



InvestiGREAT, LLC

148-09 Jamaica Avenue
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Jamaica, New York 11432
Main Number (718) 412-1845

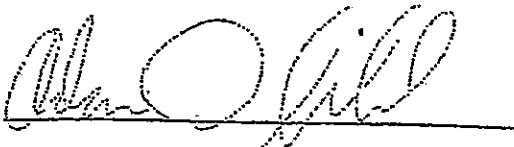
50 Shady Hill Lane
Glastonbury, CT 06033
Main Number (860) 899-1710

CT PI License #12675
NY PI License #11000169211

AFFIDAVIT

I, Adam Dornfeld, a duly licensed private investigator in New York and Connecticut, state that I have completed my investigation of Juan Palomino, Date of Birth - 11/9/52. Utilizing several private database records, I did not locate an arrest record in 2008 or 2009 stemming from an incident of 11/25/08 involving Margaret Ingoglia.

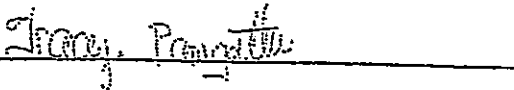
Affiant:



Date:

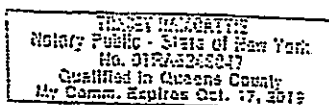
4/27/19

Notary:



Date:

4/27/2019



Licensed by New York State, Department of State, Division of Licensing Services
and also the State of Connecticut, Department of Emergency Services & Public Protection

264

Case Name:

Ingoglia, Margaret

Progress Notes

Case ID:

26871553

CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

On 11-6-18, there were suspended allegations of inadequate guardianship, lacerations, bruises, or welts, and lack of medical care made against Margaret Ingoglia and Robert Malek for Margaret Malek and Joe Palomino-Ingoglia.

On 11-1-18, there were suspended allegations of inadequate guardianship, lacerations, bruises, or welts, and lack of medical care made against Margaret Ingoglia and Robert Malek for Margaret Malek and Joe Palomino-Ingoglia.

On 12-20-15, there were unfounded allegations of inadequate guardianship and lacerations, bruises, or welts made against Juan Carlos Palomino for Joe Palomino-Ingoglia. The investigative conclusion indicated that the child, who has mental health and cognitive delays, had made a false allegation against the father. The child was cleared by Cohen Children's Hospital and free of any signs of abuse.

On 8-3-15, there were unfounded allegations of inadequate guardianship made against Robert Malek for Margaret Malek. The dad denied any violence towards the children's mother, who refused to work on their relationship.

On 11-23-06, Substantiated allegations of inadequate guardianship, inadequate food, shelter, or clothing, and lack of medical care made against Margaret Ingoglia and Juan Carlos Palomino for Joe Palomino-Ingoglia. The child had ringworm on his face, which was not treated promptly, and the home was not hygienic.

On 1-20-06, there were substantiated reports of inadequate guardianship made against Margaret Ingoglia and Jennie Ingoglia for Joe Palomino-Ingoglia. Reports of lacerations, bruises, or welts were unfounded against the women. The mom and MGM maintained their shelter unit in an unhygienic manner drawing vermin. The lesion on the child's face was dermatological. Please note there are additional subsequent, duplicates and ADD INFO in this stage.

Additional Case ID's:

26244579

26192658

25109132

21751183

NOT UNFOUNDED
FROM PD 1/24/06

WHAT ABOUT O9?

It is recommended that ALL prior history be reviewed and assessed accordingly.

Were DIR's/Criminal clearances conducted? Properly.
CWS requested an investigative consult on 1/6/2016 @ 12:05pm.

JOE'S BIOLOGICAL
FATHER

Was a clinical consultation done? Based on the narrative, there are no concerns of DV or MH. Therefore, a consult is not needed at this time.

End of Note

Event Date: 1/8/2019

Entry Date: 1/8/2019

Author: Velasquez, Nuvia V

Method:

Location:

Type(s): Supervisor/Managerial Review

Purpose(s): Initial

Other Participant(s):

Family Participant(s):

Focus: Ingoglia, Margaret; Malek, Margaret; Malek, Robert; Palomino-Ingoglia, Joe

Progress Notes Narrative:

Event Time:

Dist. Agency: A68

"DRAFT"

Duration:

Note Status: Draft

Entered By: Velasquez, Nuvia V

265

Printed: 1/8/2019 5:13:32

Page: 53

Investigation
Progress Notes

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

CASE NAME: Ingoglia, Margaret
STAGE NAME: Ingoglia, Margaret
Inadqt Suprven
ACTIVE BROOKLYN

CASE ID: 28971558
STAGE ID: 32229711

NEGLECT
12/11/2008
PALOMINO, JOE NN-38254-08
INGOGLIA, JENNIE
INGOGLIA, MARGARET
Excess Cori Punish
Fall Adqt FD/SH/CL
Inadqt Suprven
Medical
Mental Illness
INACTIVE BROOKLYN

ABUSE
01/31/2008
PALOMINO, JOE NN-03201-08
INGOGLIA, JENNIE
INGOGLIA, MARGARET
Inadqt Suprven
Physical
INACTIVE QUEENS

09? AS SOON AS
JOE + MY DAUGHTER
PLACED WITH MARGARET
PROBLEM SOURCE
ALREADY.

ROBERT MARZEL HAS ZERO
NEGATIVE PAST.

266

Ent Date: 10/30/2018

Event Time: 12:00 AM

Printed: 1/8/2019 6:01:05

End of Note

Duration:

271

Investigation
Progress Notes

CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

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

CASE ID: 23871553
STAGE ID: 32053647

Miscellaneous Information: The father is the father of M. The father had a visit with M. last Thursday (9/2/18) and noticed a bump and scratches. The father was supposed to have a visit with M. on Monday and today, but the mother did not bring her. Joe has an unknown mental health diagnosis. It is unknown if he is currently engaged in treatment or prescribed medication. Joe has tried sucking the mother's nose and face and tried touching her breast. The father has concerns that Joe may have exposed himself to M. in the past because M. was saying "penis" and Joe was giving M. a bath. Further information is unknown. The father is requesting contact from the assigned caseworker.

Locating Information: The family's current location is unknown.

IRT Screening: Case has not been enhanced to an IRT.

Red Flags/ Safety Factors: SC is out of control and BM cannot control SC.

Potential worker safety concerns: No worker safety concerns reported.

Hypothesis:

SC is out of control and BM cannot control SC.

BM is overwhelmed with SC's behavior.

Consultations:

An IC will be requested by Applications.

GPSSII reviewed the case and assigned the case to CPS to call the source, make a visit and make an assessment of the family. The family listed in a two indicated cases in 2005 regarding I.G. as it was noted the home was a health hazard. In 2009, the case was indicated for I.G., inadequate food, clothing and shelter and Lack of Medical Care as SC Joe had ring worms and BM did not provide medical care in an adequate time frame. BF Palomino, J. was also indicated for being the aggressor in Domestic Violence. In 2013 BF Melak, R. was indicated for I.G. being the aggressor in Domestic Violence. The family currently has an open case regarding allegations of SC Joe hitting sibling and the last documented face to face contact was conducted on 8/10/17 by Elder, T.

Initial Guidance/ Supervisory Directives - CPS has been provided the following:

- Do they have any support willing to assist in SC's care? (Kinship resources) (Name, DOB, Phone Number, and Address).
- Are the parents overwhelmed? Would they like a PINS warrant for SC?
- Is SC aggressive toward BM and the rest of the family?
- Is SC or anyone else in the family currently diagnosed with any mental health? Is SC or anyone else in the home receiving any treatment (When and where)?
- Ask adults in the home how are the children disciplined? How often? Who disciplines them?
- Ask children how they are disciplined? How often? What is used? Are they afraid or uncomfortable around anyone? Who?

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

CASE ID: 26871553
STAGE ID: 32053547

AUTHORIZED PERSONNEL ONLY

High Priority: 13

Clearances

Intake Report Family Composition

Mother Ingoglia, Margaret

Father Substitute Malek, Robert

Child Palomino Ingoglia, JO

Child Malek, M

Address: 1110 E 101ST ST, Brooklyn, NY 11238-4428

Tel #: (347) 439-2759/ (917) 231-4247

WWS/HHS:

ROBERT MALEK

MARGARET MALEK

JO PALOMINO

MARGARET INGOGLIA

JENNIE INGOGLIA

HRA WWS

929-248-7673

Non-Legal Union with Child in Common

Daughter

Son

Applicant/Payee

Unknown

1110 E 101 ST

BROOKLYN, NY 11238

As of
09/07/2018

Child Advocacy Center CAC

No-Narrative does not specify CAC involvement

DV case

No-Narrative does not report any DV incidents

Panhandling

No-Narrative does not report any panhandling

Sex trafficking

No-Narrative does not report sex trafficking incidents

ATS: ATS down as of 9pm on the weekdays

SUMMARY OF HISTORY:

23109132 Case was opened on 11/25/2008 and closed on 01/25/2009. The case came in with allegations of inadequate guardianship, inadequate food/clothing/shelter and lack of medical care. The case was indicated against the mother and father for the child for the allegations due to the father hitting the mother in front of the child, the mother not providing appropriate living conditions for the child and allowing the child to have ring worm for month without medical treatment.

21751183 Case was opened on 01/25/2006 and closed on 03/20/2006. The case came in with allegations of inadequate guardianship and lacerations/bruises/welts. The case was indicated against the mother and grandparent for the child for the allegations due to them not providing the child appropriate living conditions.

LTS:

Case Name: Margaret Ingoglia Case #: 5238894 Borough: Brooklyn

Pet Type: NEGLECT Filing Dt: 12/11/2008 Hearing: 09/25/2010 (Post-Dispo Conf/Rpt) (4) (L300)

Proceeding: Post-dispo conference. As agreed by ACS (CPM Dougherty) and all parties, the NRF is granted a final order of custody -- RM still has unsupervised visits with the SC, as arranged by the parties -- the only condition is that visits are not to take place in the home of the RM.

Child Outcomes

Printed: 9/21/2018 12:27:39

Page: 5

Investigation
Progress Notes

WARNING
CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

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

CASE ID: 28871553
STAGE ID: 32053347

JARE INGOGLIA 10/22/1978 Applicant/Payee
JENNIE INGOGLIA 07/22/1946 Unknown
HRA WMS 928-248-7873 1110 E 101 ST
BROOKLYN, NY 11238

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Child Advocacy Center CAC

No Narrative does not specify CAC involvement

DV case

No Narrative does not report any DV incidents

Penhandling

No Narrative does not report any penhandling

Sex trafficking

No Narrative does not report sex trafficking incidents

ATS: Unavailable during clearance 8pm 8/9/13

SUMMARY OF HISTORY:

109132 Case was opened on 11/25/2008 and closed on 01/05/2009. The case came in with allegations of inadequate guardianship, inadequate food/clothing/shelter and lack of medical care. The case was indicated against the mother and father for the child for the allegations due to the father hitting the mother in front of the child, the mother not providing appropriate living conditions for the child and allowing the child to have ring worm for month without medical treatment.

21761153 Case was opened on 01/29/2009 and closed on 03/20/2009. The case came in with allegations of inadequate guardianship and lacerations/bruises/welts. The case was indicated against the mother and grandparent for the allegations due to them not providing the child appropriate living conditions. *TURN ID 19A - INDICATED FOR MORE TIME FOR*

LTE:

Case Name: Margaret Ingoglia Case #: 3238554 Borough: Brooklyn
Pet Type: NEGLECT Filing Dt: 12/11/2005 Hearing: 09/23/2010 (Post-Dispo Conf/Rpt) (4) (L300)

Proceeding: Post-dispo conference. As agreed by ACS (CPM Dougherty) and all parties, the NRF is granted a final order of custody -- RM still has unsupervised visits with the SO, as arranged by the parties -- the only condition is that visits are not to take place in the home of the RM.
Child Outcomes:

NAME/DOCKET #/CIN	REMOVAL DT	STATUS
Jos Palomino (NN-36254-08) (DY24812V)	-	Release/No Sup (Alleged Father)

Were DIR's/Criminal clearances conducted? Pending submitted on 8pm

Was a clinical consultation done? Pending submitted on 8/28/16 at 7:28pm

*11/29/09 IS WHEN
MOTHER MADE ALLEGED
TURN PALOMINO ALREADY
KILLED HER BUT THEY
SAID SHE TO REM. &
TOOK HER FROM FROM
MOTHER!*

End of Note

Event Date: 8/10/2018 Event Time: 1:00 AM
Entry Date: 8/10/2018 Dist Agt: AGS
Author: Williams, Benjamin

Duration: 2-55
Note Status: Draft
Entered By: Williams, Benjamin

Printed: 9/21/2018 12:27:59

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Progress Notes

CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

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

CASE ID: 28871553
STAGE ID: 32063647

Case Name: Margaret Ingoglia (Active 292)

18

Case Number: 5236894

HR: yes 5 Sex abuse

DA: yes

IRT: ref

CPM: Danielle Christiani

Connections: Yes o 21751183 Indicated 2008, o 23109132 Indicated 1/3/2009, new Inv 8/8/2018

HHS CONNECT : Yes history of PA found using address and name on file

ATS: no

Assigned to unit 292 @ 11:18 am

Application's worker Initials: GBest

270

15
3

1755 LEFT OUT

ONE

THREE was 06, 08, 09

, 2018

End of Note

Event Date: 5/10/2018 Event Time: Duration:
Entry Date: 5/10/2018 Dist. Agv: A66 Note Status: Draft
Author: Entered By: Elder.Tomecka
Method:
Location:
Type(s): Supervisor/Managerial Review
Purpose(s): Initial
Other Participant(s):
Family Participant(s):
Focus:

Progress Notes Narrative: 132072619

Initial

Subsequent report received and assigned to 292-1.

Allegations: Inadequate Guardianship and Sexual Abuse

Narrative: Fourteen year old Joe has a history of physically aggressive behaviors and sexually acting out behaviors. Joe has physically assaulted the father (Juan) resulting in permanent disfigurement to the father's face. Joe sexually acts out inappropriately with the mother (Margaret). Both the mother and the paramour (Robert) are aware of these behaviors and continued to allow Joe to be alone with Margaret (age 3). This results in Joe sexually acting out with Margaret (age 3) and now Margaret (age 3) mimics the sexually inappropriate behaviors. At an unknown time over the past two days while in the mother's care, Joe forcefully threw Margaret (age 3) resulting in a 1 inch in diameter swollen contusion to her forehead with multiple scratch marks. This violence towards Margaret also occurred in the past with the mother present. Neither adult can control Joe or keep either child safe. The role of the father (Juan) is unknown.

Joe

Miscellaneous Information: Joe was living with his father until he beat him. Joe then came to live with the mother and paramour (Robert is biological father of Margaret age 3). Joe misbehaved and Robert and the mother said they would have him spend time alone in the upstairs apartment. Joe left a suicide note and then spent the next month in Brunswick Mental Hospital. Joe would hold the mother's breasts, suck on her nose and treat her like a girlfriend. Joe would kiss Margaret all over her body, cheek, legs, arms, back, and breast area. Margaret would mimic this behavior with her own friends and toys. On an occasion the mother and paramour left

Printed: 9/21/2018 12:27:59

CONFIDENTIAL STEADY STATE

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Approved 2nd Floor

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U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

Progress Notes

CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

CASE NAME: Ingoglia, Margaret

CASE ID: 28871552

STAGE NAME: Ingoglia, Margaret

STAGE ID: 32053647

Case Name: Margaret Ingoglia (Active 292)

13

Case Number: 5236894

HR: yes 3 Sex abuse

DA: yes

IRT: ref

CPM: Danielle Christiani

Connections: Yes o 21751163 indicated 2006, o 23109132 indicated 1/3/2009, new inv 8/8/2018

HHS CONNECT: Yes history of PA found using address and name on file

ATS: no

Assigned to unit 292 @ 11:19 am

Applicant's worker initials: G5est

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NEED NEXT MTG

ONE.

THREE WAS 06, 08, 09

2018

End of Note

Event Date: 8/10/2018

Event Time: 8/10/2018

Dist. Agt: A66

Duration:

Note Status: Draft

Entered By: Elder, Tomeeks

Entry Date: 8/10/2018

Author:

Method:

Location:

Type(s):

Supervisor/Managerial Review

Purpose(s):

Initial

Other Participant(s):

Family Participant(s):

Focus:

Progress Notes Narrative: 132072619

Initial

Subsequent report received and assigned to 292-1.

Allegations: Inadequate Guardianship and Sexual Abuse

Narrative: Fourteen year old Joe has a history of physically aggressive behaviors and sexually acting out behaviors. Joe has physically assaulted the father (Juan) resulting in permanent disfigurement to the father's face. Joe sexually acts out inappropriately with the mother (Margaret). Both the mother and the paramour (Robert) are aware of these behaviors and continued to allow Joe to be alone with Margaret (age 3). This results in Joe sexually acting out with Margaret (age 3) and now Margaret (age 3) mimics the sexually inappropriate behaviors. At an unknown time over the past two days while in the mother's care, Joe forcefully threw Margaret (age 3) resulting in a 1 inch in diameter swollen contusion to her forehead with multiple scratch marks. This violence towards Margaret also occurred in the past with the mother present. Neither adult can control Joe or keep either child safe. The role of the father (Juan) is unknown.

Miscellaneous Information: Joe was living with his father until he beat him. Joe then came to live with the mother and paramour (Robert is biological father of Margaret age 3). Joe misbehaved and Robert and the mother said they would have him spend time alone in the upstairs apartment. Joe left a suicide note and then spent time next month in Brunswick Mental Hospital. Joe would hold the mother's breasts, suck on her nose and treat her like a girlfriend. Joe would kiss Margaret all over her body, cheek, legs, arms, back, and breast area. Margaret would mimic this behavior with her own friends and toys. On an occasion the mother and paramour left

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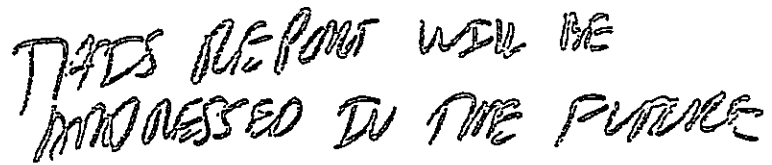
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Attached 2nd Page

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US-15 REMOVED BY [illegible] + ON BRUNSWICK REPORT



COURT REPORT 272

CONFLICT OF INTEREST. THOSE WHO ARE BEING SUED + PLAINTIFF AGAINST DEFENDANTS ARE EVALUATING.

Name of Case: Margaret Ingolia

Date: 03/13/2020

Docket Number: NN-19411-18 NN-19410-18

Judge: Honorable Judge Jaqueline Williams

Subject Child: Joe Palomino (03/15/2004)

Dates of Birth: Margaret Malek (10/29/2014)

(DOB): *Alia Mawara*

Respondent (& DOB): Robert Malek (04/06/1969)

Petitioner (& DOB):

Division of Child Protection

Brooklyn Borough Office
Main East Office
1274 Bedford Avenue
Brooklyn, New York, 11216

(713) - tel
(713) - fax

Honorable Judge: Jacqueline Williams

In accordance with the court's directives, NYC Children's is submitting an updated report on the supervised visits between the respondent father Robert Malek and subject child Ma ~~Malek~~ "Minnie" Malek.

Field Office Supervised Visits commencing January 2020:

(MARLBOROUGH, AKA CHILDREN 2 TIME SEX WITH TRAFFIC
OF ZERO TIMES IN 6.5 MONTHS.

FURTHER OUTLINES ILLNESS +
 OF ZERO TIMES IN 6.5 MONTHS.

ANSWER FROM SCHOOL

This has been done for 1.5 yrs. 54
CHILDREN 2 TIME SECK WITH PAPER (MAY 1917)

273

January 28th supervised visit was canceled by Ms. Ingoglia due to subject child Joe having his Nutrition therapy. CPS informed Mr. Malek and informed him the two hours will be made up on upcoming visits, by extending the visit for an hour on each visit. (Mr. Malek generated a SCR report because this visit was canceled)

~~SO WHY NOT MY DAUGHTER ? IT IS EVEN QUESTIONABLE AS TO WHETHER OR NOT JOE IS RECEIVING THIS WITH VARIOUS EVIDENCE I HAVE.~~

February 3rd supervised visit was covered by CPS Garcia for a duration of 2hrs, 4:10pm - 6:10pm. This visit was switched to that Monday, as on February 4th Joe has another medical appointment that will conflict with the visit schedule. Mr. Malek was notified about the switch of the visit and agreed.

February 4th supervised visit was canceled due to subject child ~~Ma~~ having a high fever, as well as Joe's Nutrition therapy. Doctor's note was provided. Mr. Malek was notified and was reminded the visit was switched only for that week and we still have 2 hours to make up for the visit on 1/28/20.

February 6th supervised visit was canceled due to subject children Joe and ~~Ma~~ being sick with colds. Doctor's not was provided. Mr. Malek was notified and was assured the visits will be made up, a total of 4 hours. CPS further planned with bother parents on what days going forward the visits will be made up, to which they agreed.

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FEB. 25 CHILDREN SICK AGAIN. ACCORDING TO RECORDED PHONE CONVERSATION. 102 FEVER.

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278

57

During this visit Mr. Malek threaten to call in a report to SRC because the subject child ~~Maria~~ told him she vomited "4 times" the day before and her mother said it's because of the food Mr. Malek gave her. Mr. Malek got upset and told the child her mother is a "liar". CPS told Mr. Malek that his concerns will be addressed with the mother. Mr. Malek continued to question the child about what exactly she ate, and where the mother got the food from. The child told the father she ate fries from McDonalds. Mr. Malek became enraged and began yelling in the presence of other parents and the subject child, talking about her mother and Joe. CPS called CPSSII to come and assist with Mr. Malek.

I HAVE VIDEO AND AUDIO. THEY ARE LYING AGAIN.

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March 9th supervised visit was covered by CPS for a duration of 2 hours, 4pm to 6pm. The visit was in a private cubicle. The subject child told the father she lost her voice at school and was speaking in a hoarse tone of voice. The father told the child to rest her voice and try not to do much speaking. The father brought toys for the child, he thought her how to hold a baseball bat. The father asked the child if she would like to learn. Then the father and daughter sat on the floor and played with cars. The father eventually laid on the floor, the child climbed on the father's chest, then scoop on his neck and over his head. Father was enjoying the bonding rolling on the floor. The child asked the father to pick her up to look over at the other cubicle, the father pick the child up, and CPS quickly redirected the father not to oblige the child. The father said he had no intentions of putting the child to look over into the other cubicle. The child then asked to go to the playroom, the father agreed. The father and a parent got into a squabble surrounding SC taking toys away from the a 2-year-old child in the playroom. The father and subject child were directed back to the cubicle. There the father rationale to child when she asked what happen? He responded that the other parent is "crazy". The father suggested a movie, "Barbie". The father cozied up with the child rubbing her hands, holding her hands, rubbing her hair with his face during the movie until it ended. The father told the child he will bring the movie on the next visit, which made her happy. CPS followed up with the father for the signed HIPPA, he still did not sign the form. Later that night he sent CPS a series of texts and one of them stated, he will reconsider the HIPPA, but don't want to do something to "benefit Almonte", and if nothing is found he still sees the SC for only 4 hours.

Home Visits:

MORE LIES OUT OF ACS NEW YORK CITY... I HAVE VIDEO AND AUDIO. THIS IS WHY THEY HAVE THE RULE OF NO AUDIO. VIDEO, PHOTOGRAPHY.

School:

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On 02/13/20, CPS visited the schools of the subject child Joe and ~~Maria~~. ~~Maria~~ has an IEP and is receiving supportive services at school. Academically, ~~Maria~~ is doing well and

consistently follow class rules as per class Teacher and Counselor. Joe has an IEP as well and receives supportive services at school. As per the Guidance Counselor, Joe has no behavioral issues, the only concern is his absence. CPS and preventive Case Planner held a school meeting with the school team and the non-respondent mother Ms. Ingoglia to address, plan and support Joe's educational process. A plan was implemented and agreed upon during the meeting.

