THE COURT: Let's use the word criminal matter  
20 against Ms. Ingoglia, that's a it's a different I want to  
21 **NO IT ISNT IF MINNIE IS TOO YOUNG TO BE PUT ON THE STAND DUE TO HER AGE AT THIS TIME.**  
22 say it's a different place to to take your concern. And  
23 so, you've you've gone to the DA's Office. They can file  
24 an action against Ms. Ingoglia if they feel there is a  
25 case to be filed. That's not a determination I can make  
26 for them. I'm not the DA. **INSPECTOR ROE FINDS THE MATTER DISTURBING AND  
WOULD HAVE PROSECUTED MARGARET AND JOE IF MINNIE WAS  
OLDER.**

619

MR. MALEK: All right. I'm a father that needs

THE ISSUE IS WHAT HAPPENED TO THE CASES. MEANWHILE, WE FOUND OUT PREVIOUSLY, DUE TO MINNIES AGE, THEY KICKED IT  
BACK TO ACS WHOM OBVIOUSLY UNFOUNDED IT... THEY SHOULD HAVE SENT IT TO THEIR CHILD ABUSE SQUAD. ACS SHOULD HAVE  
RFEFERED IT TO THEIR CHILD ABUSE SQUAD. IT WAS SENT BACK TO THE PETITIONER !!!!.

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1 to know that my daughter is is safe and there are issues  
2 of abuse of my daughter. If you're giving me the go  
3 ahead that I can go to let's say Family Court on the 6<sup>th</sup>  
4 floor or Manhattan Family Court and file an Article 10  
5 and I found out in my research with the law that with  
6 approval from a Judge, a person can actually instigate an  
7 Article 10 against against a party. So are you telling  
8 me that I can now that it's ok with you-- SHE WONT SAY.....

9 THE COURT: Mr. Malek, I'm not addressing  
10 SO WHY SERVE ?????  
11 anything else but this N-petition that is currently open  
12 at this moment in time. You've already started your  
13 process with the DA's Office. You can continue that  
14 IGNORING ROE.  
15 process with the DA's Office. I'm setting you trial  
16 dates on this matter so that you can then proceed with  
17 whatever else you want to proceed with. But I'm going to  
18 provide all of you all the parties involved here with  
19 some closure by getting through the the N-petition that's  
20 AND IGNORE ANY MATTER AGAINST THE ACS GODS AND THEIR CLIENT.  
21 been filed by ACS at this time. ACS I'm sure has is  
22 aware of whatever concerns you've had with respect to  
23 THE ACS GODS AGAIN. FORGET INSPECTOR ROE...  
24 your daughter and they've been done their investigations.  
25 All of that you already have. And you have in process  
and when I say in process you've already reached out to  
THIS IS ALL ABOUT YOU !!!!!!! FORGET ABOUT YOU DAUGHTER.  
various agencies so you can continue to pursue them.  
the first court date, I'm looking at July the first -----  
date excuse I'm looking at July 7<sup>th</sup> at 2:30 for the

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1 afternoon.

2 MS. ALMONTE: I'm sorry what day?

3 THE COURT: July 7<sup>th</sup>.

4 MS. ALMONTE: Your Honor, I am here on July 7  
5 and 8<sup>th</sup> but then I'm out from the--

6 THE COURT: I would have July 7<sup>th</sup> and 9<sup>th</sup> so  
7 you're not here.

8 MS. ALMONTE: Right. I'm out the 9<sup>th</sup> and the  
9 10<sup>th</sup>. And I'm back on the 14<sup>th</sup>. But I'm here 7 and 8.

10 THE COURT: Ok. Mr. Johnson, you're here?

11 MR. JOHNSON: Yes.

12 THE COURT: Ok. Mr. Maes?

13 MR. MAES: (inaudible)

14 THE COURT: Ok.

15 MR. MAES: It's not in the morning (inaudible)

16 MS. ALMONTE: I know the Court wants to go day  
17 by day so I--

18 THE COURT: Yeah, I think that'll help us to be  
19 consistent and get through the testimony.

20 MS. ALMONTE: Can we have like an entire  
21 afternoon or entire like--

22 THE COURT: That's what I'm looking at. So the  
23 7<sup>th</sup> I can do 12-1 and 2:30 to 4:30.

24 MS. ALMONTE: 2:30 to 4:30?

25 THE COURT: Ok.

/31

1 MR. MAES: That's on the 7<sup>th</sup>?

2 THE COURT: Yes, July 7<sup>th</sup>. Ok. Mr. Malek,  
3 please record the times. We'll record it for you too.

4 MR. MAES: Are we doing 12-1 and 2:30 to 4:30?

5 MS. ALMONTE: You can do you want to do can we  
6 have the whole entire time? The 12-1 and then--

7 THE COURT: I can give you the 12-1 and the  
8 2:30 to 4:30.

9 MR. MAES: Great.

10 MR. MALEK: Will I be able to present my family  
11 offense petitions?

12 MS. ALMONTE: That can be dealt with after the  
13 neglect petition. WHERE I AM ALLEGING YOUR CALLS ARE FALSE. SO PRESENT YOU  
EVIDENCE OF THE FAMILY OFFENSE  
14 PETITION IN YOUR DEFENSE AFTER WE HANG YOU FIRST.  
NOTICE HOW ACS ANSWERS ALONG WITH THE JUDGE. FRIENDS..

15 THE COURT: Yes.

16 MR. MALEK: So we're going to wait? We're not  
17 going to we're not going to do that now?

18 THE COURT: You're asking for you're asking for  
19 orders of protection on behalf of the child, correct?

20 MR. MALEK: Yes, Your Honor.

21 MR. MAES: Against? I'm sorry I haven't seen  
22 this petition so I'm not sure--

23 THE COURT: The O's? You haven't seen them?

24 MR. MAES: Well I've seen previous O's

25 (inaudible) WHICH OF COURSE HAVE BEEN IGNORED.

THE COURT: I don't have the 'one for today.