Medical:

JOE STILL NOT GOING TO SCHOOL THIS HAS BEEN GOING ON NOW SINCE SEPT OF 2018.

The subject children Joe and Ma [redacted] are medically up to date. Their immunizations are up to date as well. The children were last seen by their physician on 02/25/2020 for a sick visit. The children have since gotten over their illness and are doing well. Joe continues to see his endocrinologist and Nutritionist to manage/address his pre-diabetes on Tuesday's.

Services and referrals:

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Contact with Preventive:


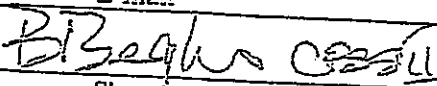
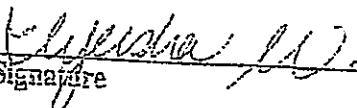
As per Case Planner, their agency is doing casework monitoring with Ms. Ingoglia to reduce the risk of placement.

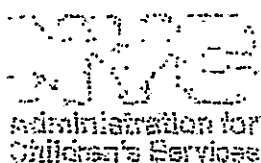
Summary:

THERE WERE OTHER SICKNESS DAYS AND TIMES THAT HAVE NOT BEEN ADDRESSED BY ACS.

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Respectfully submitted,

Paula Garcia		03/13/2020
Preparer (Print name)	Signature	Date
1274 Bedford Avenue Unit 225	paula.garcia2@acs.nyc.gov	718-623-4629
Address and Unit	E-mail	Telephone
Bolade Begho		03/13/2020
Preparer's Supervisor (Print name)	Signature	Date
Lycisha Witherspoon		03/13/2020
Preparer's CPM if needed (Print name)	Signature	Date



David A. Hansell
Commissioner

COURT REPORT

William Fletcher, LCSW
Deputy Commissioner

Rooney Jackson, LCSW
Assistant Commissioner

Child Welfare Programs
Division of Child Protection

Brooklyn Borough Office
Main East Office
1274 Bedford Avenue
Brooklyn, New York, 11216

(718) - tel
(718) - fax

Name of Case: Ingoglia, Margaret 278
Date: November 14th, 2019
Docket Number: NN-19411-18
NN-19410-18
Judge: Honoring Judge Jacqueline Williams
Subject Child: Ma ~~228~~ Ma ~~228~~
Dates of Birth
(DOB): Joe Palomino
~~228~~
Respondent (&
DOB): Robert Malek
~~228~~
Petitioner (&
DOB):

Brooklyn Family Court
336 Jay Street
Brooklyn, NY 11201

Presiding Honorable Judge Jacqueline Williams,

In accordance with Brooklyn Family Court directives, NYC Children's Services hereby submits the following report regarding the assessment of the family:

On November 5th, 2019 CPS received a subsequent SCR report regarding concerns of child Ma ~~228~~ and Joe feeling ill. During a supervised visit, Child Ma ~~228~~ disclosed to BF that she has thrown up in the home with BM recently. The mother admitted allowing Ma ~~228~~ to get as

File *272*

NOTE : MY DAUGHTERS BIRTHDAY WAS ON THE 29TH OF OCTOBER. I SAW HER ON 11/4 AND MINNIE SAID SHE WAS THROWING UP LAST NIGHT. SO WHAT THIS MEANS IS 6 DAYS LATER. MINNIE IS GIVEN SO MUCH CANDY AND CAKE THAT SHE IS THROWING UP...

many helpings as she pleases to cake and candy for her birthday.

NYPD Special Victims Unit has been in contact with the CPS team in reference to complaints made by the BF regarding their investigation into allegations of ~~Margaret~~ being physical abused. In speaking with Lt. Bermudez, there were no findings. The BF has since filed an official complaint with the NYPD Internal Affairs Bureau (IAB)

DEPUTY INSPECTOR ROE SAID THAT THE EVIDENCE I SENT HER WAS DEFINITELY DISTURBING. SHE IS GOING TO BE NAMED IN A SUBPOENA REQUEST TO YOUR COURTROOM.

Supervised Visits:

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CPS tried to schedule three visits a week to make up some of the 500 minutes with adding a day, but each week there has been a cancellation. All visits have been cancelled from BM due to the children being sick or tired and on one occasion, the BVI had an appointment to look at an apartment with a housing specialist and did not finish in time to arrive for the supervised visit. In addition, child ~~Margaret~~ school bus dropped off the child too late for the mother to travel to the hero office for visits. The CPS team spoke with the bus company about ensuring that ~~Margaret~~ arrives home on time. HOUSING SPECIALIST ? OF NOTE HERE IS THAT IF THIS WERE TRUE, WHY IS MARGARET STILL IN SHELTERS ?

In speaking with the FSU team recently, the 500 minutes is currently in the process of being made up.

Education:

The children have missed multiple days of school this school. SC Joe has missed 13 days. Both children have IEP's and should be attending school regularly. When one child is sick, BM keeps both the children home from school. One day the children were apart of a fire drill at the shelter at 1am, and BM kept the children home from school due to the children being tired from the fire drill. CPS has had numerous conversations about the importance of school for the children.

SPOKE WITH DHS OMBUDSMAN SIMMONS. THIS WAS REFERENCED ON ANOTHER PAGE. THERE IS NO WAY A FAMILY SHELTER WOULD HOLD A FIRE DRILL IN THE MIDDLE OF THE NIGHT.

CPS and CPS II Ms. Ferguson had numerous conversations with BF to discuss if he has any concerns for SC when he is with her or see anything alarming. CPS now conducts a body check

TAKES PHOTOS OF MY DAUGHTERS NAKED BODY AND MAKES ME UNDRESS HER. REALLY SICK.

during each visit while a co-worker is present, as well as take photos of SC.

Medical:

On November 9, 2019, the children reportedly had an updated physical. As per Mrs. Ingoglia, child Joe has a follow-up appointment for blood work and she is expecting a referral via mail for Joe to be referred to an endocrinologist. Joe has complained about pain in his legs and weight gain.

The team will follow up with the children's medical provider.

Services:

Mrs. Ingoglia and the children continue to receive preventive services from CAMBA. The family's case planner is Ms. Wilson. Ms. Wilson can be reached at (347)461-3055.

The case has been recently re-assigned to the ACS Family Services unit (FSU). The assigned FSU/CPS Ms. Jones can be contacted at (646) 784-1919.

The BF Mr. Malek will be referred to the SCO Fatherhood program for parenting skills classes.

CPS will follow up with the PPRS case planner in regards to referring Mrs. Ingoglia to parenting skills classes. MARGARET HAS FAILED HER PARENTING PROGRAM SINCE JAN OF 2018. ACS MAKES NO MENTION OF THIS EVER AGAIN. SHE UNDOUBTEDLY FAILED IT ONCE AGAIN BY NOT SHOWING AND COMING EXTREMELY LATE.

The ACS Early Childhood Consultant recommended Minnie (Minnie) be referred for an neuropsychological assessment. The assessment would assist in assessing Minnie's behavior and brain functioning to assess a child's needs. The consultant recommended CPS reach out to SUNY Downstate Hospital however the facility does not offer the services.

ACS TRYING TO MAKE A CASE AGAINST MR MALEK AS TO HOW HIS BEHAVIOR IMPACTS HIS CHILD. MY DAUGHTERS BEHAVIOR IS FINE AND ACS IS LYING AND USING MY DAUGHTER AS A PAWN FOR THEIR CASE AND THEIR LAWSUIT DEFENSE.

New York City Administration for Children's Services will continue to monitor the health and safety and well-being of subject children. New York City Administration for Children's Services hopes that the information presented in this report will assist the court in deciding the best interest of the subject children

Respectfully submitted,

<u>Ardalsha Hudson</u>		
Preparer (Print name)	Signature	November 6, 2019
		Date
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Address and Unit	E-mail	Telephone
<u>Rashima Ferguson</u>		
Preparer's Supervisor (Print name)	Signature	November 13, 2019
		Date

Court Ordered Investigation

Page 3 of 4



David A. Hansell
Commissioner

William Fletcher, LCSW
Deputy Commissioner

Charita Thomas
Associate Commissioner

Rodney Jackson, LCSW
Assistant Commissioner

Division of Child Protection

Brooklyn Borough Office
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COURT REPORT

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Name of Case: Margaret Ingolia
Date: February 10, 2020
Docket Number: NN-19411-18
NN-19410-18
Judge: Jacqueline Williams
Subject Child: Joe Palomino (03/15/04)
Dates of Birth (DOB): ~~M~~ ~~M~~ ~~M~~
Respondent (& DOB): Robert Malek
Petitioner (& DOB):

Honorable Judge Williams:

In accordance with the court's directives, New York City Children is submitting an updated court report on behalf of the supervised visits between respondent father Mr. Robert Malek and his daughter, subject child ~~M~~ "Minnie" ~~M~~

On 01/06/2020, this case was reassigned to FSU/CPS Paula Garcia, who first supervised the parent /child visit on 01/14/2020. Mr. Malek has supervised visits with the subject child twice a week, Tuesdays and Thursdays 4 pm to 6pm.

This report will highlight the supervised visits thus far:

Current Update:

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January 28th visit was canceled due to subject child specialist appointment for obesity /diabetes

January 30th visit began at 4pm and ended at 6:35pm, to make up 35 minutes from January 23rd visit.

February 4th visit was canceled due to Joe's medical appointment.

February 6th visit was canceled as Joe and Minnie was sick and was at a doctor's visit.

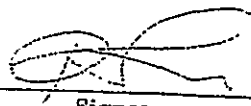
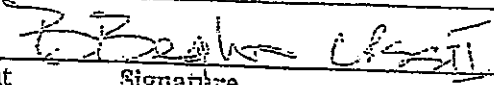
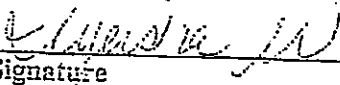
The team contacted the both mother and father. Both parents agreed for the visit scheduled next week: Tuesday 2/11 and Thursday 2/13 visit will be from 4-7pm both days to make up the two hours for missed visit yesterday due children being sick.

On Monday 2/3/2020 The visit was held instead of 2/4/2020 scheduled visit due to the mother having a follow up medical appt for Joel.

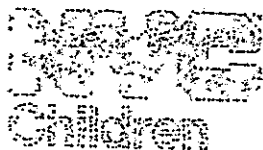
~~282~~ 286

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Respectfully submitted,

<u>Paula Garcia</u>		<u>02/10/20</u>
Preparer (Print name)	Signature	Date
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Address and Unit	E-mail	Telephone
<u>Salade Begho</u>		<u>02/10/20</u>
Preparer's Supervisor (Print name)	Signature	Date
<u>Ayeisha Witherspoon</u>		<u>02/10/20</u>
Preparer's CPM if needed (Print name)	Signature	Date

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David A. Hansell
Commissioner

William Fletcher, LCSW
Deputy Commissioner

Charita Thomas
Associate Commissioner

Rodney Jackson, LCSW
Assistant Commissioner

Division of Child Protection

Brooklyn Borough Office
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Name of Case: Margaret Ingolia
Date: 07/07/2020
Docket Number: (NN-19411-18),(NN-19410)
Judge: Honorable Judge Jaqueline Williams
Subject Child: Joe Palomino (~~03/11/2014~~)
Dates of Birth: Mr. ~~Malek~~ (~~10/20/1979~~)
(DOB):
Respondent (& DOB): Robert Malek (~~03/11/1979~~)
Petitioner (& DOB):

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Honorable Judge: Jacqueline Williams

In accordance with the court's directives, NYC Children's is submitting an updated report for the case Margaret Ingolia.

Updates:

Supervised Visits Mr. Malek (RF):

The last in-person supervised visit was on 03/19/20 for a duration of two hours at the agency. Due to Covid-19 outbreak and New York City State of Emergency, the agency has suspended all in-person visitation. However, on 3/20/20, one day after Mr. Malek in-person supervised visit he texted CPS asking, "what is happening". CPS responded that in-person visits has been suspended until further notice. On 03/21/20 (Saturday), Mr. Malek texted CPS informing that he's going to the hospital and is ~~Mr. Malek~~ alright. CPS returned his call on that Saturday. Mr. Malek stated he was in the hospital to get tested as he went for a walk that morning and knew something was not right with his lungs and can never remember having an infection starting in his lungs. CPS

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validated Mr. Malek and told him to be safe and to keep CPS posted on this situation. On 3/25/20, CPS received more texts from Mr. Malek expressing how he think he contracted his illness. Mr. Malek texted 41 hours after he saw a client at Mt. Sinai Hospital, he got sick. Mr. Malek also texts that he got sick from the elevator at Family court or at the parking garage. Mr. Malek kept sending texts about his Covid-19 scare and to inquire how the child ~~Margaret~~ was doing during the health pandemic. Some of his text instructed that the child ~~Margaret~~ should not be brought out of the home under any circumstance as it is not safe. Mr. Malek offered to buy air purifier, food, and have it delivered to the family home, he even offered CPS \$50 to deliver food for the family. Mr. Malek was willing to do what he can, for the family to remained indoors safe. CPS informed Mr. Malek the family does not have food security and CPS has been delivering food during visits.

Mr. Malek contacted CPS early April to inquire about visits. CPS told Mr. Malek we can do supervised phone contacts twice a week, between him and the subject child. Two early barriers that prevented Mr. Malek from having phone contact with the subject child was one, Ms. Ingoglia was not allowing any devices in her home to be used for the fear that her information and location will be breached. Secondly, ACS was going twice per month to family's and engaging at the door as not to put each other at risk. Therefore, CPS volunteered to use her phone for when she visits the family. Mr. Malek did not agree for that arrangement, he did not want the child to leave the apartment fearful of her contracting the illness. CPS asked Mr. Malek if he can buy a phone for the child and then we can begin the visit without CPS going to the home. Mr. Malek agreed then change his mind and stated, he does not want ACS to supervise the visits. From since then Mr. Malek has been sending texts, emails to CPS and FCLS on how he wants the supervised visit to occur during the pandemic. CPS and her Team, as well as FCLS Team were corresponding trying to bring a resolution that Mr. Malek would accept, but to no avail.

On 04/06/20, Mr. Malek had his first phone contact with ~~Margaret~~, then phone contacts occurred only when CPS conducted a face to face visit with the family, 06/26/20, was the last phone contact. On 04/09/20, Mr. Malek contacted FCLS stating he is not getting video visit with the subject child. The cycle began again with Mr. Malek not wanting CPS/ACS to supervise the visits and the visits must occur inside the home, which the mother continues to oppose. Mr. Malek then identified two Psychologist as Resources to supervise his visits with the child Margaret. CPS contacted the Resources and one did not exist. The other Resource Psychologist checked out, but he insisted ACS must pay for his service. ACS did not approve Mr. Malek Resource. Finally, CPS and Ms. Ingoglia suggested the visit can occur in a safe room in the building where they reside. Moreover, the mother's social worker was willing to provide a laptop and supervised the child since the Ms. Ingoglia cannot. That arrangement was refused by Mr. Malek, on the premise the child is being put at risk, he insisted the visit must take place in the mother's apartment, which the mother refuse. On 06/19/20, CPS was advised to refer Mr. Malek to the NYSPCC's Therapeutic Supervised Visitation Program. CPS obtained the referral package and was set to submit the request and decided to ask Mr. Malek if he is willing to this arrangement. On 06/22/20, CPS and CPSS1 had a phone conversation with Mr. Malek about Therapeutic Supervised visits with Minnie and it does involve out of pocket payments by him. Mr. Malek insisted that he will not discuss any resource unless the ACS team can give him an answer to why his Resource was not approve. That discussion ended with Mr. Malek being explosive and CPSS1 ended the call. Also, I must highlight, Mr. Malek called in two investigation during the Covid-19 pandemic against the non-respondent mother. The first, was on 05/05/20 and the other 06/06/20, those reports were to undermine Ms. Ingoglia ability to care or the subject children Margaret and Joe.

Home Visits:

RECORDED PHONE CALL.
NOT TRUE.

BT 289

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CPS continued to conduct announce and unannounced visit during the Covid -19 pandemic. The home continues to be safe with no apparent safety concern currently. The clutter situation has been addressed and the mother storage and organized items in the home. The home continues to have a working smoke/CO detector and sturdy window guards. The home is equipped with three fans so the home can maintain a cool temperature. However, the mother requested for air-condition unit to be installed. CPS also observed an amount of food supply, provisions and sleeping arrangement for the children. The children continue to be well cared for and their basic needs are met by the mother. Recently, Ms. Ingoglia did a graduation party for Joe, she and the child ~~Margaret~~ made a cake and decorated the home with decorations they created, to ensure Joe felt special for accomplishing this milestone. The children appear to have a close bound with their mother and seems to be thriving in the home environment. However, subject child ~~Margaret~~ continues to exhibit oppositional behavior in the home. ~~Margaret~~ behavior is being addressed through therapy with her school counselor and Psychotherapist. CPS has delivered and continues to deliver toys, multivitamins, juice, body soap for Margaret at Mr. Malek request, which the child is happy to receive. CPS has supported the family throughout the health crises by conducting face to face visits, supervising phone contacts, delivering food and medicine lock box. During these visits the children was observed without any marks and bruises on their bodies. The last home visit was on 06/26/20.

CONTRADICTION:

School:

170000. WHAT?

Due to Covid-19 ~~Margaret~~ have been participating in remote learning. On 06/23/20, CPS reached out to the children school counselors for academic progress.

~~Margaret~~ guidance counselor reported that there's no behavioral concern for the child. ~~Margaret~~ has been receiving counseling twice a week from her counselor, who is currently working on the child social skills and Trauma related issues. Margaret is also seen once a week for video sessions with her Occupational Therapist and Speech Therapist. Both guidance counselor reported to work closely with the children mother and she's cooperative and is receptive to suggestions for the greater good of the children education progress.

Medical:

*170000: "HAS BEEN" WOULD NOT
FIT TO SUCH A LARGE
SPACE*

~~Margaret~~ up to date with ~~annual~~ physicals. ~~immunizations~~ are up to date as well. Margaret ~~healthy~~ since covid-19 health outbreak. Subject child ~~Margaret~~ had one doctor visit on 05/26/20 for an ongoing issue. Subject

The non-responsive mother continues to address all the children medical concerns as recommended.

Services and referrals:

170000

The non-responsive mother and children have Preventive Services in place. Ms. Ingoglia ~~and~~ Margaret continues to be engaged in mental health services to address concerns. On 06/23/20, CPS spoke with Ms. Ingoglia psychotherapist who reported to engage Ms. Ingoglia in weekly psychotherapy for childhood trauma and trauma related anxiety and stress in



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the context of domestic violence and ongoing custody dispute of her daughter. CPS also followed up with subject child M. [REDACTED] Psychotherapist, who has not contacted CPS to date. [REDACTED]

[REDACTED] CPS was able to speak with customer service, who reported that the children are consistent with their therapy on a weekly basis. [REDACTED]

On 03/25/20, CPS partake in a mental health consult for Mr. Malek. Recommendations and referrals were given to discuss with Mr. Malek. CPS had a discussion with Mr. Malek about referring him to a mental health clinic in his community and he declined the offer. Mr. Malek is not receptive to addressing mental health concerns currently. *LTE.*

Contact with Preventive:

PPRS continues to be in place for this family and Preventive Worker has been addressing any issues that arises with the family. Case Planner reported no concerns for the children currently.

DIR/Criminal History:

An updated search for Criminal History and Domestic Incident Report was submitted on 02/27/2020. The results were received on 03/05/2020, which showed no new DIR's or CRIMINAL report file for Ms. Margret Ingoglia or Mr. Robert Malek. There's a full stay away Order of Protection in place against Mr. Malek, on behalf of Ms. Ingoglia, Joe and Margaret.

Summary:

LTE CPS has been assigned to this case as of January 6th, 2020, since then CPS has been working with the family. Ms. Ingoglia has been cooperative and has allowed CPS to enter her home. Ms. Ingoglia seems to enjoy caring for the subject children Joe and M. [REDACTED] and they seem happy in her care. She is providing for their basic needs. During visit's the children is friendly and always ready to engage CPS. Ms. Ingoglia continues to learn skills to provide a safe and structural home for Joe and M. [REDACTED]. CPS is working with her on consistency. — ?
LTE During Covid-19 outbreak, Ms. Ingoglia adhere to New York State orders and sheltered in place and kept the children safe and healthy. Ms. Ingoglia is receptive to supervised video visits or supervised phone contact between Mr. Malek and M. [REDACTED]. However, Ms. Ingoglia did not agree for her phone or Joe's phone to be used for phone or video contact; neither can the video visit to occur in her home. Ms. Ingoglia and CPS advocated for the video visit to occur in her building in a safe space without the use of her or Joe's devices. Mr. Malek refused on the premise that the child will be leaving the home and can contract the virus and he does not want ACS/CPS to supervise the visits going forward. Mr. Malek presented two Resources to supervise the video visits. CPS contacted the Resources identified the first one (Psychologist) the information given, no business came matching that information. The second Resource identified (Psychologist), claimed he does not know of Mr. Malek and asked questions of what is expected of this supervised virtual visit will look like. After learning about the requirements, the Resource insisted, ACS must pay for his services not Mr. Malek. ACS did not approve Mr. Malek resource. CPS was made privy to a contracted resource for supervised therapeutic visits. CPS contacted the resource and got all the details, then CPS and CPSS1 had a conversation with Mr. Malek before sending out the referral. Mr. Malek was insisting he must know why ACS rejected his resource before any conversation about referring him for

therapeutic visits with his daughter at this new resource. As a result, supervised phone contact between Mr. Malek and ~~M. [redacted]~~ continues when CPS visits the home, which is going well so far. Mr. Malek continues his manipulative behaviors and wants to control Ms. Ingoglia ability to care for the children. One way he does that is by calling in reports to the State Central Registry. On 05/05/2020 an additional information case was called in regarding subject child Joe going outside to the store without a mask on and Mr. Malek not seeing ~~M. [redacted]~~ for the past 3 weeks. On 06/06/20, a subsequent case reporting that ~~M. [redacted]~~ has a medical condition which prevents her from perspiring in hot temperatures. This condition predisposes her to heat exhaustion with corresponding symptoms of vomiting and elevated temperatures. Ms. Ingoglia knows about this medical condition but has failed to address the situation appropriately. On 06/06/20 the local temperatures will rise placing the child at imminent risk of heat exhaustion/stroke. As per the non-respondent mother there's no medical evidence to support Mr. Malek claim/report.

NOTE: THESE LIES + OTHERS TO BE ADDRESSED

Respectfully submitted,

Paula Garcia

Preparer (Print name)

Signature

07/07/2020

Date

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E-mail

718-623-4629

Telephone

Bolade Begho

Preparer's Supervisor (Print name)

Signature

07/07/2020

Date

Iyeisha Witherspoon

Preparer's CPM if needed (Print name)

Signature

07/07/2020

Date

OF WHICH MOTHER NOW HAS A DOCTOR NOTE.

Preventive Exam Summary

MA [REDACTED] MI [REDACTED] (Sex: F, DOB: [REDACTED])

Date of Visit: 01/29/2018

Patient Demographics

Name: MA [REDACTED] MI [REDACTED]
Date of birth: [REDACTED] Sex: F
Language: ENGLISH
Race: White
Ethnicity: Not Hispanic or Latino

Visit Information

Date/time: 01/29/2018 @ 03:24 pm
Location: Mark B Lew MD LLC
Appointment type: WELL VISIT, EST
Accompanied by: Father

Interval History

Three year well visit:
Parental concerns: PICKY EATER
Recent injury/illness: none
Special health care needs: none
Visits to other health care providers/facilities: none
Changes/stressors in family or home: none
Observation of parent-child interaction: normal (active communication; parent gives child choices; parent encourages cooperation; unacceptable behavior elicits appropriate response)

EVIDENCE OF
STUNTED
GROWTH

ROS Findings

Well Visit: Preschool: Confirms GI: has normal BM pattern/stool consistency, is toilet trained for urine/stool during waking hours, watches limited TV/appropriate shows, no TV in bedroom, gets appropriate amount of exercise, brushes teeth, regular dental visits.

Patient History

Past Medical, Family, and Social History reviewed and updated as appropriate
Problem List Reviewed by Dilara Rakhman (322) 01/29/2018 15:24:56
No active problems

Allergies/Reactions Reviewed by Dilara Rakhman (322) 01/29/2018 15:25:00
No active medication allergies or reactions

Medication List Reviewed by Dilara Rakhman (322) 01/29/2018 15:25:03

Vital Signs

Blood Pressure: 86 / 50 @15:15
Temp (skin): 97.4F / 36.3C
Weight: 31lb 7oz / 14.23kg (48 %ile)
Height: 37.5 in / 95.3 cm (46 %ile)
BMI: 15.7 (53 %ile)

Exam Findings

Constitutional: Normal general appearance: alert, pleasant, not ill appearing, no distress.
Eyes: Normal red reflex/fundoscopy exam; normal cursory ophthalmoscopic exam; conjunctivae & lids: pink & moist; pupils & irises: PERLA; visual acuity by observation.
Ears, Nose, Mouth, Throat: Normal canals & TMJs; clear with normal landmarks & light reflex; nares: clear; lips, teeth and gums: no caries, plaque, demineralization, staining, injury, or gingivitis; oropharynx: moist mucous membranes, without pharyngeal erythema or intracanal lesions.
Neck: Normal neck: supple, trachea midline, no masses or significant adenopathy.
Respiratory: Normal respiratory effort: no retractions, no tachypnea; auscultation of lungs: clear & equal breath sounds without rales, rhonchi or wheezes.
Cardiovascular: Normal palpation of heart: PMI nondisplaced; auscultation of heart: regular rate & rhythm, no murmur.
Gastrointestinal: Normal abdomen: soft, nontender/nondistended, normal bowel sounds, no mass; liver & spleen: no hepatosplenomegaly.
Genitourinary: Normal appearance of prepubertal external genitalia and introitus.
Musculoskeletal: Normal muscle strength & tone.
Skin: Normal inspection: no rash.
Neurologic: Normal age appropriate social/language interaction.

School Exam Findings

Physical Exam
Normal

Pulses: NORMAL

Created: 02/19/2020 01:49 PM

Confidential Information

(<https://www.beaumont.org/home>)

HOME (/) - TREATMENTS & SERVICES (/SERVICES) -

BEAUMONT CHILDREN'S (/SERVICES/CHILDRENS) -

HEALTH AND SAFETY (/SERVICES/CHILDRENS/HEALTH-SAFETY) -

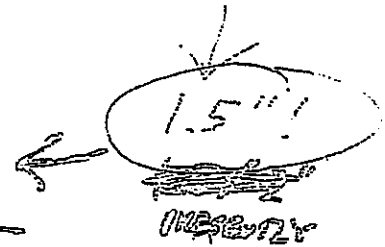
YOUR GROWING CHILD | SCHOOL-AGE (6 TO 12 YEARS)

Your Growing Child | School-Age (6 to 12 Years)

How much will my child grow?

While all children may grow at a different rate, the following indicates the average for school-aged children 6 to 12 years old:

- Weight: average gain of about 5 to 7 pounds a year
- Height: average growth of about 2.5 inches per year



What can my child do at this age?

As your child continues to grow, you will notice new and exciting abilities that your child develops. While children may progress at different rates and have diverse interests, the following are some of the common milestones children may reach in this age group:

- 6- to 7-year-olds:

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- likes to paint and draw

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Average Height to Weight Chart: Babies to Teenagers

Author: *Disabled World*Contact : www.disabled-world.com

Published: 2017/11/30 (2 years ago) - Updated: 2020/03/05 (A week ago) .

Synopsis:

› Average height to weight ratio chart by age for kids and teenage girls and boys in inches - pounds and centimeters - kilograms.

Key Points:

- › Every baby, child, and teenager is different in the way they mature and grow during their teen years.
- › On average, girls commence puberty around ages 10 to 11 and end puberty around 15 to 17 years old; boys start puberty around age 11 to 12 and end around 16 to 17 years of age.

Main Digest

➤ Are you older than 20? Try our Adults Height to Weight Chart (<https://www.disabled-world.com/calculators-charts/height-weight.php>) .

Our easy to read optimum height to weight ratio charts, cover newborn babies to teenage girls and boys, and will give you a general idea of whether you are of *average weight* for your age and height without using complicated percentile graphs, however, please keep in mind the following:

1 - Height and weight ratio charts are not truly accurate measures or indicators, especially for young children and teenagers. Height to weight charts for girls and boys represent only a rough average and should be used in conjunction with a BMI calculator for kids (<https://www.disabled-world.com/calculators-charts/child-bmi.php>) .

2 - Young children and teenagers often have growth spurts during their growing years. During puberty your body will grow faster than at any other time in your life. On average, girls commence puberty around ages 10 to 11 and end puberty around 15 to 17 years old; boys start puberty around age 11 to 12 and end around 16 to 17 years of age (*Wikipedia*). During this period it is quite possible to gain and lose weight rapidly, as well as add inches to their heights seemingly overnight. This is particularly so in ~~new~~ adolescent girls who often experience dramatic changes in weight, bone composition, height, body fat distribution - especially through their pubescent years.

3 - Every baby, child, and teenager is different in the way they mature and grow during their teen years. Dieting for teens is not recommended as quite often you will find they will simply "grow out" of their "baby fat" as they mature into young adults. Your pediatrician or family physician is really the best person to consult if you are worried about your child's height to weight ratio as a doctor can use a medical growth chart to keep track of your progress as you mature.

Our height to weight chart now displays both Metric and Imperial measurements; Pounds/Kilograms and Inches/Centimeters.

- » Female: 1-11 mths
- » Female: 1-2 yrs
- » Female: 2-12 yrs
- » Female: 13-20 yrs
- » Male: 1-11 mths
- » Male: 1-2 yrs
- » Male: 2-12 yrs
- » Male: 13-20 yrs

Age	Weight	Length
1 mth	7.3 lb (3.3 kg)	19.4" (49.2 cm)
2 mth	9.6 lb (4.3 kg)	21.2" (53.8 cm)
3 mth	11.7 lb (5.3 kg)	22.1" (56.1 cm)
4 mth	13.3 lb (6.0 kg)	23.6" (59.9 cm)
5 mth	14.6 lb (6.6 kg)	24.5" (62.2 cm)
6 mth	15.8 lb (7.1 kg)	25.3" (64.2 cm)
7 mth	16.6 lb (7.5 kg)	25.9" (64.1 cm)
8 mth	17.4 lb (7.9 kg)	26.5" (67.3 cm)
9 mth	18.1 lb (8.2 kg)	27.1" (68.8 cm)
10 mth	18.8 lb (8.5 kg)	27.6" (70.1 cm)
11 mth	19.4 lb (8.8 kg)	28.2" (71.6 cm)
12 mth	19.9 lb (9.0 kg)	28.7" (72.8 cm)

Weight	Length
20.4 lb (9.2 kg)	29.2" (74.1 cm)

Average Height to Weight Chart: Babies to Teenagers : Disabled World

14 mth	21.5 lb (9.7 kg)	30.1" (76.4 cm)
15 mth	22.0 lb (9.9 kg)	30.6" (77.7 cm)
16 mth	22.5 lb (10.2 kg)	30.9" (78.4 cm)
17 mth	23.0 lb (10.4 kg)	31.4" (79.7 cm)
18 mth	23.4 lb (10.6 kg)	31.8" (80.7 cm)
19 mth	23.9 lb (10.8 kg)	32.2" (81.7 cm)
20 mth	24.4 lb (11 kg)	32.6" (82.8 cm)
21 mth	24.9 lb (11.3 kg)	32.9" (83.5 cm)
22 mth	25.4 lb (11.5 kg)	33.4" (84.8 cm)
23 mth	25.9 lb (11.7 kg)	33.5" (85.1 cm)

Age	Weight	Height
2 yrs	26.5 lb (12.0 kg)	33.7" (85.5 cm)
3 yrs	31.5 lb (14.2 kg)	37.0" (94 cm)
4 yrs	34.0 lb (15.4 kg)	39.5" (100.3 cm)
5 yrs	39.5 lb (17.9 kg)	42.5" (107.9 cm)
6 yrs	44.0 lb (19.9 kg)	45.5" (115.5 cm)
7 yrs	49.5 lb (22.4 kg)	47.7" (121.1 cm)
8 yrs	57.0 lb (25.8 kg)	50.5" (128.2 cm)
9 yrs	62.0 lb (28.1 kg)	52.5" (133.3 cm)
10 yrs	70.5 lb (31.9 kg)	54.5" (138.4 cm)
11 yrs	81.5 lb (36.9 kg)	56.7" (144 cm)
12 yrs	91.5 lb (41.5 kg)	59.0" (149.8 cm)

Age	Weight	Height
13 yrs	101.0 lb (45.8 kg)	61.7" (156.7 cm)
14 yrs	105.0 lb (47.6 kg)	62.5" (158.7 cm)
15 yrs	115.0 lb (52.1 kg)	62.9" (159.7 cm)
16 yrs	118.0 lb (53.5 kg)	64.0" (162.5 cm)
17 yrs	120.0 lb (54.4 kg)	64.0" (162.5 cm)

Average Height to Weight Chart: Babies to Teenagers : Disabled World

18 yrs

19 yrs

125.0 lb (56.7 kg)

126.0 lb (57.1 kg)

128.0 lb (58.0 kg)

64.2" (163 cm)

64.2" (163 cm)

64.3" (163.3 cm)

Age

0 mth

1 mth

2 mth

3 mth

4 mth

5 mth

6 mth

7 mth

8 mth

9 mth

10 mth

11 mth

12 mth

13 mth

14 mth

15 mth

16 mth

17 mth

18 mth

19 mth

20 mth

21 mth

22 mth

23 mth

24 mth

25 mth

Weight

7.4 lb (3.3 kg)

9.8 lb (4.4 kg)

12.3 lb (5.6 kg)

14.1 lb (6.4 kg)

15.4 lb (7 kg)

16.6 lb (7.5 kg)

17.5 lb (7.9 kg)

18.3 lb (8.3 kg)

19.0 lb (8.6 kg)

19.6 lb (8.9 kg)

20.1 lb (9.1 kg)

20.8 lb (9.4 kg)

Weight

21.3 lb (9.6 kg)

21.8 lb (9.9 kg)

22.3 lb (10.1 kg)

22.7 lb (10.3 kg)

23.2 lb (10.5 kg)

23.7 lb (10.7 kg)

24.1 lb (10.9 kg)

24.6 lb (11.2 kg)

25.0 lb (11.3 kg)

25.5 lb (11.5 kg)

Length

19.5" (49.8 cm)

21.6" (54.8 cm)

23.0" (58.4 cm)

24.2" (61.4 cm)

25.2" (64 cm)

26.0" (66 cm)

26.6" (67.5 cm)

27.2" (69 cm)

27.8" (70.6 cm)

28.3" (71.8 cm)

28.8" (73.1 cm)

29.3" (74.4 cm)

Length

29.8" (75.7 cm)

30.3" (76.9 cm)

30.7" (77.9 cm)

31.2" (79.2 cm)

31.6" (80.2 cm)

32.0" (81.2 cm)

32.4" (82.2 cm)

32.8" (83.3 cm)

33.1" (84 cm)

33.5" (85 cm)

294

22 mth

23 mth



2 yrs

3 yrs

4 yrs

5 yrs

5 yrs

7 yrs

3 yrs

1 yrs

0 yrs

1 yrs

2 yrs



3 yrs

4 yrs

5 yrs

6 yrs

7 yrs

8 yrs

9 yrs

10 yrs

Average Height to Weight Chart: Babies to Teenagers : Disabled World

25.9 lb (11.7 kg)

26.3 lb (11.9 kg)

Weight

27.5 lb (12.5 kg)

31.0 lb (14.0 kg)

36.0 lb (16.3 kg)

40.5 lb (18.4 kg)

45.5 lb (20.6 kg)

50.5 lb (22.9 kg)

56.5 lb (25.6 kg)

63.0 lb (28.6 kg)

70.5 lb (32 kg)

78.5 lb (35.6 kg)

88.0 lb (39.9 kg)

Weight

100.0 lb (45.3 kg)

112.0 lb (50.8 kg)

123.5 lb (56.0 kg)

134.0 lb (60.8 kg)

142.0 lb (64.4 kg)

147.5 lb (66.9 kg)

152.0 lb (68.9 kg)

155.0 lb (70.3 kg)

33.9" (86.1 cm)

34.2" (86.8 cm)

Height

34.2" (86.8 cm)

37.5" (95.2 cm)

40.3" (102.3 cm)

43.0" (109.2 cm)

45.5" (115.5 cm)

48.0" (121.9 cm)

50.4" (128 cm)

52.5" (133.3 cm)

54.5" (138.4 cm)

56.5" (143.5 cm)

58.7" (149.1 cm)

Height

61.5" (156.2 cm)

64.5" (163.8 cm)

67.0" (170.1 cm)

68.3" (173.4 cm)

69.0" (175.2 cm)

69.2" (175.7 cm)

69.5" (176.5 cm)

69.7" (177 cm)

MALE X

How to Lose Body Fat Fast

Free Weight Loss Planning Calculator

es, Pounds, Kilograms Conversion Chart

Height of Men and Women in Other Countries

https://www.disabled-world.com/calculators-charts/height-weight-teens.php

295

290

452

Printable Height/Weight Chart for Girls from Baby to Teenage Years

Printable Height/Weight Chart for Boys from Baby to Teenage Youth

*Information and data for above growth charts sourced from The World Health Organization (WHO), Gerontology Research Center (National Institutes of Health (NIH), USA), and the U.S. Centers for Disease Control and Prevention (CDC).

Similar Documents

- 1 - Pain Scale Chart: 1 to 10 Levels : Disabled World (2016/05/20)
- 2 - DVPRS 2.0 Pain Scale Chart for Service Personnel and Veterans : Disabled World (2020/03/12)
- 3 - Adult Male and Female Height to Weight Ratio Chart : Disabled World (2017/11/30)
- 4 - Average Height to Weight Chart: Babies to Teenagers : Disabled World (2017/11/30)
- 5 - Good Pressure Chart: Low, Normal, High Reading by Age : Disabled World (2017/11/19)
- 6 - Human Laterality Information and Right or Left Hand Test : Disabled World (2020/02/04)
- 7 - Fitzpatrick Scale Skin Type Test and Result Information : Disabled World (2020/01/17)


Page Citation:

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Gmail - Fw: I will confirm on Monday that my previous measurement was correct

 Gmail

robert malek <abc75abc@gmail.com>

W: I will confirm on Monday that my previous measurement was correct
1 message

abc75abc@gmail.com <abc75abc@gmail.com>
To: SCJC <cjc@cjc.ny.gov>

Sun, Mar 15, 2020 at 1:12 PM

while the judge does nothing.....
the nutritional neglect of my daughter is so bad she is pale, chronically ill as indicated in acs notes and her growth is
now stunted...

Robert malek
I wish to confirm my previous measurement.

Sent from my Verizon LG Smartphone

----- Original message -----


From: abc75abc@gmail.com (mailto:abc75abc@gmail.com)
Date: Sun, Mar 15, 2020 12:21 PM
To: abc75abc@gmail.com (mailto:abc75abc@gmail.com); Travis Johnson; Rosmil Almonte, (ACS); rmaes@bds.org
(mailto:rmaes@bds.org); Henderson Brathwaite;
Cc:
Subject: I will confirm on Monday that my previous measurement was correct

Conversation between Me and Mrs Garcia.

all counsel take note.....

Robert malek

Sent from my Verizon LG Smartphone

 (?ui=2&ik=c084fb222b&view=att&th=170df2eebf22383d&attid=0.1&disp=attd&safe=1&zw) Me_mrs_garcia(11).pdf
130K

297

Me
Mrs Garcia I wish to confirm my daughters height on Monday via my tape measure to prove that both a/c's and Margaret Ingoglia have neglected my daughter for the past 2 years nutritionally causing her chronic illness that you have indicated in a/c's report's. Now, her neglect is clear. a/c's has indicated chronic illness, which is true, Joe as well, which is true. You had told me at visitation that you knew of nothing being done nutritionally for Minnie and that her doctors reports have been fine then you and Almonte state in court that you are now addressing this and made no statements as you have to me. If it would not be for me you would do nothing and have done nothing. So first a problem didn't exist after Ferguson said she will speak to her pediatrician and now when I expose this..... it does. If a/c's intends to stop me doing a simple tape measure of my own daughter on Monday so that I be sure before I take further legal action, then cancel the visits and such denial will be used as further evidence of your cover-up in court., Robert malek

12:11 PM

Me
Furthermore if you intend to take a picture then I will take a picture as well regardless of your no photography rule.

12:14 PM

98
~~200~~

9/13/2020

Gmail - minnies height confirmed at 40.5inches,

Gmail

robert malek <abc75abc@gmail.com>

minnies height confirmed at 40.5inches,
2 messages

robert malek <abc75abc@gmail.com>

To: "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>

Thu, Mar 19, 2020 at 8:05 PM

rosmil,

my daughters height was 37 inches on march 2 , 2018. proper for her age.
two years later she is 40.5.

proper growth rate is 2.5 inches per year. It is 1.75

proper height is between 42 and 42.5

look at the height of margaret, Joe or I and Joes father was only about 5'6 whereas my dad was 6 feet as am I.
my daughter was sick during one month only for 3.5 years. Joe never.

THE SCR WILL BE CALLED AFTER I PUT TOGETHER THE SICKNESS DATA OF MINNIE AND THE
STATEMENTS WITHIN DISCOVERY TO SHOW THAT THIS INDICATED IN CONTINUING DUE TO YOU AND TRAVIS
NOT ADDRESSING THE ISSUE.

I want discovery on the medical records and the schooling records. I am entitled to them.

The inactions actions of yourself and travis johnson harmed my daughter. I despise you both.

I could care less what you think about me calling the scr to report this.

sincerely,
robert malek

robert malek <abc75abc@gmail.com>

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

Thu, Mar 19, 2020 at 8:06 PM

[Quoted text hidden]

299

~~288~~

EXHIBIT X

9
Secs. 1012, 1031 F.C.A.

301 #B
(Child Protective)

FAMILY COURT OF THE STATE OF NEW YORK
CITY OF NEW YORK, COUNTY OF KINGS

Attorney: ALMONTE, R

Judge: WILLIAMS, J

-----X
In the Matter of : Docket No: NN-19411-18
JOE PALOMINO *18 yrs now* :
A Child Under Eighteen Years :
of Age Alleged to be Neglected by :
ROBERT MALEK :
Child Protective Specialist:
ARDAISHA HUDSON
ACS #: 5236894
Unit #: 273-1
Telephone: 718-245-5975
Respondent (s) :
-----X

NOTICE: IF YOUR CHILD REMAINS IN FOSTER CARE FOR FIFTEEN (15) OF THE MOST RECENT TWENTY-TWO (22) MONTHS THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD.

TO THE FAMILY COURT:

The undersigned petitioner respectfully shows that:

1. Petitioner David A. Hansell, Commissioner of Administration for Children's Services, a Child Protective Agency with offices at 150 William Street, New York, New York, is authorized to file a petition under Article 10 of the Family Court Act.
 2. JOE PALOMINO is a male child under the age of eighteen years, having been born on 03/15/2004.
- 64 15

3. Said child resides at whose address is CONFIDENTIAL.

4. The father of said child is
or is alleged to be JUAN PALOMINO who resides at L.K.A. ~~_____~~

The father's date of birth is ~~_____~~

The mother of said child is MARGARET INGOGLIA whose address is
CONFIDENTIAL.

The mother's date of birth is ~~_____~~. The other person legally
responsible for the care of said child is ROBERT MALEK, Non-
Relative, whose address is CONFIDENTIAL

5. (Upon information and belief), said child is a neglected child in
that: (Specify grounds of neglect under Section 1012 of the Family
Court Act.)
See Addendum I.

6. (Upon information and belief),
ROBERT MALEK, the Non-Relative of said child
is the person who is responsible for neglect of said child.

7. There currently is not reason to believe, or information that
suggests or indicates that the child is a Native American child.

Petitioner is required to obtain education information and to provide
that information to foster care providers and other parties to this
proceeding. Unless otherwise obtained by release, Petitioner thus seeks a
court order to obtain the education records (including special education
records) of each child named in this petition who is not placed with a
parent(s)/legal guardian(s), and a court order to provide such records to
service providers where such records are necessary to enable the service
provider to establish and implement a plan of service.

WHEREFORE, Petitioner prays that an order be made determining the said JOE PALOMINO to be a neglected child, otherwise dealing with said child in accordance with the provisions of Article 10 of the Family Court Act.

Dated: 01/02/2020

18
YRS
020

David A. Hansell

Petitioner

James E. Johnson
Corporation Counsel

Alan W. Sputz
Special Assistant Corp Counsel

Signature of Attorney

of Counsel

Name

Administration for Children Services
330 JAY STREET
12TH FLOOR
BROOKLYN NY 11201
718-802-2790

~~306~~

304

VERIFICATION

STATE OF NEW YORK)
COUNTY OF KINGS SS.:

ARDAISHA HUDSON, being duly sworn, deposes and says that (s)he is employed by Administration for Children's Services, a Child Protective Agency; and is acquainted with the facts and circumstances of the above-entitled proceeding; that (s)he has read the foregoing petition and knows the contents thereof; that the same is true to (his) (her) own knowledge except as to those matters therein stated to be alleged upon information and belief, and that as to those matters (s)he believes it to be true.

Petitioner
David A. Hansell, Commissioner
Administration for Children's
Services
By: ARDAISHA HUDSON
Child Protective Specialist

Sworn to before me, this
2nd day of January 2020

Notary Public

ADDENDUM I AMENDED PETITION

305

CASE NAME: MARGARET INGOGLIA
CHILD NAME: JOE PALOMINO
CASE NUMBER: 5236894
DATE PET FILED: 07/31/2018
DATE PET AMENDED 01/02/2020

THE CHILDREN:

THE RESPONDENT:

~~MARGARET MALEK~~ (DOB: ~~1/1/1984~~)
JOE PALOMINO (DOB: ~~1/1/2005~~)

ROBERT MALEK

JOE PALOMINO (DOB: ~~1/1/2005~~) and ~~MARGARET MALEK~~ (DOB: ~~1/1/1984~~) are children under eighteen years of age whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of the alleged father/person legally responsible ("PLR") for their care, ROBERT MALEK (DOB: ~~1/1/1984~~), to exercise a minimum degree of care, in that:

1. Respondent PLR ROBERT MALEK holds himself out as the father of the subject child ~~MARGARET MALEK~~, age 3, and that he has been romantically involved with the non-respondent mother, Margaret Ingoglia for the last four years. The respondent PLR admitted that the non-respondent mother Margaret Malek and the subject child ~~MARGARET MALEK~~ have resided with the respondent PLR in his family home since the child ~~MARGARET MALEK~~ was born. The respondent PLR admitted that the subject child JOE PALOMINO, age 13, has resided in respondent PLR's family home since February 2018. The respondent PLR admitted that he is providing financially for the subject children JOE PALOMINO and ~~MARGARET MALEK~~ in that the respondent PLR pays the bills in the family home and provides clothes and food for the subject children. *1/8/2022*

2. The respondent PLR ROBERT MALEK fails to supply the children JOE PALOMINO and ~~MARGARET MALEK~~, with adequate supervision and guardianship, in that:

a. On or about June 29, 2018, the non-respondent mother Margaret Ingoglia stated to the undersigned that respondent PLR "verbally and mentally abuses" the non-respondent mother, controls everything within the family including the money, and the non-respondent mother cannot make any decisions without the respondent PLR's permission. The non-respondent mother stated that the respondent PLR monitors the non-respondent mother's text messages and telephone calls, that the respondent PLR curses at the non-respondent mother in front of the children including calling the non-respondent mother a "bitch," and that the non-respondent mother is afraid of the respondent PLR. The non-respondent mother stated that she is afraid of what the respondent PLR "is capable of" and stated that the respondent PLR threatened the non-respondent mother that if she ever leaves with the subject child ~~MARGARET MALEK~~, he will go to the nursing home of the maternal grandmother and hurt the maternal grandmother.

b. Upon information and belief, the source being a conversation between the subject child JOE PALOMINO and Child Protective Specialist ("CPS") Kim James on or about June 29, 2018, the subject child stated that the respondent PLR is in a "bad mood everyday" and "threatens to hurt" the non-respondent mother. The subject child stated that both he and the non-respondent mother are being "picked on" by the PLR, and that the subject child "can't take it

306 ~~78~~

anymore." The subject child stated that the respondent PLR makes him "sad."