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1 MR. MALEK: I didn't file I didn't no I didn't  
2 file the family the family offense petitions were filed  
3 served on Mr. Johnson, not yet served on ACS and Robert  
4 Maes. THE FAMILY OFFENSE PETITIONS WERE FILED AND HAVE NUMBERS  
CORRESPONDING. JOHNSON WAS SERVED, THE COURT WAS SERVED AND MAES CLIENT  
WAS SERVED. ACS WAS NOT, NOR DO THEY HAVE TO BE.

5 THE COURT: Well ok. So Mr. Malek--

6 MR. JOHNSON: (inaudible) joined (inaudible)

7 THE COURT: Right. Mr. Malek was here on  
8 Monday seeking to serve all of you on those O's. I don't  
9 know if that took place or not.

10 MR. MAES: Not with me. If he has copies,  
11 email it to me. (inaudible) service later. LET HIM GET IT FROM  
HIS CLIENT.

12 MR. MALEK: It was ok. I thought it was on  
13 Monday that that the notice of motions were served. But  
14 regarding the the O-dockets, that was served on on Mr.  
15 Johnson but they were not served on on Maes or Ms.  
16 Almonte because I felt that I just I couldn't properly  
17 proceed unless because I I requested the subpoena of  
18 Inspector Roe and someone from the DA's Office. It would  
19 be very beneficial if when I presented that they can  
20 authenticate the investigation documents, the documents  
21 from the DA's Office because when I you know previously  
22 been before you, ACS didn't didn't even want to accept my  
23 my psych report even though it was stamped. I had to get  
24 it notarized now. So I'm like look why don't we when I  
25 do this, I think it would be best if there was a

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1 representative from the DA's Office to determine what  
2 happened with those 3 you know what happened with those 3  
3 assaults. And also there was a referral that the from  
4 the DA's Office to the Child Abuse Squad to investigate  
5 to the toe nail incident of my daughter where Margaret  
6 was holding my daughter down and Joe was biting off her  
7 toe nail. That investigation was never done. When you  
8 get the investigation report and you view it and I read  
9 it, that investigation was never done and it was ordered  
10 by DA's Office for the Child Abuse Squad to do it and  
11 they did not do it. So you know I think it would be  
12 helpful to the Court to have someone here to say these  
13 investigation documents I got under FOIL are genuine and  
14 have Inspector Roe's opinion which she did tell me that  
15 she she would prosecute Margaret and Joe but Minnie's too  
16 **AND NO ONE IS INTERESTED IN THIS !!!!!**  
young. But now you know now she now she can speak.

17 MR. JOHNSON: (inaudible) objection is one we've  
18 heard this several times now. Also we're talking about  
19 petitions for which issues have been joined. So, the  
20 Court cannot sign subpoena or direct any witnesses to be  
21 **NOT TRUE. HIS CLIENT WAS SERVED AS APPROPRIATE.**  
here because counsel for mom has not been served. So  
22 those cannot go forward until that happens. So to hear  
23 about them prior to that I think is inappropriate. And  
24 so, we can't even proceed (inaudible) inclined to because  
25 issue have not been joined. So the only matter ripe to  
**THEY DO NOT HAVE TO BE. THEY CAN STAND ON THEIR OWN SEPARATELY 624**



OF COURSE, FORGET ABOUT THAT, JUST HANG MALEK.

try at this point is the N-petition which I would suggest  
SO THE INSPECTOR IS SAYING SHE WOULD ARREST MARGARET AND JOE IF SHE COULD AND THE ATTORNEY FOR THE  
CHILD DOES NOT THINK THIS IS A RIPE ISSUE ???

go first because it was filed in 2018 and these family

MY FAM OFFENSE PETITIONS WERE FILED DATING BACK TO 2018

offense petitions are more recent than that. And we can

talk about going to trial on them once issue is joined.

That has not happened yet.

RIGHT !!!!!!!!! RIDICULOUS.

THE COURT: Right. So, Mr. Malek, what Mr.

Johnson is is saying is that this is your motion on

Carolyn Inspector Carolyn Roe.

MR. MALEK: Yeah, yes.

THE COURT: If Mr. Maes doesn't even have a  
copy of this on behalf of BDS or his client,--

MR. MALEK: He does. I served all--

THE COURT: That's what he's saying he doesn't  
have.

MR. MALEK: No, I I served all of the order to  
show causes. I didn't serve the family offense petition.

MR. JOHNSON: (inaudible) pursuing a family  
offense petition. THE COURT DOES THAT..

THE COURT: Yes.

MR. JOHNSON: He has not served the family  
offense petition. So, I'm saying it's inappropriate for  
motions to even being going forward on the family offense  
petition when the issue haven't been joined.

THEY DO NOT HAVE TO BE.

THE COURT: This is true. That is true.

NOT TRUE

1 MR. JOHNSON: Any motion related to that any  
2 motion for discovery related to that, any motion asking  
3 witnesses to be here cannot go forward because--

4 THE COURT: Right. NOT SO. I AM SURE IF LEGAL AID OR ACS OR  
MY CHILDS MOTHERS LAWYER HAD THE POLICE  
READY TO ARREST ME FOR ABUSING ANYONE  
IN THE FAMILY, THEY WOULD BE BROUGHT TO COURT  
IMMEDIATELY

5 MR. JOHNSON: He has not been served the  
6 underlying petition. HOWEVER, THE SERVING OF THE UDERLYING PETITION WILL NOT BE  
HEARD IF AT ALL BECAUSE THE COURT DOESNT HAVE JURISDICTION  
AND WOULD BE SOMETIME AFTER THE TRIAL AND ACS PETITIONS AND  
THE CUSTODY PETITION WOULD BE DECIDED UPON. JUST ALL EXCUSES AND  
STALLING...

7 THE COURT: Ok. So the the O-petitions  
8 themselves, Mr. Maes is saying he does not have a copy of  
9 the actual petition you filed under the family offense. EVERYONE KNOWS THIS IS NOT SO. THE COURT SERVES THE RESPONDENT THE FAMILY  
OFFENSE PETITION, THE COURT HAS THE CONFIDENTIAL ADDRESS THAT IS ON FILE.