On or about June 29, 2018, the subject child JOE PALOMINO stated to the undersigned that he is "scared" of the respondent PLR and that the subject child JOE PALOMINO has seen the respondent PLR "get in [the non-respondent mothers] face."

d. On or about June 29, 2018, the undersigned spoke with a caseplanner from Catholic Charities, and the caseplanner stated that she has observed the respondent PLR be "very controlling" over the family, and that the non-respondent mother and subject children are not allowed to remain in the family home until the respondent PLR returns from work, until approximately 10:30 P.M.

3. The respondent PLR ROBERT MALEK fails to supply the children JOE PALOMINO and ~~MARGARET MALEK~~, with adequate supervision and guardianship by engaging in bizarre behavior or acts of a similarly serious nature which unreasonably inflicts harm upon the subject children JOE PALOMINO and ~~MARGARET MALEK~~.

a. Petitioner re-alleges sections 1-2a-d

b. According to ACS case records the respondent PLR ROBERT MALEK has called thirty (30) reports to the State Central Registry against the non-respondent mother alleging that she is abusing and neglecting the subject children. All the reports called in by the respondent father have been investigated by ACS and unfounded. As a result of the respondents actions, the subject child ~~MARGARET~~ has been forensically interviewed three (3) times and medically examined. The subject children are frequently woken up in the middle of the night by Emergency Child Protective Services (ECS) investigating the reports called in by the respondent. According to the CPS Hudson, she has informed the respondent of the consequences of calling in cases to the State Central Registry on numerous occasions; but, the respondent continues to make reports without any regards to the impact it has on the subject children.

c. According to the subject child Joe, it is difficult for him to wake up in the morning to go to school because of ECS continuously visiting the home in the middle of the night.

d. According to CPS Yolanda Jones, she has heard the subject child Margaret begging the respondent ROBERT MALEK to not call any more reports against her mother.

Based on the foregoing, the subject children are neglected or at risk of becoming neglected pursuant to Article Ten of the Family Court Act.

FAMILY COURT OF THE STATE OF NEW YORK
CITY OF NEW YORK, COUNTY OF KINGS

Attorney: ALMONTE, R

Judge: WILLIAMS, J

-----X
In the Matter of

: Docket No: NN-19410-18

~~MALEK MALEK~~

:
: AMENDED PETITION NEGLECT CASE
:

: A Child Under Eighteen Years
: of Age Alleged to be Neglected by
:

: ROBERT MALEK
:
:

: Child Protective Specialist:

: ARDAISHA HUDSON

: ACS #: 5236894

: Unit #: 273-1

: Telephone: 718-245-5975
:
:

Respondent (s)
-----X

NOTICE: IF YOUR CHILD REMAINS IN FOSTER CARE FOR FIFTEEN (15) OF THE MOST RECENT TWENTY-TWO (22) MONTHS THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD.

TO THE FAMILY COURT:

The undersigned petitioner respectfully shows that:

1. Petitioner David A. Hansell, Commissioner of Administration for Children's Services, a Child Protective Agency with offices at 150 William Street, New York, New York, is authorized to file a petition under Article 10 of the Family Court Act.
2. ~~MALEK MALEK~~ is a female child under the age of eighteen years, having been born on ~~10/22/1978~~

- ~~308~~
308
3. Said child resides at whose address is CONFIDENTIAL.
 4. The father of said child is
or is alleged to be ROBERT MALEK whose address is CONFIDENTIAL.
The father's date of birth is ~~0-3-1934~~.
The mother of said child is MARGARET INGOGLIA whose address is
CONFIDENTIAL.
The mother's date of birth is ~~12-17-1920~~
 5. (Upon information and belief), said child is a neglected child in
that: (Specify grounds of neglect under Section 1012 of the Family
Court Act.)
See Addendum I.
 6. (Upon information and belief),
ROBERT MALEK , the Legal Father of said child
is the person who is responsible for neglect of said child.
 7. There currently is not reason to believe, or information that
suggests or indicates that the child is a Native American child.

Petitioner is required to obtain education information and to provide that information to foster care providers and other parties to this proceeding. Unless otherwise obtained by release, Petitioner thus seeks a court order to obtain the education records (including special education records) of each child named in this petition who is not placed with a parent(s)/legal guardian(s), and a court order to provide such records to service providers where such records are necessary to enable the service provider to establish and implement a plan of service.

1

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~~127~~

WHEREFORE, Petitioner prays that an order be made determining the said ~~M. J. M. M. J. M.~~ to be a neglected child, otherwise dealing with said child in accordance with the provisions of Article 10 of the Family Court Act.

Dated: 01/02/2020

David A. Hansell

Petitioner

James E. Johnson
Corporation Counsel

Alan W. Sputz
Special Assistant Corp Counsel

Signature of Attorney

of Counsel

Name

Administration for Children Services
330 JAY STREET
12TH FLOOR
BROOKLYN NY 11201
718-802-2790

~~309~~

~~309~~

VERIFICATION

~~32~~
310

STATE OF NEW YORK)
COUNTY OF KINGS SS.:

ARDAISHA HUDSON, being duly sworn, deposes and says that (s)he is employed by Administration for Children's Services, a Child Protective Agency; and is acquainted with the facts and circumstances of the above-entitled proceeding; that (s)he has read the foregoing petition and knows the contents thereof; that the same is true to (his) (her) own knowledge except as to those matters therein stated to be alleged upon information and belief, and that as to those matters (s)he believes it to be true.

Petitioner
David A. Hansell, Commissioner
Administration for Children's
Services
By: ARDAISHA HUDSON
Child Protective Specialist

Sworn to before me, this
2nd day of January 2020

Notary Public

[Handwritten signature]

[Handwritten signature]

ADDENDUM I AMENDED PETITION

CASE NAME: MARGARET INGOGLIA
CHILD NAME: ~~MARGARET MALEK~~
CASE NUMBER: 5236894
DATE PET FILED: 07/31/2018
DATE PET AMENDED 01/02/2020

THE CHILDREN:

~~MARGARET MALEK~~ (DOB: ~~01/01/2015~~)
JOE PALOMINO (DOB: ~~02/01/2015~~)

THE RESPONDENT:

ROBERT MALEK

JOE PALOMINO (DOB: ~~02/01/2015~~) and ~~MARGARET MALEK~~ (DOB: ~~01/01/2015~~) are children under eighteen years of age whose physical, mental or emotional condition has been impaired or is in imminent danger of becoming impaired as a result of the failure of the alleged father/person legally responsible ("PLR") for their care, ROBERT MALEK (DOB: ~~01/01/1975~~), to exercise a minimum degree of care, in that:

1. Respondent PLR ROBERT MALEK holds himself out as the father of the subject child ~~MARGARET MALEK~~, age 3, and that he has been romantically involved with the non-respondent mother, Margaret Ingoglia for the last four years. The respondent PLR admitted that the non-respondent mother Margaret Malek and the subject child ~~MARGARET MALEK~~ have resided with the respondent PLR in his family home since the child ~~MARGARET MALEK~~ was born. The respondent PLR admitted that the subject child JOE PALOMINO, age 13, has resided in respondent PLR's family home since February 2018. The respondent PLR admitted that he is providing financially for the subject children JOE PALOMINO and ~~MARGARET MALEK~~ in that the respondent PLR pays the bills in the family home and provides clothes and food for the subject children.

2. The respondent PLR ROBERT MALEK fails to supply the children JOE PALOMINO and ~~MARGARET MALEK~~, with adequate supervision and guardianship, in that:

a. On or about June 29, 2018, the non-respondent mother Margaret Ingoglia stated to the undersigned that respondent PLR "verbally and mentally abuses" the non-respondent mother, controls everything within the family including the money, and the non-respondent mother cannot make any decisions without the respondent PLR's permission. The non-respondent mother stated that the respondent PLR monitors the non-respondent mother's text messages and telephone calls, that the respondent PLR curses at the non-respondent mother in front of the children including calling the non-respondent mother a "bitch," and that the non-respondent mother is afraid of the respondent PLR. The non-respondent mother stated that she is afraid of what the respondent PLR "is capable of" and stated that the respondent PLR threatened the non-respondent mother that if she ever leaves with the subject child ~~MARGARET MALEK~~, he will go to the nursing home of the maternal grandmother and hurt the maternal grandmother.

b. Upon information and belief, the source being a conversation between the subject child JOE PALOMINO and Child Protective Specialist ("CPS") Kim James on or about June 29, 2018, the subject child stated that the respondent PLR is in a "bad mood everyday" and "threatens to hurt" the non-respondent mother. The subject child stated that both he and the non-respondent mother are being "picked on" by the PLR, and that the subject child "can't take it

anymore." The subject child stated that the respondent PLR makes him "sad."

9. On or about June 29, 2018, the subject child JOE PALOMINO stated to the undersigned that he is "scared" of the respondent PLR and that the subject child JOE PALOMINO has seen the respondent PLR "get in [the non-respondent mothers] face."

Myster-???

d. On or about June 29, 2018, the undersigned spoke with a caseplanner from Catholic Charities, and the caseplanner stated that she has observed the respondent PLR be "very controlling" over the family, and that the non-respondent mother and subject children are not allowed to remain in the family home until the respondent PLR returns from work, until approximately 10:30 P.M.

3. The respondent PLR ROBERT MALEK fails to supply the children JOE PALOMINO and ~~MARY PALOMINO~~ with adequate supervision and guardianship by engaging in bizarre behavior or acts of a similarly serious nature which unreasonably inflicts harm upon the subject children JOE PALOMINO and ~~MARY PALOMINO~~.

a. Petitioner re-alleges sections 1-2a-d

b. According to ACS case records the respondent PLR ROBERT MALEK has called thirty (30) reports to the State Central Registry against the non-respondent mother alleging that she is abusing and neglecting the subject children. All the reports called in by the respondent father have been investigated by ACS and unfounded. As a result of the respondents actions, the subject child ~~MARY PALOMINO~~ has been forensically interviewed three (3) times and medically examined. The subject children are frequently woken up in the middle of the night by Emergency Child Protective Services (ECS) investigating the reports called in by the respondent. According to the CPS Hudson, she has informed the respondent of the consequences of calling in cases to the State Central Registry on numerous occasions; but, the respondent continues to make reports without any regards to the impact it has on the subject children.

c. According to the subject child Joe, it is difficult for him to wake up in the morning to go to school because of ECS continuously visiting the home in the middle of the night.

d. According to CPS Yolanda Jones, she has heard the subject child ~~MARY PALOMINO~~ begging the respondent ROBERT MALEK to not call any more reports against her mother.

Based on the foregoing, the subject children are neglected or at risk of becoming neglected pursuant to Article Ten of the Family Court Act.

TS

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3/3

EXHIBIT Y

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1 THE CLERK: Good afternoon. This is case
2 numbers 31 through 51 on the calendar in the matter of
3 Malek and Palomino Ingoglia. 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. JOHNSON: The Legal Aid Society by Travis
9 Johnson appearing on behalf of the subject children.

10 THE COURT: Ok.

11 MR. CARLIN: Michael Carlin, 26 Court Street,
12 Brooklyn, New York assigned as Mr. Malek's legal advisor.
13 Good afternoon, Your Honor.

14 THE COURT: Ok. Good afternoon.

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

18 MS. JONES: Yes.

19 MR. MALEK: Yes.

20 THE CLERK: State your name, title, agency and
21 spell your last name.

22 MS. JONES: Yolanda Jones, J-O-N-E-S, Child
23 Protective Specialist with ACS. Good afternoon.

24 THE COURT: Ok. Good afternoon.

25 THE CLERK: State your full name and

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1 relationship to the child and children.

2 MR. MALEK: Robert Malek, father of Margaret
3 Malek, stepfather of Joe Palomino.

4 THE CLERK: You may be seated.

5 MR. MALEK: Your Honor, I have a binder here
6 for you, a courtesy binder in reference to the large
7 affirmation in opposition to ACS. And then also in
8 reference to the Order to Show Causes, what is happened
9 every other time that I've filed Order to Show Causes was
10 that I always had copies for everybody else. So, I
11 expect the same thing to happen... Oh sorry. So I expect
12 the same thing to happen this time and it didn't. So,
13 there was no way possible that I was able to to print up
14 all you know all these copies that that quickly by by 5.
15 And then also I had to see my daughter at 4. So, I just
16 want to let you know that I do have a copy of the Order
17 to Show Cause that I printed out. Took me a couple hours
18 to do it for each one of the parties, one two three. The
19 other of this the the opposition that was served and the
20 proof of the serving by a by well someone else not
21 myself. The proof of serving was filed downstairs. So
22 that was that was I was able to do. But this took a
23 couple hours, so I have it here today for serving.

24 THE COURT: Ok. All right. Appreciated Mr.
25 Malek.

MR. MALEK: Sure. 3/6

THE COURT: Now the Orders to the Orders that you filed, the Order to Show Cause, I'm not going to be able to address those issues today. We'll I'll give you another day to come back for those issues to be addressed. **ALL THE OSC OF JAN 17, 2020 WERE NEVER RULED ON. NO DAY....** addressed. **THEY WERE : PLEASE SEE ATTACHED :**

MR. MALEK: Thank you.

THE COURT: In terms of and and for two reasons. I want to make certain that we understand each other for two reasons. First, the attorneys here are scheduled for some other courtrooms and I cannot hold the attorneys here beyond the time that they need to go. The other thing is that I need to be able to fully understand some of the reasoning that you're expressing in your Orders to Show Cause. And and I want to be able to do that. And in addition to that, the the Order to Show Cause filed by Ms. Almonte with respect to your visits is in my impression probably the most significant issue we **SO THE OSC SUBPOENAS FOR ERIC GONZALES, CY VANCE AND NYPD INSPECTOR ROE ARE NOT ?!!!** can address this afternoon at this time. So that's what we're going to focus on today. And whatever opposition I unfortunately just like many other courtrooms in this building am faced with the fact that we've had a number of emergency hearings and so I've had 4 today and that has shortened my time my availability a bit. So, we'll do the best we can. But we'll accept what you're

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1 providing and the copies that you've made for everybody
2 else.

3 MR. MALEK: Thank you, Your Honor. That's for
4 the Judge.

5 THE COURT: Ok.

6 MR. MALEK: That's my opposition with the
7 exhibits. It also has the Order to Show Causes in there.
8 That's all itemized.

9 THE COURT: Ok. Now Ms. Almonte, you have a
10 court report. Does Mr. Malek have a copy of that today?

11 MS. ALMONTE: (inaudible), Your Honor.

12 MR. MALEK: I do.

13 THE COURT: Ok.

14 MR. MALEK: Should I provide these or give the
15 Court Officer to serve as far as the Order to Show...ok.

16 THE COURT: Ok.

17 MR. MALEK: Ok.

18 THE COURT: All right. Now can you explain
19 what is it that you're asking for in your... very briefly.

20 MS. ALMONTE: Your Honor, we are asking for a
21 hearing to hold Mr. Malek in contempt for violating the
22 order of protection for harassing and menacing Ms.

23 Ingoglia, for continuing to call false reports that all
24 FALSE REPORTS ARE NOT UNFOUNDED REPORTS. SHE DOESNT EVEN KNOW THE DIFFERENCE.
25 have been unfounded despite several attempts to
communicate to him that needs to stop calling these false

1 reports. So are asking for a hearing to hold him in
2 contempt for violation of the order of protection. With
3 regards to the visits, we want him to submit to the
4 imminent risk assessment that the Court ordered that he
5 still has not submitted to, or for the Court and the
6 attorney to order him to submit to a mental evaluation in
7 Court.

8 MR. MALEK: Can I can I respond?

9 THE COURT: Yes.

10 THE COURT: If if--

11 MR. MALEK: If she's done talking that's I'm
12 just saying.

13 THE COURT: Yes. Did you have something else?

14 MS. ALMONTE: No, Your Honor.

15 THE COURT: Ok. Mr. Malek, if you wish to--

16 MR. MALEK: Sure, thank you.

17 THE COURT: Ask a question of Mr. Carlin or
18 share something before you begin.

19 MR. MALEK: Sure.

20 THE COURT: That's fine. But I am going to
21 limit you to no more than 5 minutes.

22 MR. MALEK: Sure. Actually, Your Honor, what
23 she is is I'm not just disagree with it. I state on the
24 record that it's absolute perjury. The reason why I say
25 that is because I have the the reporting from CPS Albany.

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1 Ok. Now since thankfully now she's saying it's all
2 unfounded. Thank God for Robert Malek because if it not
3 be for Robert Malek we would not have two more indicateds
4 with CPS required and 6 and 6 case open services. And
5 that's not duplicated. Because of Robert Malek, we now
6 have service with the family that otherwise we would not
7 have. And I and I do have that exhibit which shows from
8 CPS Albany that we have like I said two indicateds CPS
9 required and 6 case plus 6 case open services on top of
10 Margaret Ingoglia's past of two Article 10 neglect losses
11 plus another another indicated. So we have a very a very
12 difficult situation of the past and the present. And as
13 far as me not submitting to your Order, absolute absolute
14 perjury once again. Now I just and I pose to you without
15 question. MHS has not called me since you've made this
16 Order. Now, MHS has called me several months ago. And I
17 told them I said I already had gone for imminent risk
18 assessment. I'm good. So I don't to so I don't have to
19 go. This was many many months ago. Since then, I had
20 provided the documents for you to see in Court in my in
21 my motions to modify visitation. On that day Rosmil
22 Almonte stated to you that these psych documents were not
23 dated. Not true, they were. That's another falsehood.
24 And I gave to the Court Officer to show to you and at the
25 time you said that you didn't have the time to look at

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1 and you gave it back. Ok fine. Then on November 14,
2 either you forgot or we didn't have the time. You have a
3 lot of cases. I'm not looking to to put you down. But I
4 was never asked for those psych reports on November 14.
5 So, you know the point is as far as me not submitting to
6 a MHS evaluation, MHS has not called me. And when they
7 did in the past, I I honestly told them I was like that
8 would be fine. I already have several evaluations and
9 unfortunately, you didn't have the time that day to view
10 my evaluations and I've had them with me. I have them I
11 well they're in the filing before you. I think it's
12 Exhibit I I think it's Exhibit I. And there are several of
13 them. Now if you still want me to go to MHS evaluation,
14 then I'll go. I'm not I'm not looking to deny your
15 Order. But the thing is that in order for Rosmil Almonte
16 to say this, she'd have to say hey look Your Honor, I
17 have evidence here. MHS tried to call Mr. Malek on these
18 days on these times, Mr. Malek didn't show. Rosmil
19 Almonte does not have that evidence. That I can
20 guarantee you.

21 MS. ALMONTE: Your Honor, can I have a I mean
22 he just stated he didn't go, Your Honor. His response
23 was he when they contacted him, he said he already had a
24 mental imminent assessment. We want one done by the

25 Court. There's no way around it, Your Honor. If you

WHEN THEY DIDNT CONTACT ME FOR MONTHS, I WENT TO A PSYCHIATRIST AND PSYCHOLOGIST AND TOOK
INITIATIVE.

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1 could just order him to submit to in Court imminent risk
2 assessment, we can move on from this. And if the Court
3 can just schedule the the hearing to hold him in
4 contempt.

5 MR. MALEK: Wait a second. Later the later on
6 was when you specifically said no I want you to go to
7 MHS. However, we're talking about several months ago
8 from Mr. Malek to go to an imminent risk assessment MHS.
9 Well I didn't know that MH it had to be done by MHS. I
10 went to a psychiatrist for several months. There's a
11 letter here from the psychiatrist. I provided to you an
12 imminent risk assessment. And there are other
13 assessments too. Now it seems like since then, you've
14 wanted and you said well no it's been argued in Court
15 from ACS but I want MHS Rosmil Almonte's office correct
16 me if I'm wrong we want MHS to see what we filed. We
17 want... Ok fine. That was when you said oh no all right,
18 Mr. Malek, why don't you go to MHS assessment. Ok fine.
19 Has MHS called me since then? No, they have not. But
20 the issue is Your Honor, also is that you haven't you
21 said on November 14 November 14 was when I was supposed
22 to show you those psych documents. And it was never and
23 you never asked for it in Court. The other time you
24 didn't have time. I think it's fair upon the Court
25 before you make a decision if you didn't have time the

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1 first time and you forgot about it the second time, then
2 maybe once you take a look at all the psych evaluations,
3 maybe you do want to go I mean maybe you want to go
4 forward with this and have me go to MHS or maybe you'll
5 say I don't have to. It's up to you. But as far as me
6 not doing something intentionally, absolutely not.

7 THE COURT: Ok. Mr. Malek, I don't know about
8 your recollection of the appearances here. But I just
9 looked at your Tab I in this binder--

10 MR. MALEK: Hm hm.

11 THE COURT: And I do see the evaluations that
12 you're providing to the Court and to other counsel. And
13 so, one thing I do notice is that the I believe the date
14 on the most recent is from 2018. And if I'm if I missed
15 one I--

16 MR. MALEK: Yeah, I think that's I don't I
17 don't think that I don't think that's that's correct.
18 The Dr. Eli is absolutely is absolutely 20 is after 2019,
19 Your Honor. So, we have over on me we have over a period
20 of of time.

21 MS. ALMONTE: Your Honor, to date we still
22 haven't had (inaudible) if he is going to (inaudible)
23 alleged mental health letters, we need to see them.

24 THE COURT: That's what I thought was the
25 issue. **ALMONTE IS LYING. THEY HAVE RECEIVED THEM PREVIOUSLY IN MY FILINGS
IN AUGUST AND THIS ONE. 478**

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1 MR. MALEK: Well---

2 MS. ALMONTE: We have---

3 THE COURT: Was that we---

4 MS. ALMONTE: We have we have no HIPAA signed.

5 THE COURT: Right. And Mr. Malek,--

6 MR. MALEK: Well, we do have---

7 THE COURT: I'm not sure if---

? ? ?

8 ? MR. MALEK: But we do have letters but we do

? ? ?

9 have letters from him. **MORE PERJURY. FROM THE THERAPISTS**

10 MS. ALMONTE: We already discussed this, Your
11 Honor. We are not going to accept a letter from the
12 **PERJURY**
13 respondent. We need him to sign releases for ACS
14 (inaudible) his providers needs to provide a copy of the
15 petition and speak to them independently from the
16 respondent.

17 THE COURT: Right. I thought, Mr. Malek, that
18 that was part of the issue was that you hadn't signed
19 releases for ACS to be able to follow up with the
20 providers that you have have informed ACS of. And in
21 with respect to as I said that what I see is 2018.

22 MR. MALEK: Well 2000 6/12/2019 it's here.

23 THE COURT: Oh, ok. So, what I am going to do--

24 -

25 MR. MALEK: Ok. And this is from and this is
from Dr. Eli.

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12

1 MS. ALMONTE: It means nothing to me, Your
2 Honor. Anyone can type that letter.

3 THE COURT: Ok. SO WHY NOT CALL DR ELI THEN.

4 MR. MALEK: Ok. I can go I can go back if
5 you're saying this possibly your fault, I can go back and
6 have this notarized or say I want a notarized copy from
7 this from this provider. WHICH I DID.....