10 MR. MALEK: Yes, that's true. He's right.

11 THE COURT: Ok. HIS CLIENT HAS IT + JOHNSON  
COURT HAVE IT.

12 MR. MALEK: He'll get it.

13 THE COURT: So and then this is--

14 MR. MALEK: If they didn't get it,--

15 THE COURT: The request for a subpoena for the  
16 Inspector. Ok. Again, and I to Mr. Johnson's point, if  
17 Mr. Maes doesn't even have the petition that you filed,  
18 he can't respond even he can't accept the the position to  
19 go forward on the family offense petitions because he  
20 JUDGE IS LYING. UNLESS IF MARGARET INGOGLIA AND MAES DID NOT UNDATE THE COURT WITH THEIR NEW  
ADDRESS.  
21 doesn't have it. And he can't speak to his client about  
22 it again because he doesn't have what you're saying you  
23 filed. And we certainly can't address your subpoena for  
24 the Inspector because he's not yet seen and had the  
25 ability to accept the service on that O-petition.

MR. MALEK: If I would have--  
WOW. SO INSPECTOR ROE HAS TOLD ME THAT WHAT I HAVE SHOWN HER IS DEFINITELY DISTURBING  
AND SHE WOULD HAVE ARRESTED MARGARET AND JOE IF MINNIE WAS OLD ENOUGH TO BE PUT ON THE  
STAND BUT SUCH SUBPOENA FOR HER APPEARANCE IN FAMILY COURT TO SPEAK WITH THE JUDGE  
CERTAINLY CANNOT BE ADDRESSED ????!!??!!

625.1

1 THE COURT: Well that's--

2 MR. MALEK: But if I would have filed a family  
3 offense the family offense petitions first and went for  
4 this after, then there may not have been enough time that  
5 would've come up and then I would have been trying to  
6 file this. I would've shown up today, and I would have  
7 said hey Your Honor I have subpoenas don't do it.

8 THE COURT: It's not unfortunately--

9 MR. MALEK: It's kind of like what comes first  
10 the chicken or the egg.

11 THE COURT: Right. But Mr. Malek,  
12 unfortunately, with the Court procedure--

13 MR. MALEK: Yeah.

14 THE COURT: It is not a matter of you choosing  
15 which way you want to proceed. The O-petitions need to  
16 be served on Mr. Maes and Ms. well Mr. Maes. And so--

17 MR. MALEK: Look, now we have this all filed so  
18 I think it's working out well whichever came first on our  
19 first. This gives everyone time which I think you know  
20 we all agree it takes time for you to all go through this  
21 and my family offense petitions are large. So, all right  
22 so you know no harm, no foul.

23 THE COURT: Ok.

24 MR. MALEK: This has been served. I'll get  
25 that served.

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1 THE COURT: Well that's--

2 MR. MALEK: But if I would have filed a family  
3 offense the family offense petitions first and went for  
4 this after, then there may not have been enough time that  
5 would've come up and then I would have been trying to  
6 file this. I would've shown up today, and I would have  
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14 THE COURT: It is not a matter of you choosing  
15 which way you want to proceed. The O-petitions need to  
16 be served on Mr. Maes and Ms. well Mr. Maes. And so--

17 MR. MALEK: Look, now we have this all filed so  
18 I think it's working out well whichever came first on our  
19 first. This gives everyone time which I think you know  
20 we all agree it takes time for you to all go through this  
21 and my family offense petitions are large. So, all right  
22 so you know no harm, no foul.

23 THE COURT: Ok.

24 MR. MALEK: This has been served. I'll get  
25 that served.

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1 THE COURT: Ok. All right. Now let's look at  
2 the other dates. So, we have July 7<sup>th</sup>. I'm going to  
3 start again after that with July 14<sup>th</sup> which is a week  
4 later. Again, I can do 2:30 to 4:30 or 2-4:30.

5 MS. ALMONTE: I'm sorry July?

6 THE COURT: July 14<sup>th</sup>.

7 MS. ALMONTE: I'm on Intake, Your Honor.

8 THE COURT: Ok. The 15<sup>th</sup> I can do the same  
9 timing.

10 MS. ALMONTE: What time? 2:30 to 4:30?

11 THE COURT: Yes.

12 MS. ALMONTE: That works.

13 MR. MAES: July?

14 THE COURT: July 15<sup>th</sup>. I'm going to look at the  
15 16<sup>th</sup>. I can do the same timing 2:30 to 4:30.

16 MR. MAES: That's fine with me.

17 THE COURT: Ok. Now that's a total of 3 5 7  
18 hours. I think that should be sufficient for the N-  
19 petition. And so, at that point then we can proceed to  
20 whatever else is remaining.

21 MS. ALMONTE: Your Honor, on the last--

22 MR. MALEK: Are we addressing--

23 MS. ALMONTE: On the last court appearance, the  
24 Court mentioned that it had spoken to the mental health  
25 clinic and it had raised some concerns regarding the

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1 imminent risk assessment.

2 THE COURT: Yes.

3 MS. ALMONTE: We never got any further  
4 information regarding that. It's just the Court said you  
5 were going to address it on today's court appearance.

6 THE COURT: Yes. I did ask I think I issued an  
7 Order. I'm not sure I'll look back at my notes. But I  
8 did ask the mental health MHS to have another  
9 conversation with Mr. Malek and attempt to schedule re-  
10 schedule the appointments. I did hear from them this  
11 week that they made some attempts to reach out to Mr.  
12 Malek and they had some difficulties getting a date set.  
13 And I think they came up with a date and I'll go into the  
14 email. I believe that the appointment was not it did not  
15 take place. I want to say that was March 6<sup>th</sup>. And so at  
16 this time, they feel that they've made two very lengthy  
17 attempts to have an appointment set and followed through  
18 with and there hasn't been success in that regard. So,  
19 they're not willing to continue to try to do this.

20 MR. MALEK: Well I have here a note I had a  
21 notarized for you a notarized from a psychiatrist. It  
22 says I can read it. This letter's being written on  
23 behalf of Robert Malek, a client of Brooklyn Medical  
24 Practice since 11/30/2018. His functioning is  
25 appropriate and he does (inaudible) danger to himself or

NOT REPRESENT

1 others. And if you have any further questions, feel free  
2 to contact me. And it's and it's notarized.

3 MS. ALMONTE: So Your Honor, my client asked  
4 Mr. Malek to sign HIPAA releases because we wanted to  
5 speak to them independently. He has not. And also, we  
6 would like an independent evaluator. That's why we asked  
7 for the mental health evaluation to be done in Court.

8 THE COURT: Right.

9 MR. MALEK: They are definitely not  
10 independent.

11 THE COURT: That's what Mr. Malek raised with  
12 them on numerous occasions and they feel that they don't  
13 they can only respond and they have. And so they feel  
14 that Mr. Malek is not happy with their explanation and so  
15 they're not inclined to continue.

16 MR. MALEK: And I I'm not just I'm not just  
17 claiming that. There are 4 dates first of all, as soon  
18 as you made the Order, Ms. Almonte was sending an email  
19 Did Mr. Malek do his assessment? Did Mr. Malek do his  
20 assessment?

21 THE COURT: How do you know that?

22 MR. MALEK: I know that because she was  
23 , emailing all the parties. Ok?

24 MS. ALMONTE: I was inquiring--

25 MR. MALEK: Right.

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1 MS. ALMONTE: I had to submit records documents  
2 that the Court stated (inaudible) so I went to the Court  
3 I went downstairs I went to the mental health clinic and  
4 I provided the documents and I wanted to know if there  
5 was an update as to his evaluation. That's--

6 MR. MALEK: Right.

7 MS. ALMONTE: That I don't that's why I sent  
8 the email.

9 MR. MALEK: Yeah.

10 MS. ALMONTE: I'm not sure why that triggered  
11 for him to believe that we are in cahoots.

12 MR. MALEK: That didn't no no wait wait wait.  
13 That's a that's a conclusatory opinion. Ok. That's not  
14 why I feel the way I do. The matter is--

15 MS. ALMONTE: (inaudible)

16 MR. MALEK: The matter is is that they is that  
17 they kept on asking did Mr. Malek go for his imminent  
18 risk assessment. I said well I haven't been contacted.  
19 I haven't been contacted. So, what I did was I made an  
20 appointment with another doctor. And then what happens  
21 is Mr. Valez comes along and says oh no I I tried to  
22 contact you on these 3 days and a message was left for  
23 you and you didn't give us a call back. Like no I'm not  
24 trying to avert or avoid the process. And as soon as Ms.  
25 Almonte was reaching out you know did Mr. Malek do this



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1 and I wasn't doing it because I wasn't called, that's  
2 when George Valez lies and comes up with 3 dates that  
3 says I tried to call you on these 3 days and these 3  
4 times and that never took place. And then I have another  
5 email from him which I can provide to you, Your Honor,  
6 where he actually added another day at a later time. So  
7 he actually in a sense contradicted himself as far as  
8 wait wait pardon me. He added a day and then he  
9 subtracted a day. There were two different emails that  
10 he sent me that had different days of when he supposedly  
11 tried to contact me. And I I will and I'll say this to  
12 the Court as well as well as Ms. Almonte, if you want to  
13 issue a subpoena of my call records because I have it in  
14 my Verizon, those calls were never made. He's lying.  
15 He's lying for ACS to appear as as if I was trying to  
16 avert or avoid the process, and that was not the case,  
17 which is why I got my assessment someplace else. So when  
18 when we have a situation that the manager of a facility  
19 is lying as soon as as ACS is reaching out and saying hey  
20 wait a minute, Mr. Malek is he doing this and of course,  
21 MHS joins in and goes oh no, he's not doing it. Like  
22 wait a minute.

23 MS. ALMONTE: (inaudible) the March 6<sup>th</sup> date if--

24 THE COURT: The appointment was not kept.

25 MR. MALEK: Ok.

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1 MS. ALMONTE: So I'm were you not aware of the  
2 March 6<sup>th</sup> date?

3 MR. MALEK: Oh, ok. Now after after that no  
4 after that, I'm supposed to go into into MHS and have an  
5 evaluation. I have in an emails where he said to me I'll  
6 come in at 10:00. I said what's the name of the person  
7 that's going to do the evaluation. Well I don't know  
8 that because they get the paperwork at 9:30 and you come  
9 in at 10:00 and we'll have your evaluation done. So I  
10 know you got thousands of thousands of papers of  
11 documents filed in this case. How is it possible that  
12 the evaluator is going to have as he told me all the  
13 cases for the day at 9:30 and by 10:00 this evaluator is  
14 going to be able to through how many how many different  
15 filings regarding this case before they evaluate me? And  
16 then, in your Order for in your Order from the Court, we  
17 agreed on we agreed here that they would not get the most  
18 recent CFS report, but that was not what you put in the  
19 Order. Both of you said that there was no Intake report.  
20 But I got it from Mr. Brathwait as soon as I left here.  
21 So there so here we agreed not to have the last CFS  
22 reports. I never saw it not go to MHS. But then in your  
23 Order it was to send the CFS reports. Then both of you  
24 said there was no Intake but as it turned out there was  
25 an Intake report and I got it from from Mr. Brathwait.

LIED

LIED AGAIN.

TURN BACK TO 20  
OCTOBER TRANSCRIPT  
WHERE INTAKE  
WAS KNOWN ABOUT 21  
BY ALL PARTIES

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1 So really what's happening here is they're doing an  
2 evaluation on me from what's coming out of ACS. How is  
3 this how is this possibly an evaluation that's valid when  
4 they're evaluating me off of ACS's lies which they  
5 absolutely are lies.

6 THE COURT: Ok.

7 MR. MALEK: Especially if they're (inaudible)  
8 the court reports.

9 THE COURT: All right. Mr. Malek--

10 MR. MALEK: What goes on at visitation. It's  
11 absolutely lies.

12 THE COURT: I would like for you to well you  
13 can sign the HIPAA form so that ACS can reach out to the  
14 psychiatrist or psychologist that you've presented that  
15 letter from today, and they can follow up and have a  
16 because you read the letter and the provider is  
17 indicating that ACS or whomever can reach out to him to  
18 ask further questions. And so if you sign the  
19 authorization, ACS can continue to do that.