8 THE COURT: What they want is the releases, Mr.
9 Malek. And I can also indicate, which I thought I had
10 done before, I thought I had issued an order for an
11 imminent risk assessment.

12 MS. ALMONTE: There is. I attached it to my
13 Order to Show Cause, Your Honor. I think if the Court
14 can just contact MHS, they can arrange to to have him
15 evaluated, Your Honor.

16 THE COURT: Yes. Mr. Malek, what would happen
17 is that separately from me, separately from ACS, the the
18 provider, MHS, would reach out just to arrange
19 scheduling. They're in this building and and they can do
20 that. Or we can have we can make the phone call that you
21 would be coming down to set up your own timing and we can
22 do that.

23 MS. ALMONTE: Can the Court do it, Your Honor.
24 We've been going in circles.

25 THE COURT: Yes.

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1 MS. ALMONTE: (inaudible)

2 THE COURT: We can we can do that. Just for us
3 to give them your name and tell them that you will be
4 coming down to set up your own scheduling.

5 MR. MALEK: Now as far as--

6 MS. ALMONTE: Ok.

7 THE COURT: And you know you come to this
8 building frequently, so you know how to move yourself
9 around in the building. And you'll be able to accomplish
10 this pretty easily. In terms of the HIPAA releases, if
11 they have forms today that you can review and sign, that
12 would be a very good thing. In terms of scheduling a
13 hearing, yes, we can do that as well. And we already
14 have trial dates. I think we have 3 or 4 trial dates.
15 So, there's no need to review that. Or we can use a
16 portion of the first trial date for the hearing. One or
17 the other.

18 MR. MALEK: Could I--

19 MS. ALMONTE: For the contempt hearing, Your
20 Honor?

21 MR. MALEK: Wait, can I just comment about
22 about MHS and the petition. As far as them having a copy
23 of the petition, ok, that's the only issue that I have
24 with this is how much information I don't mind having--

25 THE COURT: The same petition that you have.

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1 MR. MALEK: I don't mind having an independent
2 evaluation I don't want someone presenting false
3 information saying hey let me tell you about Rob Malek
4 about xy and z and they're going off of information that
5 I feel is is not true.

6 MS. ALMONTE: Your Honor, I want him to have
7 the entire file. Everything that the respondent filed or
8 has filed, every document, I want to provide every ORT, I
9 want him to have the entire file.

10 MR. MALEK: Ok. Sounds good to me. What's
11 fair is fair. Sure.

12 THE COURT: Ok.

13 MR. MALEK: Sure.

14 THE COURT: But the petition that you
15 originally received when this case came in, that's the
16 same thing that we're talking about. There's no other
17 petition. And as what is in the file, I don't know what
18 what is in the file to say that I can tell you today that
19 there's no other whatever else you'd be concerned about.

20 MR. MALEK: I I look I believe in full
21 transparency and honesty. Whatever they want to present
22 on their side, give it over to the evaluator as long as
23 the evaluator can see what I filed. I don't know if he'd
24 have time to look at everything. But no problem. You
25 know what's fair is fair.

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1 THE COURT: Ok.

2 MR. MALEK: Sure.

3 THE COURT: So, I'm going to issue that order.
4 We're going to call MHS. We're just going to give them
5 your name. Before you leave the building today, I'd ask
6 that you go there and set up the schedule for the
7 interview. And then they will issue a report and we'll
8 discuss that report on our next date.

9 MS. ALMONTE: Your Honor, just for the record,
10 I also want him to have the history from the visitation
11 from the CFS, the letters that were provided from how the
12 visits were going and Mr. Malek's (inaudible)

13 THE COURT: I'm not going to include that. I
14 think that in the interview and Mr. Malek who has been
15 very concerned about visits will discuss his own
16 concerns.

17 MS. ALMONTE: Your Honor, I think it's
18 important to have the entire file. That is part of the
19 entire file. The letters that were provided to the Court
20 from CFS, that is part of the entire file.

21 THE COURT: I'm going to leave that out. I'm
22 going to leave it out.

23 MR. MALEK: Ok.

24 THE COURT: And I'll just note in my Order that
25 the MHS interviewer will discuss visit issues with Mr.

CRAZY MR MALEK IS NOW ARTICULATE?

1 Malek. I I think Mr. Malek is articulate enough to
2 express what he has been concerned about with visits.
3 And I think that you the petition and the notes will
4 reflect what ACS has been concerned with in terms of
5 visits.

ALMONTE THE BULLY. AS CARLIN HAD TOLD ME,
IF THE JUDGE DOESNT GO WITH ACS SHE LOSES HER JOB...

6 MS. ALMONTE: Your Honor, the CFS reports note
7 Mr. Malek's interaction with the child, Mr. Malek's
8 behavior. I think it's important for the person who will
9 be evaluating to be able to have the entire picture.

10 MR. MALEK: Your Honor, CFS Kevin Gerasi and if
11 we need to have a hearing about this, I I I know that I
12 gave you a binder and you said you would review it for
13 homework. I don't know if you have. I know the contempt
14 of court addendum that you said you didn't want to view
15 that. Can anyone that there's an old saying a liar is
16 not be believed even when they tell the truth. Anyone
17 that lies to the Court is someone who cannot be believed.
18 When Kevin Gerasi has told you repeatedly that he has
19 made up all of Margaret Ingoglia's lateness time when he
20 has not is not a reliable reporter that you can rely on
21 as far as evaluating someone or their view. Anyone that
22 you get (inaudible) on as a Judge, you should be able to
23 trust them that this is honest and this is correct. And
24 Kevn Gerasi was not doing that. The problem of Kevin
25 Gerasi not doing that is a two-prong situation. Where

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1 Margaret Ingoglia in the Intake of CFS has told Kevin
2 Gerasi that I was hitting and shoving her when we first
3 got back together in 2015. When meanwhile, I I pointed
4 in the contempt of court and the contempt of court
5 addendum that she contradicted herself approximately ten
6 times over that I have never laid a hand on her. Now
7 when you're a woman and you go to a man, you tell this
8 man he was hitting me, he was shoving me, he was beating
9 me, you know women know what they're doing. When you do
10 that, you're invoking sympathy and you're affecting
11 someone's impartiality. And I wait wait wait hold on
12 please. And I told and at the time I told my lawyer I
13 said on that alone, I should have the right to have the
14 monitored visitation changed because of this if you're
15 going to if you're going to lie and say stuff like this
16 to to an evaluator to affect how that person feels about
17 me and report and reports about me as as as that I am a
18 criminal. I mean if you're talking about hitting and
19 shoving, I'm a multiple time batterer. ACS is not
20 alleging any physical abuse. And she's--

21 MS. ALMONTE: Your Honor, that's in none of the
22 reports. Mr. none of the reports the CFS reports any
23 conversation of Ms. Ingoglia had with any person from
24 CFS. It just--

25 MR. MALEK: Intake--

HERE COME THE JUDGE LIES ALONG
WITHEVERYONE ELSE BELOW.....

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1 MS. ALMONTE: The only one who sees (inaudible)
2 by CFS. Not the—
3

TURN TO NOV 8 2018 TRANSCRIPT WHERE I AM SPOKEN TO
ABOUT A WHOLE INTAKE I HAVE TO TAKE PART IN.....
THAT INTAKE REPORT I WAS PROVIDED IN THE 28 STATEMENTS OF IMPEACHMENT
FILED WITH US COURT AS WELL AS HERE, EXHIBIT

4 THE COURT: And you raised concerns about Mr.
5 Gerasi. We were only reacting to what was observed and
6 what was said during the course of a a visit if I recall
7 correctly.

8 MS. ALMONTE: Yes, Your Honor. The only last
9 thing in my my motion is my request for leave to amend.

10 THE COURT: To amend to do?

11 MS. ALMONTE: Petitions. Add new allegations
12 to the report. Do I have permission to leave to amend?

13 THE COURT: Yes.

14 MS. ALMONTE: Thank you.

15 MR. MALEK: Your Your Honor—

16 MS. ALMONTE: And (inaudible) written down an
17 NEVER DONE AS AN ORDER
18 order so I can provide it to the (inaudible)

19 MR. MALEK: Your Honor, I don't think I don't
20 think that's right because without you know when they're
21 saying 30 calls or whatever and this is all false and
22 unfounded, there is nothing—

23 THE COURT: Well we haven't the trials yet to
24 have any of these allegations tested for whether they can
25 be proven. So what ACS is asking to do—

MR. MALEK: But in in their records in ACS—

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1 THE COURT: Is just continue to add to what
2 they've already alleged to include additional activity or

3 additional issues. **IN ACS OWN RECORDS IT PROVES THEY ARE COMMITTING
PERJURY AND FILING AN AMENDED PETITION AGAINST
THE RESPONDENT THAT CONSTITUTES PERJURY / FALSE
STATEMENTS**

4 MR. MALEK: In the records--

5 MS. ALMONTE: (inaudible) so we have--

6 THE COURT: We have the trial date.

7 MS. ALMONTE: Have the trial date and the Court
8 is going to send Mr. Malek for an imminent risk
9 assessment.

10 THE COURT: Yes.

11 MS. ALMONTE: (inaudible) a hearing then.

12 THE COURT: Yes.

13 MS. ALMONTE: So, our next court date I'm sorry
14 I just have to go to Intake is March 24th?

15 THE COURT: Yes.

16 MR. MALEK: Your Honor, in nowhere anything
17 from Albany does it say false out of out of ACS I have
18 here exhibits where they've (inaudible) themselves
19 repeatedly between false and unfounded. Unfounded it
20 says in the law that you're immune from civil and
21 criminal and criminal liability.

22 THE COURT: Mr. Malek, that is what Ms.
23 Almonte's asking for. She's asking for a hearing on this
24 **WE MUST PANDER TO THE ACS GODS.....**
25 issue. And if you feel that that is not accurate, that
you've been filing anything falsely or or intentionally

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1 filing false reports, you can bring that up. That's how
2 you defend yourself. NO IT IS NOT. THERE SHOULD NOT HAVE TO BE A DEFENSE
TO KNOWN FALSE DOCUMENTS PRESENTED TO THE COURT.
CONTRADICTED BY THEIR OWN DOCUMENTS.

3 MR. MALEK: That would a trial a trial?

4 THE COURT: On that specific set of issues. On
5 that not on the whole case, just on these specific set of
6 issues.

7 MR. MALEK: That would be a separate hearing or
8 or a trial?

9 MS. ALMONTE: Can the Court notify us when Mr.
10 Malek submits to the in court imminent risk assessment?

11 THE COURT: Can you what?

12 MS. ALMONTE: Can we have another day or
13 something between for us so when the when the imminent
14 risk assessment is completed.

15 THE COURT: Oh.

16 MS. ALMONTE: So, we can have (inaudible)

17 THE COURT: Yes, well I'm going to try and see
18 if I can get a date before March 24th to address this
19 specific issue.

20 MR. MALEK: Oh great. Yes.

21 THE COURT: Ok?

22 MR. MALEK: Definitely.

23 THE COURT: So that's we're going to do right
24 now.

25 MR. MALEK: Well because as I told you, if it

I AM INFORMING THE JUDGE OF THE PERJURY 333

1 wouldn't be for me, there wouldn't they're say everything
2 is false and unfounded, I have here out of Albany 2
3 indications CPS required and 6 case open services thanks
4 to me making calls, the family's getting care.

5 THE COURT: Ok. All right. So, on February
6 24th, I can do--

7 MS. ALMONTE: (inaudible) here on that day,
8 Your Honor.

9 THE COURT: Ok.

10 MR. CARLIN: Your Honor, Mr. Malek has also
11 filed an Order to Show Cause asking that I be relieved.
12 It seems as though we haven't succeeded in having a
13 successful attorney-client relationship. So, I'm joining
14 in that application now.

15 THE COURT: Ok. All right. Mr. Malek, is that
16 the case? I saw that in your latest set of filings?

17 MR. MALEK: Yes, Your Honor, I mean I think
18 he's a he's a very nice person. I have no problem with
19 him personally. Just doesn't get back to me with my text
20 or emails after all this time and I you know I just need
21 someone who can get back to me at sometime, give me some
22 advice, you know when I need it send over an email a copy
23 of something or you know. It's just not I just need--

24 THE COURT: Right.

25 MR. MALEK: To have you know that's all.

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1 THE COURT: Ok.

2 MR. MALEK: You don't have to by law you don't
3 have to give me another legal advisor if you don't want
4 to.

5 THE COURT: No no. At this point,--

6 MR. MALEK: Or by law but if you'd like to like
7 to it'd be nice. I'd appreciate it.

8 THE COURT: Ok. If there is a person on the
9 next date that we can ask to do that, I can't I can't
10 find anyone today. But Mr. Carlin, I will grant that
11 relief and and that's fine. You know Mr. Malek, all I
12 all I will say is that you have said this about almost
13 every attorney that has appeared with you and you know
14 the volume in this building is is known nationally how
15 how heavy the volume is in this building. And so the
16 attorneys are working enormous amounts of hours and and I
17 am I know nothing about Mr. Carlin's practice other than
18 to say that he's one of many attorneys in this building
19 working very very hard.

20 MR. MALEK: I know that.

21 THE COURT: Ok?

22 MR. MALEK: If someone could get back to me in
23 a couple of days, I'd be ok with that you know.

24 THE COURT: Ok.

25 MR. MALEK: I just there's just something else

1 that I just want to tell you you know that that it it it
2 does bother me, Your Honor, and does concern me. It's in
3 reference to the assessment of myself. And I just want
4 to you know please.

5 THE COURT: In reference to what?

6 MR. MALEK: In reference to the assessment of
7 myself. I just want to let you know that someone in in
8 in a court of law, someone needs to be judged according
9 to the facts--

10 THE COURT: Ok, Mr. Malek. I want to stop you
11 right now because like I said, I'm going to set that
12 date. Mr. Almonte has to go to another courtroom.

13 MR. MALEK: Ok.

14 THE COURT: And the attorneys have to go to
15 other--

16 MR. MALEK: I respect it.

17 THE COURT: And this is this is the point I'm
18 trying to make to you that the business of this building
19 is so intense that I'll give you your time to defend
20 yourself and to speak to the issues that are of concern.
21 But at this time, I'm now taking the time away from
22 somebody else's family (inaudible)

23 MR. MALEK: I respect it.

24 THE COURT: OK?
25

1 MS. ALMONTE: Your Honor, is the Court allowing
2 me to submit also the the CFS Court Report as part of the
3 assessment? THE ACS BULLIES DONT GIVE UP.....

4 THE COURT: If it only speaks to the
5 observations or visits, yes.

6 MS. ALMONTE: Yes, that's what it states.

7 THE COURT: Ok.

8 MR. MALEK: Your Honor, I I have not had ok I
9 object to that up to the last one because I have not I
10 have not seen and I've requested it from Mr.
11 Brathwait(sp) and I know I put it in motion to compel. I
12 have not been given a copy of the most previous CFS
13 report to comment. I have commented on Kevin Gerasi on
14 both of his on both of his reports very diligently in the
15 contempt of court and the contempt of court addendum.
16 That's why those two those two volumes was 500 pages. So
17 if if an evaluator of me is going is going to evaluate
18 me, I don't mind that evaluator viewing the March it was
19 the March 4 and the May 7 because I at least had a chance
20 to file my rebuttal to that. No problem. But after
21 that, what he's filed since I told him that you know that
22 I was going to sue him regarding the 500 regarding the
23 500 minutes well ok that whole scenario in the emails
24 it's there. The proof is is is there. That that thing
25 went on too long. I just finally said look--

AND THEN THE COURT ORDERS EVERYTHING AND IGNORES ALL MY OSC'S

1 THE COURT: Mr. Malek? For the sake of time
2 today, I'm agreeing to the 3 March 4th and the May 7th--

3 MR. MALEK: May 7th? Thank you very much.

4 THE COURT: Reports being sent.

5 MR. MALEK: Ok.

6 THE COURT: May March 4th and May 7th. Those CFS
7 reports--- SHE ASSURES ME AGAIN.....

8 MR. MALEK: Thank you.

9 THE COURT: Dated on those two dates can be
10 included in what MHS--

11 MR. MALEK: Nice it's a compromise.

12 MS. ALMONTE: Your Honor, I'm going to provide
13 him--

14 THE COURT: Ms. Almonte, Ms. Almonte, let's
15 stop here. ALMONTE THE BULLY DOESNT LET UP.

16 MR. JOHNSON: Why can't we all just be provided
17 copies of what she's giving to CFS? They're going to
18 what she's giving to MHS prior to his evaluation?
19 They're going to ask him about it and so he I would ask
20 for copies of everything all be provided copies of what
21 she's giving.

22 THE COURT: You can get you can get copies but
23 I'm just saying I don't want to delay this any further.

24 MS. ALMONTE: He can he can I know but he can
25 speak I'm going to provide all the information. Lik
THE ALMONTE ACS GODS REFUSE. THEY ARE GIVING EVERYTHING

1 he's like Mr. Johnson's saying he can speak to the
2 evaluator asked anything--

3 THE COURT: He will and that will lead to the
4 discussion about I'm going to set the date.

5 MS. ALMONTE: But I want to provide him the
6 entire record. THE ALMONTE BULLY, THE ACS BULLIES DONT QUIT.....

7 THE COURT: Ms. Almonte, no. SHE IS AGAIN TELLING
THE ACS BULLIES, NO!

8 MR. MALEK: Your Honor, it's going to take time
9 for me it it's a that was a 500 page presentation of what
10 had happened over the over those months and the March 4
11 and May 7 and the May 7 report. It was extensive. If
12 I'm just given these reports ok we're going to MHS. It
13 takes me time I mean I'm I do very care diligent work--

14 THE COURT: Ok. I'm looking at--

15 MR. MALEK: Please.

16 THE COURT: Mr. Malek, I am finished with this
17 conversation for today.

18 MR. MALEK: Thank you.

19 THE COURT: I'm looking at February 20th 12-1.

20 MS. ALMONTE: That's fine.

21 MR. JOHNSON: Fine.

22 THE COURT: Ok.. All right. That's for the
23 hearing.

24 MS. ALMONTE: For which hearing? The contempt
25 hearing or--

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1 THE COURT: Yes.

2 MR. MALEK: For the what hearing?

3 THE COURT: That's on--

4 MR. MALEK: That's the call hearing. That's
5 the hearing on the calls. NEVER HAPPENED....

6 THE COURT: That's on that's on ACS'
7 application.

8 MR. MALEK: On the calls, yeah.

9 THE COURT: Ok.

10 MR. MALEK: Great. Thank you, Your Honor.

11 THE COURT: Ok.

12 MS. ALMONTE: I mean Your Honor, it can be
13 combined with the fact finding. I don't have an issue
14 (inaudible)

15 THE COURT: No. Because he we still have Mr.
16 Malek's Order to Show Cause that we didn't address today.
17 So, any extra time I have will go Mr. Malek's case.

18 MS. ALMONTE: Ok. Then on that date, you will
19 have a report from the imminent risk assessment?

20 THE COURT: Hopefully, yes. I hope that they
21 will have completed their report by then. Ok?

22 MS. ALMONTE: Ok.

23 MR. JOHNSON: He needs to go down now to
24 schedule that appointment?

25 THE COURT: Yes.

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1 MR. JOHNSON: Ok.

2 MR. MALEK: I don't even know where it is so—

3 MR. JOHNSON: 3rd floor.

4 MR. MALEK: You all right you'll show me.

5 MR. JOHNSON: I certainly will.

6 THE COURT: Ok. Thank you. All right. So Mr.
7 Johnson will give you some indication of exactly where
8 you're going.

9 MR. JOHNSON: I will take him down.

10 MR. MALEK: Oh, should I wait what I should I
11 gave one of my Order to Show Cause packs up there but I
12 didn't give ok ok thank you.

13 THE COURT: Ok. All right?

14 MR. MALEK: Ok. Thank you.

15 (Whereupon this proceeding was adjourned at 3:14 p.m.)

16 CERTIFICATION

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

21 Signature Susan L. Pellegrini (Electronic Signature)

22
23 271 Osborne Road
24 Loudonville, NY 12211
25 (518) 496-6477
(518) 598-9710

Date: September 2, 2020

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EXHIBIT Z

KeyCite Yellow Flag - Negative Treatment
Superseded by Statute as Stated in *In re Richards*, Cal., December 3, 2012

79 S.Ct. 1173

Supreme Court of the United States

Henry NAPUE, Petitioner,

v.

PEOPLE OF THE STATE OF ILLINOIS.

No. 583.

Argued April 30, 1959.

Decided June 15, 1959.

Synopsis

Petitioner, who had been convicted of murder, filed a petition for a post-conviction hearing. The Criminal Court, Cook County, entered an order denying relief, and the petitioner brought error. The Illinois Supreme Court, 13 Ill.2d 566, 150 N.E.2d 613, affirmed the order, and the petitioner brought certiorari. The United States Supreme Court, Mr. Chief Justice Warren, held that where important witness for the State, in murder prosecution of petitioner, falsely testified that witness had received no promise of consideration in return for his testimony, though in fact Assistant State's Attorney had promised witness consideration, and Assistant State's Attorney did nothing to correct false testimony of witness, petitioner was denied due process of law in violation of the Fourteenth Amendment to the Federal Constitution, though jury was apprised of other grounds for believing that the witness may have had an interest in testifying against petitioner.

Judgment reversed.

West Headnotes (8)

[1] Federal Courts — Criminal matters

The United States Supreme Court granted certiorari to consider question whether petitioner was denied due process of law in violation of the Fourteenth Amendment to the Federal Constitution because important witness for the State in murder prosecution of petitioner falsely

testified that witness had received no promise of consideration in return for his testimony though in fact Assistant State's Attorney had promised witness consideration. U.S.C.A.Const. Amend. 14.

102 Cases that cite this headnote

[2] Constitutional Law — Use of Perjured or Falsified Evidence

Constitutional Law — Failure to correct false testimony

Conviction obtained through use of false testimony, known to be such by representatives of the State, is a denial of due process, and there is also a denial of due process, when the State, though not soliciting false evidence, allows it to go uncorrected when it appears. U.S.C.A.Const. Amend. 14.

2286 Cases that cite this headnote

[3] Constitutional Law — Use of Perjured or Falsified Evidence

Principle that a State may not knowingly use false evidence, including false testimony, to obtain a tainted conviction, implicit in any concept of ordered liberty, does not cease to apply merely because the false testimony goes only to the credibility of the witness. U.S.C.A.Const. Amend. 14.

2292 Cases that cite this headnote

[4] Constitutional Law — Use of Perjured or Falsified Evidence

Constitutional Law — Failure to correct false testimony

Criminal Law — Duty to correct false or perjured testimony

Where important witness for the State, in murder prosecution of petitioner, falsely testified that witness had received no promise of consideration in return for his testimony, though in fact Assistant State's Attorney had promised witness consideration, and Assistant State's Attorney did nothing to correct false testimony of witness,

fact that jury was apprised of other grounds for believing that witness may have had an interest in testifying against petitioner did not turn what was otherwise a tainted trial into a fair one. U.S.C.A.Const. Amend. 14.

586 Cases that cite this headnote

[5] **Constitutional Law** — Use of Perjured or Falsified Evidence

Criminal Law — Duty to correct false or perjured testimony

Where important witness for the State, in murder prosecution of petitioner, falsely testified that witness had received no promise of consideration in return for his testimony, though in fact Assistant State's Attorney had promised witness consideration, and Assistant State's Attorney did nothing to correct false testimony of witness, petitioner was denied due process of law, though jury was apprised of other grounds for believing that the witness may have had an interest in testifying against petitioner. U.S.C.A.Const. Amend. 14.

596 Cases that cite this headnote

[6] **Federal Courts** — Questions of fact, verdicts, and findings

The United States Supreme Court has the duty to make its own independent examination of the record to determine facts when federal constitutional deprivations are alleged.