20 MR. MALEK: All right. So I'd like to ask you  
21 this. As far as as far as my my evaluation, if I sign  
22 HIPAA, ok, now this may be a hot issue but when the point  
23 is is that they have a petition against me where they're  
24 claiming in their notes that Joe ended up at Brunswick  
25 Hospital because of abuse mental abuse of Robert Malek.

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1 Ok? Now if they're going to claim this that he ended up  
2 in a mental hospital, which which is actually which is  
3 actually in the notes I'm sorry where Margaret saying  
4 pardon me where Margaret's saying that Joe ended up in  
5 the mental hospital because of my abuse and they're  
6 filing this petition against me regarding some type of  
7 verbal abuse of of Joe because there's no physical abuse  
8 that's alleged. Isn't it prudent to just I know the  
9 (inaudible) goes up as far as the HIPAA on Joe and the  
10 Brunswick Hospital stay. And I brought this up to you  
11 previously. Why can't we have HIPAA in relation to at  
12 least what did Joe say about me when he was over at the  
13 Brunswick Hospital? In the summary report that I have  
14 provided so everyone knows about the summary report, ACS  
15 was called on the mother, not on me. So you know we have  
16 an issue here where now Joe at a later time is saying all  
17 this stuff but here when you're at the mental hospital  
18 for 3 weeks, you didn't say anything about Mr. Malek over  
19 there?

20 THE COURT: Ok. So now this is not--

21 MR. MALEK: And we have--

22 THE COURT: Mr. Malek, this is not about Joe.

23 This is about you.

24 MR. MALEK: It's about me. So what did Joe say  
25 about me?

1 THE COURT: And so—

2 MR. MALEK: If Joe was there and he didn't say  
3 anything about me when he's there for 3 weeks, doesn't  
4 this say a lot about Mr. Malek and his and how he treated  
5 his stepson? That says a lot.

6 THE COURT: If ACS chooses to present some  
7 evidence or some indication as to what as part of their  
8 case regarding Joe, that is what they will do. In the  
9 meantime, what I'm asking you to do today is either if  
10 you're not willing to authorize ACS to call this provider  
11 that you've indicated today, then we'll move on. And ACS  
12 will understand you can make a copy of that letter. ACS  
13 understands that you haven't authorized them to make  
14 another a follow up phone call and that to becomes  
15 potentially part of their case. I don't know if they  
16 will make mention of that when they present their case.  
17 But we'll move on. Because we're not going to get hung  
18 up too much further on issues when we need to keep moving  
19 forward.

20 MR. MALEK: Yeah. Well you know I said to them  
21 I said look if this comes up clean, I sign HIPAA, do I  
22 get to see my daughter anymore? I already did two SCO  
23 certificates.

24 THE COURT: It has one thing has nothing to do  
25 with the other.

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1 MR. MALEK: Then I just feel like you know what  
2 do what do I get out of it? You know what do I get out  
3 of it? I provide this so Mr. Malek oh great he turned up  
4 fine. All right so so it's a fishing expedition. So if  
5 it turns up bad, oh good. If it turns up good, oh geez  
6 this doesn't help our case. So why would I sign it?  
7 That's the point.

8 THE COURT: Ok.

9 MR. MALEK: You know.

10 THE COURT: I take you for take it what you're  
11 saying today that you don't want to sign the HIPAAs.  
12 That's fine. We move on. We're back on for a decision  
13 on the motions that you filed and then we're the  
14 discovery date was set. And which is April 17<sup>th</sup>. ACS  
15 will have provided any additional discovery that is  
16 outstanding to you. And--- **THEY PROVIDED NOTHING....**

17 MS. ALMONTE: (inaudible)

18 THE COURT: I'm sorry?

19 MS. ALMONTE: Our response for the motions is  
20 due April 17<sup>th</sup> also.

21 THE COURT: Yes.

22 MS. JOHNSON: Is there an appearance on that  
23 day or just submitting?

24 THE COURT: No. Just submitting. Just  
25 submitting. And then we're back in July for the trial

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1 dates. In terms of visits, ACS and Mr. Malek will  
2 discuss the location of the visits going forward with the  
3 input--

4 MS. ALMONTE: They're going to continue where  
5 they are now.

6 THE COURT: What?

7 MS. ALMONTE: They're going to continue where  
8 they are now. Ms. Ingoglia has not raised a concern with  
9 the visits where they are.

10 THE COURT: Ok.

11 MR. MALEK: Well there's a corona virus. It  
12 exposed the family on the train.

13 THE COURT: I'd like to hear that from Mr.  
14 Maes. Mr. Maes?

15 MR. MAES: My client would prefer they stay  
16 where they are.

17 THE COURT: Ok.

18 MR. MAES: There has been no nothing raised to  
19 me that she's concerned about the corona virus and  
20 getting to the visits. And she yeah would not like  
21 anything to change right now with regards to visits.

22 THE COURT: Ok. All right. So then we'll  
23 continue. She has the burden of bringing the child so if  
24 she's comfortable coming into Brooklyn or being in  
25 Brooklyn, it's fine.

1 MR. MALEK: It's a you know to be in public  
2 transportation. I mean I'd rather take the risk of  
3 saying you know with all this going on I get the  
4 headlines in the paper even he brought up the corona  
5 virus today, right? Didn't want to come in what because  
6 of the corona virus?

7 MR. MAES: If my client has any concerns with  
8 (inaudible) children getting to the visits, then I can  
9 raise that directly with ACS and they can make the  
10 necessary accommodations.

11 MR. MALEK: Well I'm also a father too. I'm  
12 sort of if something happens if something happens to her  
13 I mean I'd rather have the (inaudible) facilities out  
14 there in Manhattan for instance. I've also in one of my  
15 motions, I requested I go to Church with my daughter.  
16 It's been 2 years. I used to go I have pictures there we  
17 used to go to Church. I don't think it's fair that we're  
18 denied Church for more than 2 years. I think it's our  
19 constitutional right. I have pictures where we used to  
20 go together. So I don't know I just I had hoped we could  
21 have visitation over at Church in Manhattan. I mean I  
22 think it'd be safer. I think it's be very nice for us.  
23 You know I really would like that.

24 MR. MAES: So (inaudible) I don't want to take  
25 up too much time because I am appearing--



1 THE COURT: Well I'm ready to close the record  
2 because I did give this case an hour.

3 MR. MAES: Yeah.

4 THE COURT: We're now at an hour and 7 minutes  
5 and I have a case waiting now.

6 MR. MAES: I just want to make sure that the V-  
7 docket that I (inaudible) issued.

8 THE COURT: Oh, the V-petition, yes. Mr. Malek  
9 accepted service on the V. And I believe Mr. Malek has a  
10 V-petition filed elsewhere. So-- HMM. HOW DOES SHE KNOW THIS?  
HAVING EX PARTE COMMUNICATION  
WITH SOMEONE. THERE IS AN ACTION  
IN SUPREME COURT 54441/19.

11 MR. MAES: Mr. Malek, you're welcome to email  
12 me copies of any petitions that he has yet to serve me on  
13 and I'll accept service.

14 THE COURT: Ok.

15 MR. MALEK: If I want if I want to file any  
16 other type of family offense petition, would I do that in  
17 a different in a different courthouse as not to as not to  
18 infringe upon the this proceeding forward if I have any  
19 concerns about what's happening with my daughter?  
20 Because I do in reference to the chronic we didn't get to  
21 the chronic illness thing. My daughter is so chronically  
22 ill, ACS has indicated this as far as the children being  
23 chronically ill. And I recently measured my daughter  
24 visitation with a tape measure, and her growth is  
25 stunted. She's not a she was a proper height two years

1 ago when she was with me at 37 inches. I have the  
2 medical records on that. And her and instead of being a  
3 42 ½ now she's at 40 and a half to 41 instead of 42 and a  
4 half. She's not growing also she's not growing 2 and a  
5 half inches a year. Not only do we have a situation with  
6 me calling the SCR repeatedly about chronic illness,  
7 they've indicated it and now we have where not just my  
8 daughter's growth is below normal, but her height is also  
9 below normal. And I have I did bring documents in  
10 reference to that today. I know we don't have the time.  
11 But you know Mr. Malek has been sounding the alarm here.  
12 The SCR has proven it with the indicated and now it's  
13 further being proven with my daughter's growth being  
14 stunted which I can show you documents that show that she  
15 did not she's growing below normal. Her height is below  
16 normal. That was not the case before she was taken away.  
17 My daughter was only sick during one month for the whole  
18 3 and a half years that she was with me. Joe was never  
19 sick. I have an excellent track record as far as keeping  
20 the children healthy. I'm not I'm not necessarily  
21 stating this as a means with which to get the children  
22 away from the mother, but what I'm concerned about is  
23 that at the at one of the visits I wanted to give my  
24 daughter her multi-vitamins from my liquid multi-vitamin  
25 and Ms. Garcia said no you can't do that because it's

1 open. I'm like what am I supposed to do. Give her a new  
2 \$25 liquid multi-vitamin each time? It's my own. I use  
3 it myself. She said no you can't do that. Give it to  
4 the mother and then the mother will do it. I'm like look  
5 I don't trust the mother doing it because the mother in  
6 in one of the ACS reports of November 14, it states that  
7 when one child is sick, the mother keeps the other child  
8 home from school. We had 26 absences in a 40-day period  
9 for a total for both kids between September and November.  
10 We had Joe only going to school 11 days within a yeah.  
11 From September of 2018 and you were never told this to to  
12 January of 2019, Joe only went to school 11 times, Your  
13 Honor. 11 times. And no one's told you about this.  
14 This issue of sickness and education neglect has gone on  
15 for more than a year. All right. And now my daughter's  
16 growth is stunted.

17 THE COURT: Yeah, this is a different set of  
18 issues now that you're raising Mr. Malek.

19 MR. MALEK: I'm sorry?

20 THE COURT: And it's another set of issues that  
21 you're raising. I'm not going to as I said I do have to  
22 **FORGET ABOUT IT! I DONT CARE.....!!!!!!**  
23 move on at this point. If and I see there's a reference  
24 and I'll have to read the report that's provided today,  
25 but I see that the caseworker is referenced nutrition  
therapy at different points in this this report. So, I  
**FOR JOE AND NOT MY DAUGHTER**

(53)

65

1 will read that and see what it is that you're discussing  
2 at this point. In terms of I think the last point was on  
3 the V-petition filed by Ms. Ingoglia and that will join  
4 the rest of the documents excuse me rest of the petitions  
5 that are moved from date to date. Ok? So, thank you.  
6 And I think that's it for today.

7 MR. MALEK: Thank you, Your Honor.

8 OF WHICH HAVE NOT BEEN SERVED...

THE COURT: All prior orders continue.

9 THE CLERK: Parties are excused. You may step

10 SO INGOGLIA AND MAES CUSTODY PETITTOIN MOVES WITH THE PETITTOIN AGAINST ME  
out. BUT MY CUSTODY PETITION AND MY FAMILY OFFENSE PETITIONS DO NOT ?!?!?!?!?

11 Whereupon this proceeding was adjourned at 4:13 p.m.)

12 CERTIFICATION

13 I, Susan L. Pellegrini, certify that the foregoing transcript  
14 in the Matter of ACS-Kings v. Robert Malek was prepared using  
15 the required transcription equipment and is a true and  
16 accurate transcript of the recording.

17 Signature Susan L. Pellegrini (Electronic Signature)  
18

19 271 Osborne Road  
20 Loudonville, NY 12211  
(518) 496-6477  
21 (518) 598-9710

22 Date: September 2, 2020  
23  
24  
25

# EXHIBIT H



robert malek &lt;abc75abc@gmail.com&gt;

**22 Malek-Determination**

8 messages

**Conway, Kathryn (Law)** <kaconway@law.nyc.gov>  
To: robert malek <abc75abc@gmail.com>

Wed, Apr 6, 2022 at 2:10 PM

Dear Mr. Malek,

Attached please find our Office's response to your FOIL request dated April 3, 2022.