17 Cases that cite this headnote

[7] **Federal Courts** — Questions of fact, verdicts, and findings

In cases in which there is a claim of denial of rights under the Federal Constitution, the United States Supreme Court is not bound by factual conclusions of lower courts, but will re-examine the evidentiary basis on which those conclusions are founded.

14 Cases that cite this headnote

[8] **Federal Courts** — Questions of fact, verdicts, and findings

The United States Supreme Court was free to reach a factual conclusion different from that reached by the Illinois Supreme Court, when the United States Supreme Court, on certiorari, passed on question whether petitioner was denied due process of law in violation of the Fourteenth Amendment to the Federal Constitution because important witness for the State in murder prosecution of petitioner falsely testified that witness had received no promise of consideration in return for his testimony, though in fact Assistant State's Attorney had promised witness consideration. U.S.C.A.Const. Amend. 14.

69 Cases that cite this headnote

Attorneys and Law Firms

**1174 *264 Mr. George N. Leighton, Chicago, Ill., for petitioner.

Mr. William C. Wines, Chicago, Ill., for respondent.

Opinion

**1175 *265 Mr. Chief Justice WARREN, delivered the opinion of the Court.

At the murder trial of petitioner the principal state witness, then serving a 199-year sentence for the same murder, testified in response to a question by the Assistant State's Attorney that he had received no promise of consideration in return for his testimony. The Assistant State's Attorney had in fact promised him consideration, but did nothing to correct the witness' false testimony. The jury was apprised, however, that a public defender had promised 'to do what he could' for the witness. The question presented is whether on these facts the failure of the prosecutor to correct the testimony of the witness which he knew to be false denied petitioner due process of law in violation of the Fourteenth Amendment to the Constitution of the United States.

The record in this Court contains testimony from which the following facts could have been found. The murder in question occurred early in the morning of August 21,

79 S.Ct. 1173, 3 L.Ed.2d 1217

[3] The principle that a State may not knowingly use false evidence, including false testimony, to obtain a tainted conviction, implicit in any concept of ordered liberty, does not cease to apply merely because the false testimony goes only to the credibility of the witness. The jury's estimate of the truthfulness and reliability of a given witness may well be determinative of guilt or innocence, and it is upon such subtle factors as the possible interest of the witness in testifying falsely that a defendant's life or liberty may depend. As stated by the New York Court of Appeals in a case very similar to this one, *People v. Savvides*, 1 N.Y.2d 554, 557, 154 N.Y.S.2d 885, 887, 136 N.E.2d 853, 854—855:

'It is of no consequence that the falsehood bore upon the witness' credibility rather than directly upon defendant's guilt. A lie is a lie, no matter what its subject, and, if it is in any way relevant to the case, the district attorney has the responsibility and duty to correct what he knows to be false and elicit the truth. * * * That the district attorney's silence was not the result of guile or a desire to prejudice matters little, for its impact was the same, preventing, as it did, a trial that could in any real sense be termed fair.'

[4] [5] Second, we do not believe that the fact that the jury was apprised of other grounds for believing that the witness Hamer may have had an interest in testifying against petitioner turned what was otherwise a tainted trial into a fair one. As Mr. Justice Schaefer, joined by Chief Justice Davis, rightly put it in his dissenting opinion below, 13 Ill.2d 566, 571, 150 N.E.2d 613, 616:

'What is overlooked here is that Hamer clearly testified that no one had offered to help him except an unidentified lawyer from the public defender's office.'

Had the jury been apprised of the true facts, however, it might well have concluded that Hamer had fabricated testimony in

order to curry the favor of the very representative of the State who was prosecuting the case in which Hamer was testifying, for Hamer might have believed that such a representative was in a position to implement (as he ultimately attempted to do) any promise of consideration. That the Assistant State's Attorney himself thought it important to establish before the jury that no official source had promised Hamer consideration is made clear by his redirect examination, which was the last testimony of Hamer's heard by the jury:

**1178 'Q. Mr. Hamer, has Judge Prystalski (the trial judge) promised you any reduction of sentence?

*271 A. No, sir.

'Q. Have I promised you that I would recommend any reduction of sentence to anybody? A. You did not. (That answer was false and known to be so by the prosecutor.)

'Q. Has any Judge of the criminal court promised that they (sic) would reduce your sentence? A. No, sir.

'Q. Has any representative of the Parole Board been to see you and promised you a reduction of sentence? A. No, sir.

'Q. Has any representative of the Governor of the State of Illinois promised you a reduction of sentence? A. No, sir.'

We are therefore unable to agree with the Illinois Supreme Court that 'there was no constitutional infirmity by virtue of the false statement.'

[6] [7] [8] Third, the State argues that we are not free to reach a factual conclusion different from that reached by the Illinois Supreme Court, and that we are bound by its determination that the false testimony could not in any reasonable likelihood have affected the judgment of the jury.

The State relies on *Hysler v. State of Florida*, 315 U.S. 411, 62 S.Ct. 688, 86 L.Ed. 932. But in that case the Court held only that a state standard of specificity and substantiality in making allegations of federal constitutional deprivations would be respected, and this Court made its own 'independent examination' of the allegations there to determine if they had in fact met the Florida standard. The duty of this Court to make its own independent examination of the record when

federal constitutional deprivations are alleged is clear, resting, as it does, on our solemn responsibility for maintaining the

Constitution inviolate. *Martin v. Hunter's Lessee*, 1 Wheat.

304, 4 L.Ed. 97; *Cooper v. Aaron*, 358 U.S. 1, 78 S.Ct.

1401, 3 L.Ed.2d 5. *272 This principle was well stated in

Niemotko v. State of Maryland, 340 U.S. 268, 271, 71 S.Ct. 325, 327, 95 L.Ed. 267:

'In cases in which there is a claim of denial of rights under the Federal Constitution, this Court is not bound by the conclusions of lower courts, but will reexamine the evidentiary basis on which those conclusions are founded.'

It is now so well settled that the Court was able to speak in

Kern-Limerick, Inc. v. Scurlock, 347 U.S. 110, 121, 74 S.Ct. 403, 410, 98 L.Ed. 546, of the 'long course of judicial construction which establishes as a principle that the duty rests on this Court to decide for itself facts or constructions upon which federal constitutional issues rest.'⁴ As previously

**1179 indicated, our own evaluation of the record here compels us to hold that the false testimony used by the State in securing the conviction of petitioner may have had an effect on the outcome of the trial. Accordingly, the judgment below must be reversed.

Reversed.

All Citations

360 U.S. 264, 79 S.Ct. 1173, 3 L.Ed.2d 1217

Footnotes

¹ In relevant part, his petition read as follows:

'After Hamer was sentenced your petitioner (the Assistant State's Attorney) well knowing that identification of Poe, Napue and Webb if and when apprehended would be of an unsatisfactory character and not the kind of evidence upon which a jury could be asked to inflict a proper, severe penalty, and being unable to determine in advance whether Poe, Napue and Webb would made confessions of their participation in the crime, represented to Hamer that if he would be willing to cooperate with law enforcing officials upon the trial of (sic) trials of Poe, Napue and Webb when they were apprehended, that a recommendation for a reduction of his sentence would be made and, if possible, effectuated.

'Before testifying on behalf of the State and against Napue, Hamer expressed to your petitioner a reluctance to cooperate any further unless he were given definite assurance that a recommendation for reduction of his sentence would be made. Your petitioner, feeling that the interests of justice required Hamer's testimony, again assured Hamer that every possible effort would be made to conform to the promise previously made to him.'

² The alleged false testimony of Hamer first occurred on his cross-examination:

'Q. Did anybody give you a reward or promise you a reward for testifying? A. There ain't nobody promised me anything.'

On redirect examination the Assistant State's Attorney again elicited the same false answer.

'Q. (by the Assistant State's Attorney) Have I promised you that I would recommend any reduction of sentence to anybody? A. You did not.'

³ The following is Hamer's testimony on the subject:

'Q. (on cross-examination) And didn't you tell him (one of Napue's attorneys) that you wouldn't testify in this case unless you got some consideration for it? A. *** Yes, I did; I told him that.

'Q. What are you sentenced for? A. One Hundred and Ninety-Nine Years.

'Q. You hope to have that reduced, don't you? A. Well, if anybody would help me or do anything for me, why certainly I would.

'Q. Weren't you expecting that when you came here today? A. There haven't no one told me anything, no more than the lawyer. The lawyer come in and talked to me a while ago and said he was going to do what he could.

'Q. Which lawyer was that? A. I don't know; it was a Public Defender. I don't see him in here.

'Q. You mean he was from the Public Defender's office? A. I imagine that is where he was from, I don't know.

'Q. And he was the one who told you that? A. Yes, he told me he was trying to get something did for me.

'Q. *** And he told you he was going to do something for you? A. He said he was going to try to.

'Q. And you told them (police officers) you would (testify at the trial of Napue) but you expected some consideration for it? A. I asked them was there any chance of me getting any. The man told me he didn't know, that he couldn't promise me anything.

'Q. Then you spoke to a lawyer today who said he would try to get your time cut? A. That was this Public Defender. I don't even know his name. ***

4 See, e.g., *Payne v. State of Arkansas*, 356 U.S. 560, 562, 78 S.Ct. 844, 847, 2 L.Ed.2d 975; *Leyra v. Denno*, 347 U.S. 556, 558, 74 S.Ct. 716, 717, 98 L.Ed. 948; *Avery v. State of Georgia*, 345 U.S. 559, 561, 73 S.Ct. 891, 892, 97 L.Ed. 1244; *Feiner v. People of State of New York*, 340 U.S. 315, 322, 323, note 4, 71 S.Ct. 303, 307, 95 L.Ed. 267 (dissenting opinion); *Cassell v. State of Texas*, 339 U.S. 282, 283, 70 S.Ct. 629, 94 L.Ed. 839; *Haley v. State of Ohio*, 332 U.S. 596, 599, 68 S.Ct. 302, 303, 92 L.Ed. 224; *Malinski v. People of State of New York*, 324 U.S. 401, 404, 65 S.Ct. 781, 783, 89 L.Ed. 1029; *Ashcraft v. State of Tennessee*, 322 U.S. 143, 149, 64 S.Ct. 921, 923, 88 L.Ed. 1192; *Ward v. State of Texas*, 316 U.S. 547, 550, 62 S.Ct. 1139, 1141, 86 L.Ed. 1663; *Smith v. State of Texas*, 311 U.S. 128, 130, 61 S.Ct. 164, 165, 85 L.Ed. 84; *State of South Carolina v. Bailey*, 289 U.S. 412, 420, 53 S.Ct. 667, 670, 77 L.Ed. 1292. See also, e.g., *Roth v. United States*, 354 U.S. 476, 497, 77 S.Ct. 1304, 1315, 1 L.Ed.2d 1498 (dissenting opinion); *Stroble v. State of California*, 343 U.S. 181, 190, 72 S.Ct. 599, 603, 96 L.Ed. 872; *Sterling v. Constantin*, 287 U.S. 378, 398, 53 S.Ct. 190, 195, 77 L.Ed. 375; *Southern Pacific Co. v. Schuyler*, 227 U.S. 601, 611, 33 S.Ct. 277, 280, 57 L.Ed. 662; *Creswill v. Grand Lodge Knights of Pythias*, 225 U.S. 246, 261, 32 S.Ct. 822, 56 L.Ed. 1074.

Mr. Justice Holmes, writing for the Court, recognized the principle over 35 years ago in *Davis v. Wechsler*, 263 U.S. 22, 24, 44 S.Ct. 13, 14, 68 L.Ed. 143:

'If the Constitution and laws of the United States are to be enforced, this Court cannot accept as final the decision of a state tribunal as to what are the facts alleged to give rise to the right or to bar the assertion of it even upon local grounds.'

to defendant and protecting society's interest in prosecuting murder. U.S.C.A. Const.Amend. 14.

[6] **Constitutional Law** ✚ Use of Perjured or Falsified Evidence

It is fundamentally unfair, and a clear violation of a defendant's right to due process, for a prosecutor to present testimony that he knew, or should have known, is perjured. U.S.C.A. Const.Amend. 14.

[7] **Constitutional Law** ✚ Failure to correct false testimony

It is fundamentally unfair, and a clear violation of a defendant's right to due process, for the state, while not soliciting false evidence, to allow such evidence to go uncorrected when it appears. U.S.C.A. Const.Amend. 14.

Attorneys and Law Firms

**483 Robert T. Johnson, Esq., District Attorney, Bronx County, by Jason Petri, Esq., Assistant District Attorney, Larry Sheehan, Esq., Bronx, Attorney for Defendant.

Opinion

EDGAR G. WALKER, J.

*856 On January 14, 2007, Carolyn Vargas was stabbed to death at approximately 2:10 a.m. in an apartment located at 306 East 180th Street in Bronx County. Ronald Baker informed Detective Luis Pineiro, a detective who was assigned to investigate the matter, that he was in a bedroom in the apartment when he heard a loud thump, then he got up and went into another room where he observed Ms. Vargas lying on the floor in a pool of blood and defendant fleeing the apartment. Defendant was arrested and indicted for Murder in the Second Degree and other related charges. Mr. Baker testified to essentially the same facts before the Grand Jury. In several interviews with defense counsel, Daniel Mentzer, Mr. Baker consistently informed Mr. Mentzer that he did not witness the incident but merely heard a thump while inside the bedroom and arose to find Ms. Vargas lying on the floor and defendant fleeing the apartment. On one occasion, Mr.

Mentzer went with Mr. Baker to the apartment where the incident occurred and Mr. Baker showed Mr. Mentzer *857 where he was in the bedroom when the incident happened. The case was sent to this Court for hearings and trial on September 13, 2011. Thereafter, the prosecutor provided Mr. Mentzer with an additional statement made by Mr. Baker to his probation officer wherein Mr. Baker again stated, in sum and substance, that on the night of the incident he was in his bedroom when he heard a thump, whereupon he left his bedroom and observed Ms. Vargas lying on the kitchen floor.

On October 4, 2011, after the parties made their opening statements, at defense counsel's request, the prosecutor turned over a record of prior convictions, including the dates and sentences, of their main witness, Ronald Baker. While the prosecutor informed defense counsel that Mr. **484 Baker had a prior manslaughter conviction in Virginia, he stated that he was not able to obtain any underlying facts surrounding this conviction because the records were sealed. On October 5, 2011, after defendant objected to the People's introduction into evidence of 911 recordings, a hearing was held outside the presence of the jury to determine the admissibility of the recordings. Mr. Baker, who had not yet testified at trial, was called by the prosecutor to testify at this hearing. In contradiction to his previous recorded statements, his sworn testimony before the grand jury and his statements to Mr. Mentzer, Mr. Baker testified on cross-examination that he had seen defendant stab Ms. Vargas in the chest. When asked why he now claimed to have seen defendant stab Ms. Vargas, Mr. Baker stated that it was because the defendant had to take responsibility for what he had done.

A lengthy colloquy then took place wherein the prosecutor acknowledged that he had been aware for several weeks that Mr. Baker had changed his story and would testify at trial that he saw defendant stab and kill Ms. Vargas. Mr. Mentzer stated that he had no idea that Mr. Baker would testify that he saw defendant stab Ms. Vargas and that, had he known of this change in Mr. Baker's version of events, he would have conducted jury selection and his opening statement in a different manner. Over the prosecution's objection, this Court granted defendant's request for a mistrial. Defendant now moves for dismissal of the indictment based upon a **Brady** violation.

While the People acknowledge that "in retrospect, surprise to defendant could have been avoided by providing him the knowledge that Mr. Baker would testify at trial to having seen defendant's stabbing of Ms. Vargas," they contend that

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EXHIBIT AA

349

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
In the Matter of

Margaret Malek

A Child Under Eighteen Years
of Age Alleged to be Neglected by

Robert Malek

Respondent
-----X

ORDER TO SHOW CAUSE
Docket No.: NN-19410-18

Part 6
Jacqueline Williams. FJC)

Rosmil Almonte, an attorney duly admitted to the practice of law before the courts of the State of New York, affirms the following to be true under the penalties of perjury pursuant to CPLR § 2106 perjury pursuant to CPLR § 2106:

1. I am of Counsel to ALAN SPUTZ, ESQ., Special Assistant Corporation Counsel to JAMES JOHNSON, ESQ., Corporation Counsel of the City of New York, and as such, counsel for DAVID HANSELL, the Commissioner of the Administration for Children's Services ("ACS"), the Petitioner herein.

I make this Affirmation in Opposition to the several motions filed by the respondent father.

Replay to Respondent's Motion Numbers 22 and 25 Filed on January 14, 2020

2. Respondent Robert Malek filed an Order to Show Cause seeking the Court to issue a Judicial Subpoena for Manhattan District Attorney to provide any discovery in their position regarding an alleged child protective investigation involving the non-respondent mother from November 6, 2018. Petitioner now moves to squash said request.

3. Generally, the respondent Robert Malek is entitled to all matters material and necessary in the defense of an action. CPLR section 3120 governs the production of documents. Petitioners submits that the alleged documents requested by Mr. Robert Malek from the

Manhattan District Attorney Office is irrelevant in establishing a defense of child neglect. From the face of the subpoena, the documents requested by the respondent Mr. Robert Malek involve allegations against the non-respondent mother which is irrelevant to a proceeding against Mr. Malek for child neglect. The underlying allegation of the petition arise from Mr. Malek physical and emotional abuse of the non-respondent mother in the presence of the children. Mr. Malek seeking the production of records from Manhattan District Attorney Office is simply another attempt to menace and harass the non-respondent mother for speaking up about the physical and emotional abuse perpetrated by Mr. Malek.

Replay to Respondent's Motion Numbers 25 and 28 Filed on January 14, 2020

4. The respondent filed an Order to Show Cause for a subpoena seeking the production of all audio files from every call made SCR hotline regards to ~~Margaret Malek~~, Robert Malek, Margaret Ingoglia a Joe Palomino.

5. Petitioner is not able to provide any audio files of the calls in the SCR as the calls are not recorded and as such no audio files are available. Petitioner is only able to provide for the calls requested by the respondent, the Oral Report Transmittal (ORT).

Replay to Respondent's Motion Numbers 26 and 23 Filed on January 14, 2020

6. The respondent filed an Order to Show Cause for a subpoena seeking that the company K-Mart produce recordings and videos from an alleged incident involving the non-respondent mother and the subject children in January 14, 2019. Petitioner objects to the court issuing such subpoena to the respondent father.

7. As previously stated by Petitioner, the respondent Robert Malek is entitled to all matters material and necessary in the defense of an action. According to the respondent's Order to Show Cause, on January 14, 2019, the non-respondent mother was caught shop lifting at a K-

Mark store with the subject children. The respondent is now requesting from the store K-mart to produce all audio, recordings, pictures and documents relating to that incident. Petitioner submits that the discovery requested by the respondent is not relevant and necessary for defense in a Child Protective Proceeding against the respondent. The alleged K-mark incident does not involve any of the allegations in the Article 10 petition filed against the respondent. The respondent is simply seeking to further harass and intimidate the non-respondent mother. It should be noted by the Court that based on the information in the Order to Show Cause filed by the respondent father, that the respondent father hired a private investigator Mr. Michael Ruggiero from the Beau Dietl and Associates to conduct surveillance on the non-respondent mother. This is a clear violation of the Order of Protection issued on behalf of the non-respondent mother and the subject children against the respondent father. The respondent father hiring a private investigator to conduct surveillance on the non-respondent mother and the subject child constitute contact via 3rd party which is a violation of the Order of Protection.

Replay to Respondent's Motion Numbers 26 and 29 Filed on January 14, 2020

8. The respondent filed a Order to Show Cause on January 14, 2020 seeking that the Court vacate the ordered issued by the Court on October 16, 2018, which prohibits the respondent from recording the visits between the respondent and the subject child ~~Mr. [redacted]~~ at the ACS field office.

9. Petitioner objects to the Court vacating that order. Family Court is a court of limited jurisdiction it cannot exercise powers beyond those granted to it by statute. See Pearson v. Person, 489 N.Y.S.2d 332 (1985). The separation of powers between the branches of government limit the authority of the Court to compel an executive agency like ACS in matters that deal with judgment, discretion and allocation of resources. The judicial branch of

government is not designed nor intended to assume the management and operation of an executive enterprise. See Matter of Tiffany A., 703 N.Y.S.2d 381(2000). It is an ACS policy that video or audio recording by any person visiting an ACS field office is prohibited. ACS's policy regarding video or audio recordings is management and operation decision and as such the Court cannot compel ACS to permit the respondent to record the visits at the ACS field office.

WHEREFORE, it is respectfully requested that the Court grant petitioner's request in its entirety, and grant such other and further relief as this Court deems just and proper.

Dated: July 6, 2020
Brooklyn, NY



Rosmil Almonte, Esq.

Palmer Recovery Attorneys, PLLC
Post Office Box 915389, Longwood, Florida 32791-5389



**Palmer Recovery
Attorneys, PLLC**

260 Wekiva Springs Rd., Suite 2090
Longwood, FL 32779-3699



Tuesday, March 19, 2019

Toll Free (888) 572-5637
Telephone (407) 875-8032
Facsimile (407) 875-0739

Margart Ingoglia
1110 E 101st St 1
Brooklyn, NY 11236-4428

000002

Re: KMRT-NY
CDA-NTC2-DEF

File #: 9110794
PIN #: 6928



SECOND SETTLEMENT OFFER

Dear Margart Ingoglia:

This Law Firm represents Big Kmart concerning its civil claim against you in connection with an incident in their store 7749 on 1/14/2019. You have failed to make full payment after written demand to do so.

Pursuant to N.Y. Gen. Oblig. Law § 11-105 "Larceny in mercantile establishments", Big Kmart may consider moving forward with a statutory civil damages claim against you.

At this time, our client is requesting that you settle this matter by making payment to us in the amount of \$350.00 within ten (10) days of the date of this letter. Please keep in mind that a \$0.00 installment fee is requested for each partial payment made. Therefore, if you desire, you may mail up to three (3) payments of at least \$116.67 each, which includes the installment fee, as long as the first \$116.67 payment is postmarked within 10 days of the date on this letter and the remaining two (2) payments are mailed within 30 and 60 days. Sixty days from full payment and clearance of funds, you will receive a written release of the statutory civil damages claim.

Payment should be made payable and mailed to Palmer Recovery Attorneys, PLLC, Post Office Box 915389, Longwood, Florida 32791-5389. Please include the file number shown above on your payment. If you wish to discuss alternative payment arrangements, you may call us at (888) 572-5637. MasterCard, Visa, American Express, Discover, Money Gram, Money Order, Electronic Checks and Debit Cards are also accepted. You may also pay on-line through our secure website: WWW.PALMERPAY.COM.

Should payment fail to be made on time or payment arrangements not be set up within the above stated time period, we may review the matter for the possibility of recommending that our client take further civil action and depending on the state law, may choose to make a higher settlement request on behalf of our client. Big Kmart may in the future consider filing a lawsuit, in which case it will likely seek any available attorney's fees, court costs and other legal expenses throughout such litigation. **Any defending party to such a lawsuit would likely be served by a process server with a summons** requiring the party or the party's attorney to respond and/or appear in court to defend the action. If successful in any such litigation, we estimate that Big Kmart would be seeking a final judgment of damages, attorney's fees and court costs up to the maximum amounts allowed by law which could therefore, exceed the amount demanded above.

We strongly encourage you to make payment or set up payment arrangements within the time period requested above to avoid further civil requests.

Yours very truly,

James R. Palmer*
For the Firm

*Licensed in Florida and Texas only

Se Habla Español

352.1



BEAU DIETL & ASSOCIATES

1 Penn Plaza
Suite 2611
New York, NY 10119

Tel: (212) 557-3334
Fax: (212) 557-4737
www.investigations.com

FIELD INVESTIGATIVE UNIT: CONFIDENTIAL REPORT

The material contained in this report is confidential. As such, the contents of this report may only be disclosed to those persons involved in the evaluation of claims or otherwise duly authorized to receive such information. The information contained in this report is provided to you for evaluation purposes only. No purpose other than the lawful evaluation of claims or other potential fraud that was expressly investigated is intended nor should any be inferred. If any information used in this report was obtained exclusively by searching databases, it must be verified prior to relying on it for evaluation purposes. This report is prepared in anticipation of potential litigation and is not subject to discovery.

Date : 5/15/19
Case Name : Miss. Margaret Ingoglia
Client : Walter Roesch and Associates
Subject : Investigate Petit Larceny
Address : 1 Penn Plaza, 250 W 34th St. New York, NY 10119

DETAILS OF THE INVESTIGATION

At 1100 hours on 4/24/19 Chief Investigator Ruggiero (CI) proceeded to K-Mart store 7749 located in Penn Station to speak with security agents regarding an incident that occurred 1/14/19 involving Margaret Ingoglia. Security agent present at location stated that security manager will not be in until tomorrow and they are unauthorized to release any information regarding any security events which occurred at the store.

At 1400 hours on 4/25/19 CI called K-Mart security at the aforementioned location and asked to speak to Patrick. Patrick stated that he was leaving his office and will not be back in until Tuesday, 5/2/19.

At 1100 hours on 5/2/19 CI proceeded to K-Mart store at the aforementioned location and spoke with an anonymous source at the security office. This source confirmed that Miss. Ingoglia was apprehended for shop lifting on 1/14/19 and not arrested for the incident. Source further explained that K-Mart has a program which allows shoplifters to make restitution and not be arrested for the crime as long as they complete the restitution and take a related course (diversion program). Anonymous source further indicated that Miss. Ingoglia stole a myriad of clothing items, mainly women's clothing, but some unspecified children's clothes were included in the theft. The items were recovered and kept by the store. Anonymous source included by stating that he would not release any further information and the only way to get a full accounting of the incident would be through the issuance of a subpoena by the inquiring party.

CI additionally further stated that a few months ago Miss. Ingoglia's attorney came into the store and inquired into the possibility of her being reinstated into the diversion program, as she apparently did not



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complete it. The attorney further stated that she was concerned about another case that was pending however, gave no further explanation. CI did not recall exactly when the attorney came in "other than a few months ago."



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Case Status:

We believe we have completed the investigation requested to date. Should you wish that we conduct additional surveillance on the claimant perhaps during the weekdays or on another weekend, please contact our office.

It has been a pleasure to be of service to you and we look forward to being of continued service in the near future. If there are any questions or concerns related to this investigation, feel free to contact us at (212) 557 - 3334.

Sincerely,

Michael Ruggiero

**COO/ Chief Investigator
Beau Dietl & Associates**

One Pennsylvania Plaza
Suite 2611
New York, NY 10119
Phone 212-557-3334
Fax 212-557-4737
www.investigations.com
sean@investigations.com

END OF REPORT



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EXHIBIT BB

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NN 19410-18, NN 19411 -18
 ANSWER TO AMENDED PETITIONS

THESE AMENDED PETITIONS ARE NEITHER SIGNED NOR NOTARIZED NOR FILED AS REQUIRED BY LAW.

NOTE: ORIGINAL PETITION WAS SERVED BY ARDRESHA HUDSON, PARTY TO THE
AMENDED PETITION JOE PALOMINO, ^{PER} ACTION IN VIOLATION OF
NY CPLR 2013 A, FEDERAL LAW
RULE 4.

PARAGRAPH 1 PAGE 1:

A) I DENY THAT DAVID HANSELL IS AUTHORIZED TO FILE A PETITION INCLUDING THIS ONE. ACS DOES NOT LEGALLY EXIST AND HENCEFROTH, LACKS CAPACITY TO FILE THIS PETITION. THIS PETITION WAS NOT FILED. NO SUMMONS WAS ISSUED AND THIS PETITION IS NOT CLERK STAMPED EITHER. NOT SIGNED NOR NOTARIZED EITHER.

ADMIT

A) I DENY THAT ADDRESS IS CONFIDENTIAL. WHEN ADDRESS WAS ~~REDACTED~~

G) DENY MY ADDRESS WAS CONFIDENTIAL. IT WAS NOT AND ACS KNEW MY ADDRESS.

A) DENY THAT SAID CHILD WAS A NEGLECTED CHILD BY ROBERT MALEK. MARGARET INGOGLIA NEVER PAID CHILD SUPPORT TO JUAN PALOMINO AND JUAN PALOMINO NEVER PAID CHILD SUPPORT TO MARGARET INGOGLIA.

A) DENY THAT I AM RESPONSIBLE FOR NEGLECT OF SAID CHILD.

2-ADMIT THERE IS NO INDICATION EITHER CHILD IS AMERICAN INDIAN.

GRAPH BEFORE 1

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A) ADMIT AS TO THEIR AGE, DENY IMPAIRMENT, OR DANGER OF BEING IMPAIRED AND DENY ANY FAILURE OF ROBERT MALEK. I DENY THAT I AM LEGALLY RESPONSIBLE FOR JOSEPH PALOMINO AND THAT I DID NOT AFFORD MORE THAN A MINIMUM DEGREE OF CARE.

PARAGRAPH 1

A) DENY THAT I HOLD MYSELF OUT TO BE THE FATHER OF THE SUBJECT CHILD, 355
~~MARGARET MALEK~~

B) I AM IN FACT THE FATHER OF ~~MARGARET MALEK~~ ~~MARGARET~~

C) I ADMIT PAST ROMANTIC INVOLVEMENT WITH MARGARET INGOGLIA.

D) ADMIT MARGARET INGOGLIA AND ~~MARGARET MALEK~~ ~~MARGARET~~ RESIDED IN OUR HOME SINCE MARGARET MALEK WAS BORN.

E) ADMIT JOE PALOMINO RESIDED IN OUR HOME FOR THE DATES PROVIDED.

F) I ADMIT THAT I WAS SUPPORTING THE ENTIRE FAMILY AND PROVIDED THEM A HOME. I SUPPORTED A CHILD, JOE PALOMINO THAT WAS NOT MY OWN NOR WAS THERE EVER AN ORDER TO.

PARAGRAPH 2A)

A) DENY SENTENCE NUMBER 1.

B) DENY AND ADMIT SENTENCE NUMBER 2. ADMIT TO ME CALLING MARGARET A BITCH SINCE SHE WOULD CALL OUR DAUGHTER A BITCH BEFORE SHE WAS A YEAR OLD. I DEFENDED MY DAUGHTER.

PARAGRAPH 2B)

A) I DENY THESE ALLEGATIONS

PARAGRAPH 2 C)

A) I DENY THESE ALLEGATIONS

PARAGRAPH 2D)

A) I DENY THESE ALLEGATIONS

PARAGRAPH 3

A) I DENY THESE ALLEGATIONS

PARAGRAPH 3A

A) MY SAME RESPONSES IN REGARDS 1-2A-D

PARAGRAPH 3B)

A) DENY. SENTENCE 1. I HAVE CALLED APPROXIMATELY 30 REGARDING ABUSE AND OR NEGLECT.

B) DENY SENTENCE 2. ALL REPORTS THAT HAVE BEEN CALLED BY THE RESPONDENT FATHER WERE NOT UNFOUNDED AS ACS IS STATING.

C) SENTENCE 3. NEITHER ADMIT NOR DENY. I DO NOT KNOW WHAT ACS DID TO MY CHILD

D) SENTENCE 4, NEITHER ADMIT NOR DENY. I DO NOT KNOW WHAT ACS DID OR DIDNT DO TO MY CHILD. ONLY THEY KNOW AND ARE RESPONSIBLE FOR DOING SO.

E) DENY. I MAKE THE REPORTS FOR GOOD AND PROPER CAUSE REGARDING THE SAFETY AND WELFARE OF MY CHILD.

PARAGRAPH 3C)

A) NEITHER ADMIT NOR DENY. THIS STATEMENT IS NOT DIRECTED TOWARD ME.

PARAGRAPH 3D)

A) DENY THIS PARAGRAPH.

NEXT PARAGRAPH NOT NUMBERED OR ALPHABETIZED I DENY THIS ONE AS WELL.

AMENDED PETITION ~~MADE~~ ~~MADE~~

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PARAGRAPH 1 PAGE 1

A) DAVID HANSELL DID NOT HAVE THE AUTHORITY TO FILE THIS AMENDED PETITION. ACS DOES NOT EXIST LEGALLY. THIS PETITION WAS NOT FILED, NOT CLERK STAMPED AND NO SUMMONS WAS ISSUED. NOT SIGNED OR NOTARIZED EITHER.

PARAGRAPH 2 PAGE 1

A) ADMIT TRUE.

PAGE 2 PARAGRAPH 1 (3)

A) DENY. ADDRESS IS NOT CONFIDENTIAL. ADDRESS IS 2609 EAST 14TH STREET # 304 BROOKLYN, NY 11235

PAGE 2 PARAGRAPH 2 (4)

A) ADMIT I AM HER FATHER. DENY THAT I AM ALLEGED TO BE ~~MOTHER'S~~ ~~MOTHER'S~~ FATHER.

B) DENY THAT MY ADDRESS IS CONFIDENTIAL. IT WAS ~~304 EAST 14TH STREET # 304 BROOKLYN, NY 11235~~

C) ADMIT FATHERS DATE OF BIRTH

D) ADMIT MOTHERS NAME AND AT THE TIME OF THIS FILING, ADDRESS CONFIDENTIAL.

E) ADMIT MOTHERS DATE OF BIRTH

PAGE 2 PARAGRAPH 5

A) DENY

PAGE 2 PARAGRAPH 6

A) ADMIT I AM HER LEGAL FATHER, DENY THAT I AM RESPONSIBLE FOR NEGLECT OF MY CHILD.

PAGE 2 PARAGRAPH 7

A) ADMIT

THE ADDENDUM TO THE AMENDED PETITION IS IDENTICAL FOR BOTH CHILDREN. MY RESPONSES ARE THE SAME AS ABOVE WITH JOE WITH EXCEPTION AS TO WHERE IT IS APPROPRIATE TO REFER TO ~~MOTHER'S~~ ~~MOTHER'S~~ RATHER THAN JOE PALOMINO BECAUSE THE CHILD ALLEGED TO BE NEGLECTED IS DIFFERENT.

I DENY THAT DAVID HANSELL IS AUTHORIZED TO FILE ANY PETITION INCLUDING THESE TWO. ACS DOES NOT LEGALLY EXIST AND HENCEFORTH, LACKS CAPACITY AND LEGAL STANDING TO CLAIM TO HAVE FILED THESE PETITIONS.

NO SUMMONS HAS EVER BEEN ISSUED IN THIS DUAL CASE. NEITHER ACS NOR JUDGE WILLIAMS HAS OR HAD ANY JURISDICTION TO PROCEED. THIS NEGLECT PROCEEDING IS UNLAWFUL AND IS IN FACT, IN WHOLE, VOID.

THESE AMENDED PETITIONS ARE NEITHER SIGNED NOR NOTARIZED NOR FILED AS REQUIRED BY LAW.

NOTE: ORIGINAL PETITION WAS SERVED BY BRADISHA HUDSON, ITS A PART TO THE ACTION, IN VIOLATION OF CPLR 2013 A, FEDERAL RULE 4. ~~FILED~~

SWORN TO BEFORE ME ON THE 21 DAY OF FEBRUARY, 2022

David Nasare Powell
NOTARY PUBLIC

DAVID NASARE POWELL
Notary Public, State of New York
Qualified in Nassau County
No. 01F08428563
Commission Expires January 24, 2026

Robert Malek
ROBERT MALEK

~~CS~~

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answer to amended petition, service of process 01, KINGS COUNTY PARALEGAL COLLEGE

robert malek <abc75abc@gmail.com>

Wed, Feb 23, 2022 at 7:27 AM

To: "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, "Johnson, Travis" <TMJohnson@legal-aid.org>, Robert Maes <rmaes@bds.org>, Jdwillia@nycourts.gov, jess.dunnhauser@acs.nyc.gov, "Hudson, Ardaisha Z (ACS)" <ardaisha.hudson@acs.nyc.gov>

Cc: robert malek <abc75abc@gmail.com>

Bcc: Victoria Navarro <vikknnavarro@hotmail.com>

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Good morning class. How are you ?

Welcome to Kings County Paralegal College , home of the 19.95 legal education. " We make law affordable, easy and fun !! "

In todays lesson, at the kings county paralegal college we are going to be learning about how to file and serve a petition.

The first thing you have to do and I know this class is obvious unless you are administration for childrens services, new york city but the first thing you have to do is SIGN THE PETITION. I lol..... Self explanatory right ? Well not for acs so dont suffer from cognitive deficits and be sure to SIGN..... Thats number one...

Okay.

So the next step class is NOTARIZATION. While this sounds a little more complicated, it really isnt unless you are acs. What you do is you go up to a dude or dudette and say, : " hey cowboy , hi cowgirl, can you notarize this for me ? " and volia, its stamped once you show your id and fork over the lump sum payment of 2 dollars. So as you can see, it really is quite simple. That said, morons that are acs workers and attorneys from Administration for Childrens Services dont know how to sign or have a peition notarized so if your 6 year old calls you stupid, be sure to respond by saying, " but acs cant even get this right I " smile and walk away. Its okay, you'll get the hang of this class. Just dont work for ACS and you should do just fine.

The next step and follow me here is you PUT ONE FOOT IN FRONT OF THE OTHER AND KNOCK ON A DOOR THAT SAYS... CLERK !!!! The clerk then opens the door, you identify yourself and what you wish to file and walk forward rather than BACKWARD like ACS. Remember, class, whatever ACS does you do the opposite....

So you walk in, hand the petition to the clerk and say,

" Please file this for me. "

And now follow me here because this is where acs gets this wrong...

You then GIVE the petitionn to the clerk rather than put it back in your bag like ACS does. The clerk then stamps the petition and gives it back to you.

At this point, you, put it in your bag. Not before, but after .

So to reivew this since you dont want to be afflicted with the acs cognitive disease requiring a mental health evaluation IS YOU PUT THE PETITION IN YOUR BAG AFTER THE CLERK STAMPS IT AND GIVES IT BACK TO YOU RATHER THAN BEFORE.....

Alright class. So now, so so now, we are almost done. So remember, whatever ACS does you do the opposite, right ? ACS once they put the petition back in their bag BEFORE giving it to the clerk, walks out.

YOU ON THE OTHER HAND DOES NOT PUT THE PETITION BACK IN YOUR BAG UNTIL YOU RECEIVE IT

STAMPED BACK FROM THE CLERK AND THEN..... YOU DO NOTHING !!! Simple right ? Well, you'll be surprised how many times a day ACS gets this wrong and just walks out like the air headed morons they are.

SO NOW CLASS SO NOW.... WHILE YOU STAND THERE AND DO NOTHING... YOU AWAIT

Drum roll please !!!!!

THE SUMMONS !!!!!

Yes class. Now remember what I said about ACS since whatever they do, you do the opposite. You see class, without summons you have no case, no jurisdiction whatsoever. If you are cognitively impaired and need a mental health evaluation like those whom work for acs you also forget to sign and notarize the petition and if you are like these psyche ward acs workers above you dont even file the petition with the clerk to begin with !!!! lol.

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Gmail - answer to amended petition, service of process v1, nited courts : 1/17/2016

The last but not least and I repeat, the last but not least step of serving a petition is not to be stupid enough to serve it yourself like Ardashah Hudson whom was a party to the action in the NN19410 - nn 19411 case. You have to get someone else over the age of 18 to do it.

You have to get someone else over the age of 18 to do it.

STUPID IS NOT GOOD.

CLASS ? REPEAT AFTER ME...

STUPID IS NOT GOOD.

NOW CLASS IS DISMISSED !!!! AND DONT FORGET NOT TO FALL ASLEEP ON THE JOB LIKE ARDAISHA HUDSON. THATS NEXT WEEKS CLASS. REVIEWING THE VIDEOS OF ARDAISHA HUDSON FALLING ASLEEP ON THE JOB.. !

Have a great day !!!!!!!!!!!!!

ACS COMPLAINTS.COM PROFESSOR, ROBERT MALEK

scan0086.pdf
2374K

229



robert malek <abc75abc@gmail.com>



Answer to amended petition, service of process 01, KINGS COUNTY PARALEGAL COLLEGE

robert malek <abc75abc@gmail.com>

To: jess.dannhauser@acs.nyc.gov

Bcc: Victoria Navarro <vikkinavarro@hotmail.com>

Wed, Feb 23, 2022 at 7:29 AM

(Quoted text hidden)

359

 scan0086.pdf
2374K

 230



robert malek <abc75abc@gmail.com>



**EDDS Alert: Kings County Family Court (EDDS) - Child Protective Proceeding -
<OTHER (ENTER DESCRIPTION IN FIELD BELOW)> Fam-Kings1 (Kings County
Family Court -v- Child Protective Proceeding)**

2 messages

edds@nycourts.gov <edds@nycourts.gov>
To: abc75abc@gmail.com, edds@nycourts.gov

Mon, Mar 7, 2022 at 8:08 AM

360



**Kings County Family Court (EDDS)
Notification of Receipt
03/07/2022**

On 03/07/2022, the EDDS System received the documents listed below from submitter robert malek, abc75abc@gmail.com. Please keep this notice for your records.

Documents submitted through EDDS after 3:00 PM will not be reviewed until the next date that the Family Court is in session

Re: Family Offense Petitions sent during our non-business hours:

- IF THIS IS AN EMERGENCY and you are in danger, please call 911
- If it is after 3:00 PM and you need to file a Family Offense Petition, you may choose to go to Criminal Court to have your petition processed.

For the location of the nearest Criminal Court go to <http://nycourts.gov/courts/> and click on "Criminal Court"

Sender Information

Document(s) ID: ATRUM3
Case Number: nn 19410-18, nn 19411-18
Case Title: aas vs malek
Name: robert malek
Organization/Agency/Firm Name:
Represented Party: robert malek
Party Role: respondent
Phone Number: 7187574473
Email Address: abc75abc@gmail.com
Reason for Sending Documents: answer to amended petition

Documents Received

Document	Received Date
OTHER (ENTER DESCRIPTION IN FIELD BELOW) answer to amended petition	03/07/2022



Receiver Contact Information

Name: Kings County Family Court (EDDS)
Email Address: KingsFamilyCourt@nycourts.gov

Note - this email address is for correspondence only - No documents will be accepted through this email address.

NOTE: The sending and/or receipt of any documents through the courts Electronic Document Delivery System (EDDS) does not constitute service upon any other party, nor does it constitute filing of those documents with the court or County Clerk.

adds@nycourts.gov <adds@nycourts.gov>
To: adds@nycourts.gov, abc75abc@gmail.com

Mon, Mar 7, 2022 at 11:57 AM



Kings County Family Court (EDDS) Comment Added to Case 03/07/2022

361

Comment from Court User - Beverly Stanley

UPLOADED TO FILE

Sender Information

Document(s) ID: ATRUM3
Case Number: nn 19410-18, nn 19411-18
Case Title: acs vs malek
Name: robert malek
Organization/Agency/Firm Name:
Represented Party: robert malek
Party Role: respondent
Phone Number: 7187574473
Email Address: abc75abc@gmail.com
Reason for Sending Documents: answer to amended petition

Document Information

Document Type: OTHER (ENTER DESCRIPTION IN FIELD BELOW)
Additional Document Information: answer to amended petition
Filed Date: 03/07/2022

[Quoted text hidden]

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robert malek <abc75abc@gmail.com>

EDDS Alert: Kings County Family Court (EDDS) - Child Protective Proceeding - <OTHER (ENTER DESCRIPTION IN FIELD BELOW)> Fam-Kings1 (Kings County Family Court -v- Child Protective Proceeding)

1 message

edds@nycourts.gov <edds@nycourts.gov>
To: abc75abc@gmail.com, edds@nycourts.gov

Wed, Mar 9, 2022 at 6:08 PM



Kings County Family Court (EDDS) Notification of Receipt 03/09/2022

362

On 03/09/2022, the EDDS System received the documents listed below from submitter robert m malek, abc75abc@gmail.com. Please keep this notice for your records.

Documents submitted through EDDS after 3:00 PM will not be reviewed until the next date that the Family Court is in session

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Sender Information

Document(s) ID: GWEFEG
Case Number: nn 19410-18, nn 19411-18
Case Title: acs vs malek
Name: robert m malek
Organization/Agency/Firm Name: ROBERT MALEK
Represented Party: robert malek
Party Role: respondent
Phone Number: 7187574473
Email Address: abc75abc@gmail.com
Reason for Sending Documents: affidavit of service for answer to amended petition

Documents Received

Document	Received Date
OTHER (ENTER DESCRIPTION IN FIELD BELOW) affidavit of service for answer to amended petition	03/09/2022

Receiver Contact Information

Name: Kings County Family Court (EDDS)
Email Address: KingsFamilyCourt@nycourts.gov

233

AFFIDAVIT OF SERVICE

State of New York

County of Suffolk

The undersigned being duly sworn, deposes and says:

Victoria Navarro

(name of person serving papers)

is not a party to the action, is over

363

18 years of age and resides at *Confidential. ~~Location 243~~

(complete address of person serving papers)

That on March 7, 2022

(date of service)

deponent served the within

Malek Answer to Amended Petition

(name of document[s] served)

upon Rosmil Almonte, Esq., Travis Johnson, Esq., Robert Maes, Esq., Hon. Jacqueline Williams, located at

(name of person/corporation served)

via e-mail at rosmil.almonte@nycs.nyc.gov; tmjohnson@legal-aid.org; rmaes@bds.org; jdwillia@nycourts.gov

(complete address where other party/corporation served)

(Select method of service)

____ Personal Service: by delivering a true copy of the aforesaid documents personally; deponent knew said person/corporation so served to be the person/corporation described.

X Service by ^{e-mail} Mail: by depositing a true copy of the aforesaid documents in a postpaid properly addressed envelope in a post office or official depository under the exclusive care and custody of the United States Postal Service.

Victoria Navarro

3/9/2022

Signature of person serving papers

Victoria Navarro

Printed Name

Victoria Navarro

Sworn to before me this 9th

day of March 2022

[Signature]
Notary Public

Bill Vassilakis
Notary Public, State of New York
No. 01VA50155:6
Qualified in Nassau County
Commission Expires March 15, 2023

234

AFFIDAVIT OF SERVICE

State of New York
County of Suffolk

The undersigned being duly sworn, deposes and says:

Victoria Navarro is not a party to the action, is over
(name of person serving papers)

18 years of age and resides at *Confidential. ~~Liberty Avenue, New York, NY 10001~~

(complete address of person serving papers)

That on March 7, 2022, deponent served the within
(date of service)

Malek Answer to Amended Petition

(name of document[s] served)

upon Ardasha Hudson, Commissioner David Hansell, Commissioner Sheila Poole, Hon. Amanda located at
(name of person/corporation served)

via e-mail at ardasha.hudson@acs.nyc.gov, david.hansell@acs.nyc.gov, sheila.poole@ocfs.ny.gov, a.white@nyc
(complete address where other party/corporation served)

(Select method of service)

Personal Service: by delivering a true copy of the aforesaid documents personally;
deponent knew said person/corporation so served to be the person/corporation described.

Service by Mail: by depositing a true copy of the aforesaid documents in a postpaid
properly addressed envelope in a post office or official depository under the exclusive care
and custody of the United States Postal Service.

Victoria Navarro
Signature of person serving papers

3/9/2022

Victoria Navarro
Sworn to before me this 9th
day of March 2022

Victoria Navarro
Printed Name

Notary Public

BILL VASSILAKIS
Notary Public, State of New York
No. 01VA6015816
Qualified in Nassau County
Commission Expires March 15, 2023

235

EXHIBIT CC

365

1 MS. ALMONTE: Describes the interaction between
2 Mr. Malek and the subject child which goes to the point
3 of why we believe the assessment is necessary.

4 MR. MALEK: This is not so. In the Intake, 366
5 there is actually is a discussion there--

6 MS. ALMONTE: In the reports it's not anything
7 there to do with any conversation Ms. Ingoglia ever
8 reporting that Mr. Malek is abusive towards her.