Best,

Kathryn Conway

Records Access Officer

NYC Law Department

---

**From:** robert malek <abc75abc@gmail.com>**Sent:** Wednesday, April 6, 2022 1:08 AM**To:** Conway, Kathryn (Law) <kaconway@law.nyc.gov>**Subject:** [EXTERNAL] Fwd: foil from corporation counsel, foil from the brooklyn das office, foil from the manhattan das office, reference to judicial commission

You don't often get email from abc75abc@gmail.com. Learn why this is important

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to [phish@cyber.nyc.gov](mailto:phish@cyber.nyc.gov) as an attachment (Click the More button, then forward as attachment).

----- Forwarded message -----

**From:** robert malek <abc75abc@gmail.com>**Date:** Sun, Apr 3, 2022, 6:42 PM**Subject:** Fwd: foil from corporation counsel, foil from the brooklyn das office, foil from the manhattan das office, reference to judicial commission**To:** <Kaconway@law.nyc.gov>, <forbesg@brooklynda.org>, <foil@dany.nyc.gov>, SCJC <cjc@cjc.ny.gov>

2-10-20-2-20-20-3-13-20-transcripts-0001.pdf

2-10-20 ERIC GONZALES SUBPOENA REQUEST.pdf

/56

----- Forwarded message -----

From: robert malek &lt;abc75abc@gmail.com&gt;

Date: Sun, Apr 3, 2022 at 5:41 PM

Subject: Fwd: foil from corporation counsel, foil from the brooklyn das office, foil from the manhattan das office, reference to judicial commission

To: &lt;Kaconway@law.nyc.gov&gt;

----- Forwarded message -----

From: robert malek &lt;abc75abc@gmail.com&gt;

Date: Sun, Apr 3, 2022 at 5:37 PM

Subject: foil from corporation counsel, foil from the brooklyn das office, foil from the manhattan das office, reference to judicial commission

To: &lt;Kaconway@law.nyc.gov&gt;, &lt;forbesg@brooklynda.org&gt;, &lt;foil@dany.nyc.gov&gt;, SCJC &lt;cjc@cjc.ny.gov&gt;

1. I filed a subpoena for appearance for eric gonzalez, brooklyn, da. Attachment provided.
2. law.nyc.gov, Please download 2nd attachment which is 99 pages. Pages 47 - 49 indicate that this investigation was sent to corporation counsel. i need the records on that FROM YOU.
3. Attorney Travis Johnson indicated he was a minor... which means that the da investigated and determined that JOE PALOMINO assaulted my daughter and NOT HER MOTHER.
4. I am requesting from the brooklyn das office all documents and evidence in their possession regarding this matter. Travis Johnson, attorney for the child stated that you had transferred it. I need all evidence in your possession on this. I need to know the name of the person from the kings county das office whom showed up at hearing on 2-20-2020 in kings county family court, judge williams floor 10, part 6, nn19410-18 , nn 19411-18.
5. I am requesting from corporation counsel all documents and evidence in their possession regarding this matter.
6. I am requesting from the brooklyn das office all documents and evidence in their possession regarding this matter.
6. I am requesting foil from the manhattan das office regarding investigation claimed to be have been done by james zaletta, da and colleen walsh. da.
7. Judicial Commission, please note that a hearing was held off the record on 2-20-2020 by judge williams where the representative from the das office was lied to that margaret ingoglia was at the courthouse with my daughter on 2-10-2020 regarding osc i filed after my daughter said her mother was going to kill her as referenced on acscomplaints.com crimes against my daughter 7 ( you can hear my daughter say this at acs supervised visitation )

**YOU CAN ALSO NOTE IN THE PAGES OF 47-49 WHERE THE JUDGE NOTES THAT THE 3 ASSAULTS OF MY DAUGHTER ARE MY CONCERN AND SHE HAS NO JURISDICTION !!!!!!!**

my daughters name is ~~margaret malek~~ ~~margaret malek~~ ~~margaret malek~~

her half brother name is joseph palomino ~~JOSEPH PALOMINO~~

my name is robert malek, ~~ROBERT MALEK~~


8/17/22, 2:06 AM

Gmail - 22 Malek-Determination

childs mothers name is margaret ingoglia ~~157~~

157

Thank You,  
Robert Malek

 22 Malek-Final Determination Letter\_HV - (# Legal 12509710\_1)(239764 KB).PDF  
235K

---

robert malek <abc75abc@gmail.com> Wed, Apr 6, 2022 at 2:42 PM  
To: "Conway, Kathryn (Law)" <kaconway@law.nyc.gov>  
Cc: sheila.poole@ocfs.ny.gov, letitia.james@ag.ny.gov, jdlfiore@nycourts.gov, HEVESIA@nyassembly.gov, Octavia Hill <ohill@doi.nyc.gov>

Is there an email to appeal ?  
BTW, this is the usual nyc nonsense of we have no idea what you are talking about.

Thank you,,  
Robert Malek  
Acs complaints.com  
[Quoted text hidden]

---

robert malek <abc75abc@gmail.com> Wed, Apr 6, 2022 at 2:43 PM  
Draft To: "Conway, Kathryn (Law)" <kaconway@law.nyc.gov>

[Quoted text hidden]

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robert malek <abc75abc@gmail.com> Wed, Apr 6, 2022 at 2:44 PM  
To: Dari Langone <langonedari@gmail.com>

[Quoted text hidden]

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Dari Langone <langonedari@gmail.com> Wed, Apr 6, 2022 at 4:29 PM  
To: robert malek <abc75abc@gmail.com>

You made a mistake with your daughter's birthday.  
[Quoted text hidden]

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robert malek <abc75abc@gmail.com> Wed, Apr 6, 2022 at 4:56 PM  
To: Dari Langone <langonedari@gmail.com>

Thank you dari. Will take care of it.

Robert  
[Quoted text hidden]

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Conway, Kathryn (Law) <kaconway@law.nyc.gov> Thu, Apr 7, 2022 at 11:07 AM  
To: robert malek <abc75abc@gmail.com>

Dear Mr. Malek,

As stated in our Office's determination dated April 6, 2022, you may address your appeal to: Stephen Louis, Records Appeals Officer, New York City Law Department, 100 Church Street, New York, NY 10007. You can also email a copy to



8/17/22, 2:08 AM

Gmail - 22 Malek-Determination

FOIL@law.nyc.gov.

[Quoted text hidden]

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Robert malek <abc75abc@gmail.com>

Thu, Apr 7, 2022 at 11:22 AM

Draft To: "Conway, Kathryn (Law)" <kaconway@law.nyc.gov>

The files

[Quoted text hidden]

# EXHIBIT I

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robert malek &lt;abc75abc@gmail.com&gt;

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**thank you for taking action. please contact me**

1 message

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robert malek <abc75abc@gmail.com>  
To: leotta.green@acs.nyc.gov  
Cc: robert malek <abc75abc@gmail.com>

Sun, Sep 27, 2020 at 2:02 PM

Dear mrs green,

2 years ago, you had sent a " 911 " to the das office regarding my daughters assaults even though the corrupt acs workers involved with this case kept closing my scr calls one after another as duplicate, again and again.....

you took action when your co workers tried to conceal.

please view the transcript upon me requesting via order to show cause, subpoena of eric gonzales, das office as to what happened to your transfer.

No one told me of her appearance on that day 2-20-20 and she had a secret discussion with the attorney for the child, travis johnson.

Please view attached...

Travis Johnson stated that she said the das office referred it to corporation counsel.

Well, corporation counsel does not handle investigations. They handle the matter after an arrest is made.

Special Victims does. It was never sent there.

I dont even know at this time if it was ever sent to corporation counsel in the first place.

Your efforts were in vain due to government corruption.

Please contact me.

Thank You,

Robert Malek  
929 441 8429

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 leotta green transcript.pdf  
728K

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## EXHIBIT J

**From:** robert malek <abc75abc@gmail.com>  
**Sent:** Wednesday, April 6, 2022 12:59 AM  
**To:** Kaconway@law.nyc.gov; forbesg@brooklynda.org; foil@dany.nyc.gov; SCJC; Renita Davie; Lolita Forsett; Gloria Arguinizoni; Steffany Campbell; jsabel@legal-aid.org; kmillar@bds.org; jess.dannhauser@acs.nyc.gov; sheila.poole@ocfs.ny.gov; jdifiore@nycourts.gov; kingsfamilycourt; HEVESIA@nyassembly.gov  
**Subject:** Re: foil from corporation counsel, foil from the brooklyn das office, foil from the manhattan das office, foil from kings county family court, reference to judicial commission, 50 h hearing

In reference to 50h hearing regarding the ex parte off the record secret hearing that took place with acs rosmil Almonte, legal aid Travis Johnson, bds Maes and judge williams.

I have no idea as to the credibility of what was said at such secret proceeding. It was not on the record and I was not there.

I do know the judge lied to the das office representative with me being present after I was allowed in the courtroom and didn't know the da was there or what had occurred on Feb 10 2020 to know that the judge lied until I received transcripts afterwards.

I found out the rep was there on 3-13-20 in court only when I raised the issue of the Subpoena.

There is a 50 h hearing to take place regarding the city of new york having taken part of this.

I once again am requesting foil AND THE CONTACT INFIRMATION OF THE REPRESENTATIVE FROM THE DAS OFFICE WHOM TOOK PART IN THIS.

Kings family court, I need the name of every employee of yours that was in attendance on this day in court.

City of new york, while you are entitled to your 50 h, I am entitled to foil.

Produce all evidence, documents and information you have regarding these matters asap. I am entitled to them.

Sincerely,

Robert Malek

Nn19410-18, nn19411-18

On Sun, Apr 3, 2022, 5:37 PM robert malek <abc75abc@gmail.com> wrote:

1. I filed a subpoena for appearance for eric gonzalez, brooklyn, da. Attachment provided.
2. [law.nyc.gov](http://law.nyc.gov), Please download 2nd attachment which is 99 pages. Pages 47 - 49 indicate that this investigation was sent to corporation counsel. I need the records on that FROM YOU.
3. Attorney Travis Johnson indicated he was a minor... which means that the da investigated and determined that JOE PALOMINO assaulted my daughter and NOT HER MOTHER.
4. I am requesting from the brooklyn das office all documents and evidence in their possession regarding this matter. Travis Johnson, attorney for the child stated that you had transferred it. I need all evidence in your possession on this. I need to know the name of the person from the kings county das office whom showed up at hearing on 2-20-2020 in kings county family court, judge williams floor 10, part 6, nn19410-18, nn 19411-18.
5. I am requesting from corporation counsel all documents and evidence in their possession regarding this matter.
6. I am requesting from the brooklyn das office all documents and evidence in their possession regarding this matter.
6. I am requesting foil from the manhattan das office regarding investigation claimed to be have been done by james zaletta, da and colleen walsh. da.

7. Judicial Commission, please note that a hearing was held off the record on 2-20-2020 by judge williams where the representative from the das office was lied to that margaret ingoglia was at the courthouse with my daughter on 2-10-2020 regarding osc i filed after my daughter said her mother was going to kill her as referenced on [acscomplaints.com](https://acscomplaints.com) crimes against my daughter 7 ( you can hear my daughter say this at acs supervised visitation )

**YOU CAN ALSO NOTE IN THE PAGES OF 47-49 WHERE THE JUDGE NOTES THAT THE 3 ASSAULTS OF MY DAUGHTER ARE MY CONCERN AND SHE HAS NO JURISDICTION !!!!!!!**

my daughters name is ~~margaret malek~~  
her half brother name is joseph palomino ~~malek~~  
my name is robert malek, ~~malek~~  
childs mothers name is margaret ingoglia ~~malek~~

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Thank You,  
Robert Malek