9 MR. MALEK: Your Honor? I say this under
10 perjury that Ryan Zimmerman Ryan Zimmerman told me this
11 and and and to the best of my recollection, that's what I
12 remember reading in the Intake and the Intake Report as
13 well. I'm sure you have the Intake Report.

14 MR. JOHNSON: No.

15 MR. MALEK: The Intake Report--

16 MR. JOHNSON: (inaudible) Intake Report.

17 MS. ALMONTE: We don't (inaudible)

18 MR. JOHNSON: We get Court reports.

19 MR. MALEK: The Intake Report had to go to the
20 Court though. The Intake in the in the Intake in the
21 initial Intake, that that went to as far as--

22 THE COURT: I get the only the reports of what
23 is observed at the--

24 MS. ALMONTE: Yes, and that's all we're asking.

25 MR. JOHNSON: You don't get the Intake reports?

EXHIBIT DD

362

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 3/8
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

EXHIBIT EE

369

25

Investigation
Progress Notes*****WARNING*****
CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLYCASE NAME: Ingoglia, Margaret
STAGE NAME: Ingoglia, MargaretCASE ID: 26871553
STAGE ID: 32904653

Case Type	Borough Referral Recvd. Date	Borough Sent Date	ECR Unit Referral Received Date	Case Worker	Attorney	Borough	Child Name	FCLS/GOUR Referral Reason	Filing Date
Consult					CHARNETSKY, CHRISTOPHER	BROOKLYN	CONSULT, CONSULT		Pending

DIR's/Criminal clearances conducted?

CWS did not request an investigative consult with ECS Investigative Consultant.

Was a clinical consultation done?

A mental health consult was requested on 12/22/2019 @ 12AM.

ROBERT MALEK
929-441-8429 370

*****End of Note*****

Event Date: 12/22/2019 Event Time: Duration:
Entry Date: 12/22/2019 Dist.Agy: A66 Note Status: Final
Author: Entered By: Friedberg, Marissa
Method: Other
Location:
Type(s): Case Conference
Purpose(s): Assessment
Other Participant(s):
Family Participant(s):
Focus: Ingoglia, Margaret; Malek, Robert; Palomino-Ingog, Joe

Progress Notes Narrative:

Consultant(s) Assigned: Marissa Friedberg, LMHC Date Assignment Made: 12/22/19

Findings:

THERE WAS A TYPO ON 3 INCIDENTS. SHOULD BE 2019 RATHER THAN 2018.

15yo SC is diagnosed with Bipolar disorder and has history of being extremely violent. On or about 12/13/2017, SC was arrested after assaulting BF to the point of unconsciousness. BF is now currently deceased. SC was hospitalized in May of 2018 for psychiatric reasons. BM is aware and has failed follow through with recommended medical and mental health treatment. SC has not received his medication or gone for recommended counseling since September of 2018. As a result, SC has become physically violent towards 5yo SC. Sometime in February of 2018, 15yo SC threw 5yo SC with excessive force causing her to bite her tongue which bled as a result. Sometime in March of 2018, 5yo SC sustained an unexplained red mark with scratches to her left cheek. On June 17th, 2018, 5yo SC sustained a 1 1/2-inch laceration to the back of her head. On August 9th, 2018, 15yo SC threw 5yo SC into a wall with excessive force resulting in head pain. 5yo SC was hospitalized on October 11th, 2018, after being thrown by 15yo SC - further details unknown. On October 18th, 2018, BM held 5yo SC down and allowed 15yo SC to bite the child's toenail off causing it to bleed. 5yo SC has sustained multiple injuries that are inconsistent with the explanation given by BM. On October 23rd, 5yo SC sustained unexplained bruising around her neck consistent with being choked. On Nov 2nd, 2018, 5yo SC sustained unexplained bruising to her left cheek. BM failed to seek medical treatment for one or more of the incidents with 5yo SC. BM is aware of 15yo SC's violent and out of control behavior and continues to allow him around 5yo SC. BM has a history of being verbally abusive to 5yo SC. Due to the ongoing violence and emotional abuse, 5yo SC has been exhibiting anxious behavior and acts fearful of the BM and 15yo SC.

Miscellaneous Information:

The family is reportedly living in a shelter and receives public assistance in Manhattan, NY. The source stated the family lives in a shelter and the address is confidential. The source reports that there have been ongoing concerns regarding the mother's verbal abuse towards the child. The father currently does not have custody of 5yo SC and only is allowed supervised visitation. During the most recent visitation, the child disclosed to the father after getting food on her dress that "mommy was going to kill her" the child said this out of fear. The child told BF that BM is always angry and is always yelling at her.

Recommendations:

1 MS. ALMONTE: Describes the interaction between
2 Mr. Malek and the subject child which goes to the point
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7 there to do with any conversation Ms. Ingoglia ever
8 reporting that Mr. Malek is abusive towards her. **PERJURY**

9 MR. MALEK: Your Honor? I say this under
10 **BRIAN** **BRIAN** perjury that Ryan Zimmerman Ryan Zimmerman told me this
11 and and and to the best of my recollection, that's what I
12 remember reading in the Intake and the Intake Report as
13 well. I'm sure you have the Intake Report.

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22 THE COURT: I get the only the reports of what
23 is observed at the--

24 MS. ALMONTE: Yes, and that's all we're asking.

25 MR. JOHNSON: You don't get the Intake reports?

Park Avenue Psychotherapy Group

167 Beach 135 Street
Belle Harbor, NY 11694
718-634-0253
arg965@aol.com

Re: Robert Malek

September 15, 2015

To Whom It May Concern:


I am writing as per the request of my client, Robert Malek.

I have been treating Mr. Malek for the past 2 months. Two of the first several sessions included Margaret, Mr Malek's girlfriend. My assessment, during those two sessions, was that Mr. Malek is the primary care giver of their daughter, whose name is also Margaret. I observed Margaret, the girlfriend, being unresponsive to her daughter's attempts to be held by her. She made no eye contact, no verbalization, nor any gesture toward her daughter, even when the daughter began to cry in an attempt to get her mother's attention. Mr. Malek, on the other hand, was appropriately responsive and soothing. He has brought his daughter to most sessions, as she is in his care. I have continued to observed Mr. Malek as a warm and loving parent. His daughter is very responsive to him, as he is very responsive to her. Mr. Malek is very attentive to all of his daughter's needs. She is always well groomed, fed and seems to be developing very well in Mr. Malek's care. She is an engaging, bright, 10 month old, who appears happy in her father's care.

In addition, Mr. Malek's father, Ira, who lives in the same house, is very involved in the care of his grandchild. He has accompanied Mr. Malek to several sessions where I have had opportunities to observe their interaction. He is an affectionate, doting grandfather, who lavishes praise as he plays with his granddaughter. His face lights up with joy as he interacts with her.

Having seen all parties interact, I can confidently say that the family constellation of Mr. Malek, his father, and his daughter, is a thriving unit.

Sincerely,


Stephan Fox, PhD, LCSW

North Crown Heights Family Outreach Center
Brooklyn Medical Care Practice P.C.
763-765 Nostrand Ave
Brooklyn, New York 11216
Tel: (718) 398-8700 / Fax: (718) 398-5770

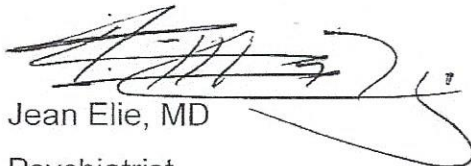
2/28/20

Re: Malek, Robert

To Whom It May Concern

This letter is being written on behalf of Robert Malek, a client at Brooklyn Medical Care Practice since 11/30/18. His functioning is appropriate and he is not viewed as a danger to self or others.

If you have further questions, feel free to contact me at 718 398-8700


Jean Elie, MD
Psychiatrist

Brooklyn Medical Care Practice P.C.
765-763 Nostrand Avenue
Brooklyn, NY 11216
Tel: (718) 398-8700
Fax: (718) 398-5770

BRANDON HENRY YOUNG
OTARY PUBLIC-STATE OF NEW YORK
No. 01YO6365898
Qualified in Kings County
My Commission Expires 10-16-2021

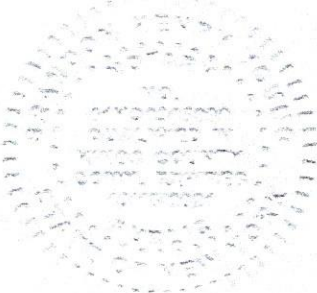




EXHIBIT B



Extraordinary reach.
Unconditional care.

6/15/20

RE: Robert Malek

To Whom It May Concern,

Please accept this letter as confirmation that Robert Malek completed the SCO Fatherhood Program's Abusive Partner Intervention Program (APIP) Group on February 22, 2020. He attended all sessions of the 10-week group from December 7, 2019 through February 22, 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Carrie Stewart". The signature is fluid and cursive, with a long horizontal line extending to the right.

Carrie Stewart, LCSW
Vice President, Community Support Services

917-966-4620
cstewart@sco.org



Extraordinary reach.
Unconditional care.

To: Whom It May Concern
From: Robert Antioco / Case Manager
Date: 01/03/2020
Re: Robert Malek

Attention:

Please be advised that Mr. Robert Malek is enrolled in SCO Family of Services Father's Program. Mr. Malek enrolled in 10 week Parenting, 8 week Anger Management and 12 week Domestic Violence classes, the classes began on Saturday December 07th, 2019. Mr. Malek is 4 weeks in to the classes. Classes are held every Saturday from 1pm to 4pm at 259 Bristol St, Brooklyn NY 11212.

For more information, please feel free to contact me. Thank you

Best Regards,

A handwritten signature in black ink, appearing to be "RA" or "Robert Antioco", written over a horizontal line.

Robert Antioco / SCO Fatherhood Program

SCO Family of Services

1360 Fulton St. Suite 300, Brooklyn, NY 11216

Office: 917-966-4690 / Email: rantico@sco.org

www.sco.org



Extraordinary reach.
Unconditional care.
Life-changing results.



KINGS COUNTY COURTHOUSE OFFICE
330 JAY STREET, 12TH FLOOR
BROOKLYN, N.Y. 11201

THE CITY OF NEW YORK
LAW DEPARTMENT
FAMILY COURT DIVISION

(718) 724-5700
FAX (718) 724-5708
FAX (718) 724-5709

RESCHEDULING NOTICE

Name of Juvenile:
(Nombre del Menor)

be Palomino

Date of Offense:
(Fecha del Delito)

12/13/17

Name of Parent/Guardian:
(Nombre del Padre/tutor)

Margaret Ingoglia
Juan Palomino

Date of Arrest:
(Fecha de la Detención)

2/12/17

Address:
(Dirección)

148 Parson Ave

Apt. No.:

3B

Brooklyn NY 11236

Tel. No.:

(718) 746-7673

The Office of the Corporation Counsel (prosecutor) is deciding whether to file a case against the above-named juvenile in connection with the above-referenced matter. To date, no petition (formal charges) has been filed. You are **notified to return** to the Brooklyn Family Court, 330 Jay Street, to the waiting area outside the Delinquency Upfront Part Brooklyn, New York on 2/13/18 at 10:00 a.m. to find out whether a case will be filed and to verify your address.

If a petition is filed on the date set forth above, you will appear before a judge. If a case is not filed on that date and you prefer to be notified by mail when a petition will be filed, you must provide proof of identification and acceptable verification of an address where you receive your mail. Otherwise, you will be notified to return to Court.

Acceptable address verification must be in the form of the following documentation: a utility, telephone or credit card bill, or any other mail received at the juvenile's mailing address or an affidavit or a signed statement from the juvenile and his/her parent, guardian, person with whom he/she resides attesting to the juvenile's mailing address.

If a petition is filed and the judge determines that you qualify for free legal representation, the judge will assign a lawyer to represent you. You also have the right to bring your own lawyer or ask the judge for an adjournment to hire a lawyer. The judge will decide whether to grant an adjournment.

If you fail to return to Court on the date set forth above and a case is filed against you, the Office of Corporation Counsel will request that the Court issue a warrant for your arrest. The judge will decide whether to issue a warrant for your arrest.

If you have any questions regarding this notice ask your lawyer, if you already have one, or you may call the Assistant Corporation Counsel (A.C.C.) listed below.

SEE THE REVERSE SIDE OF THIS PAGE FOR THE SPANISH TRANSLATION

VEA EL DORSO DE LA PAGINÁ PARA LEER LA VERSIÓN EN ESPAÑOL

Dated:
(Fecha)

2/13/18

Witness:
(Testigo)

SW

A.C.C.:

SW

Tel. No.: (718) 724-

5700

Copy Received:
(Copia Recibida)

J. Joe Palomino

Signature of Juvenile (Firma del Menor)

Margaret Ingoglia

Signature of Parent/Guardian (Firma del Padre/Tutor)

This is not a summons or subpoena
(Please bring this notice with you when you return to Court)

Investigation
Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32229711

Child Advocacy Center CAC
No CAC involvement at this time.

DV/Mental Health

There are concerns of MH reported in the ORT. Therefore, a clinical consultation form is needed at this time.

Panhandling

No, at the time of inquiry this case has no reports of panhandling

Sex trafficking

No mention of sex trafficking in the report.

ATS

At time of CWS clearance on 10/29/2018 at 11:30pm, ATS database was down.

SCR

CWS conducted clearances on Margaret Ingoglia, Joe Palomino, Robert Malek, and Margaret Malek and found 7 prior cases.

Please see the last 3 summaries:

Case Number: 27121516

Investigation Open: 10/29/2018

Case was called in due to concerns that child Joe was displaying aggressive behaviors as a result of mother Margaret not addressing his mental health needs. At this time, no face to face contact has been established yet.

Case Name: Ingoglia, Margaret

Investigation Closed: UNDER INVESTIGATION

Case Number: 26871553

Investigation Open: 12/07/2017

Case was called in due to concerns that mother Margaret did not have the mental capacity to care for child 3-year old Margaret without support, and the father Robert had just been arrested and incarcerated. Case was unfounded to a lack of credible evidence to substantiate the allegations.

Case Name: Ingoglia, Margaret

Investigation Closed: 02/07/2018 UNFOUNDED

FSS Open: 12/07/2017

FSS Closed: STILL OPEN

FSS was opened to connect the family to PPRS. Last face to face contact was made on 10/23/2018 by CP Crystal Copeland whereupon children Margaret and Joe were observed free of marks and bruises.

Subsequent Open: 12/29/2017

Subsequent Closed: 03/12/2018 INDICATED

Case was called in due to concerns the father Robert was being verbally abusive towards 3-year old Margaret, as well as possibly injuring her by throwing her against her car seat violently. Case was Indicated as the assigned CPS noted that the "father has historically been aggressive toward the mother. Mother left the home due to the father's aggressive nature."

Additional Stage ID's:

Subsequent Open: 06/28/2018

Subsequent Open: 08/18/2018

Subsequent Open: 08/29/2018

Subsequent Open: 10/23/2018

Subsequent Closed: 08/28/2018 INDICATED

Subsequent Closed: 08/29/2018 UNFOUNDED

Subsequent Closed: 10/17/2018 UNFOUNDED

Subsequent Closed: STILL OPEN

Last face to face contact held on 10/29/2018 by CPS Ardaisha Hudson, whereupon children Joe and Margaret were observed. There is no indication of whether children were assessed to be free of marks or bruises.

THIS WAS DISMISSED
AGAINST ME BY THE STATE OFFICE OF
CHILDREN AND FAMILY SERVICES WITHOUT
HEARING. TOTALLY NO
EVIDENCE WHATSOEVER BY
CORRUPT ACS NYC.

Case Number: 26273656

Investigation Open: 12/20/2015

Case Name: Palomino, Juan C

Investigation Closed: 02/11/2016 UNFOUNDED

Case was called in due to concerns that 11-year old Joe's father had hit him with an object on more than one occasion, resulting in Joe sustaining marks and bruises, and consequently causing him to be physically aggressive towards other children. Case was unfounded due to a lack of credible evidence to substantiate the allegations.

JOES PALOMINOS BIOLOGICAL FATHER.....

Additional Case ID's found:

(2015) 26244579 - Case Name: Malek, Robert

(2015) 26192658 - Case Name: Ingoglia, Margaret

(2008) 23109132 - Case Name: Ingoglia, Margaret

(2006) 21751183 - Case Name: Ingoglia, Margaret

THIS CASE ABOVE WAS CALLED IN BY MARGARET INGOGLIA.
JOE PALOMINOS MOTHER. JOE PALOMINO IS HER CHILD
WHOM IS ASSAULTING MY DAUGHTER...

LTS

NEGLECT

07/31/2018

MALEK, MARGARET NN-19410-18

PALOMINO, JOE NN-19411-18

MALEK, ROBERT

Printed : 1/8/2019 6:01:06

BRUNSWICK HOSPITAL CENTER 81 Louden Avenue Amityville, New York 11701 Telephone Number: 631-789-7100	PATIENT NAME:	JOE PALOMINO-INGOGLIA
	DATE OF BIRTH:	03/15/2004
	MEDICAL RECORD #:	4181202
	DATE OF ADMISSION:	04/30/2018
	TREATING PHYSICIAN:	ABID KHAN, MD

PSYCHIATRIC DATABASE - SECTION I ASSESSMENT

Marital Status: Single.

Occupation: Student.

Referral Source: The patient was referred from Brookdale Hospital.

Person Accompanying: The patient was accompanied by EMS.

Identification: This is a 14-year-old single Hispanic male who was referred here for psychiatric evaluation and treatment.

Reason for Admission: Suicidal ideation, depression, and irritability.

*MARGARET + JOE LIED +
DID NOT
MENTION MINNIE.*

Presenting Illness: This is a 14-year-old single Hispanic male with a history of possible ADD, emotional disturbance, developmental delays who reportedly was sent here after becoming suicidal. The patient wrote a letter with a suicidal content and drew a grave with a RIP on it with his date of birth and showed him hanging by a noose. According to reports, the patient allegedly had beat up his father in the past, was living with his mom and stepfather where the patient started stealing stuff. Mood swings, agitation, irritability have all been reported alongside with significant depressive symptoms of hopelessness, helplessness, irritability, and lability.

However, mood swings, agitation, rage attacks, impulsivity with ADD type symptoms of irritability, poor frustration tolerance, anhedonia, and school failure are also reported. The patient denies any psychosis, but remains extremely violent, agitated, and labile to the point that he beat up his biological father, made him unconscious, and was in the prison for 12 hours.

Since then the patient also has stolen money from his mom and reportedly lying at home with angry, irritable behaviors with crying spells, irritability, agitation, and lability. At the time of the interview, the patient is able to contract for safety, but the ACS complaint had to be filed against the mom because the patient was sharing a room with a lot of people. The patient has been extremely labile, angry, irritable, and had to be left back two times through 3rd grade because of severe emotional disturbance and developmental delays. At the time of the interview, the patient is able to contract for safety, but remains extremely angry, irritable, and defiant.

Neuropsychiatric History: Significant for a history of developmental delays. The patient has two stay back in the 6th grade and has a current IEP for learning disorders. However, the patient in the past has a history of defiance, impulsivity, and lability.

25

Investigation
Progress Notes*****WARNING*****
CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLYCASE NAME: Ingoglia, Margaret
STAGE NAME: Ingoglia, MargaretCASE ID: 26871553
STAGE ID: 32904653

Case Type	Borough Referral Recvd. Date	Borough Sent Date	FCR Unit Referral Received Date	Caseworker	Attorney	Borough	Child Name	FCLS/COURT Rejection Reason	Filing Date
Consult					CHARNETSKY, CHRISTOPHER	BROOKLYN	CONSULT, CONSULT		Pending

DIR's/Criminal clearances conducted?

CWS did not request an investigative consult with ECS Investigative Consultant.

ROBERT MALEK
929-441-8429Was a clinical consultation done?

A mental health consult was requested on 12/22/2019 @ 12AM.

*****End of Note*****

Event Date: 12/22/2019 Event Time: Duration:
 Entry Date: 12/22/2019 Dist.Agy: A66 Note Status: Final
 Author: Entered By: Friedberg, Marissa
 Method: Other
 Location:
 Type(s): Case Conference
 Purpose(s): Assessment
 Other Participant(s):
 Family Participant(s):
 Focus: Ingoglia, Margaret; Malek, Margaret; Malek, Robert; Palomino-Ingog, Joe

Progress Notes Narrative:

Consultant(s) Assigned: Marissa Friedberg, LMHC Date Assignment Made: 12/22/19

Findings:

THERE WAS A TYPO ON 3 INCIDENTS. SHOULD BE 2019 RATHER THAN 2018.

15yo SC is diagnosed with Bipolar disorder and has history of being extremely violent. On or about 12/13/2017, SC was arrested after assaulting BF to the point of unconsciousness. BF is now currently deceased. SC was hospitalized in May of 2018 for psychiatric reasons. BM is aware and has failed follow through with recommended medical and mental health treatment. SC has not received his medication or gone for recommended counseling since September of 2018. As a result, SC has become physically violent towards 5yo SC. Sometime in February of 2018, 15yo SC threw 5yo SC with excessive force causing her to bite her tongue which bled as a result. Sometime in March of 2018, 5yo SC sustained an unexplained red mark with scratches to her left cheek. On June 17th, 2018, 5yo SC sustained a 1 1/2-inch laceration to the back of her head. On August 9th, 2018, 15yo SC threw 5yo SC into a wall with excessive force resulting in head pain. 5yo SC was hospitalized on October 11th, 2018, after being thrown by 15yo SC - further details unknown. On October 18th, 2018, BM held 5yo SC down and allowed 15yo SC to bite the child's toenail off causing it to bleed. 5yo SC has sustained multiple injuries that are inconsistent with the explanation given by BM. On October 23rd, 5yo SC sustained unexplained bruising around her neck consistent with being choked. On Nov 2nd, 2018, 5yo SC sustained unexplained bruising to her left cheek. BM failed to seek medical treatment for one or more of the incidents with 5yo SC. BM is aware of 15yo SC's violent and out of control behavior and continues to allow him around 5yo SC. BM has a history of being verbally abusive to 5yo SC. Due to the ongoing violence and emotional abuse, 5yo SC has been exhibiting anxious behavior and acts fearful of the BM and 15yo SC.

Miscellaneous Information:

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Recommendations:

Investigation
Progress Notes


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

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

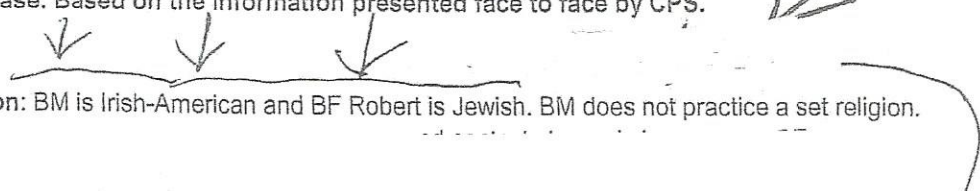
CASE ID: 26871553
STAGE ID: 32053647

Focus: Ingoglia, Margaret; Malek, Margaret; Malek, Robert; Palominoingogl, Joe

Progress Notes Narrative:

DV and CPS had a consult in the following case. Based on the information presented face to face by CPS. 

Observations

Demographics/Culture/Language/Immigration: BM is Irish-American and BF Robert is Jewish. BM does not practice a set religion. 

MARGARET LOST CUSTODY OF JOE TO HIS FATHER, WITH JOE KILLED.

CONNECTIONS
STAGE SUMMARY

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

NOTE: MARGARET
INGOLIA 2x ABUSE
PAST ARTICLE 10. BEFORE ME
I WAS 2014 TO PRESENT

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

STAGE: Investigation
STAGE ID: 32516413
STAGE NAME: Ingolia, Margaret
REPORT DATE: 4/19/2019

CASE SUMMARY

STAGE ID STAGE NAME STAGE TYPE DT OPEN DT CLOSE DET. STAT. REASON STAGE CLASS. SUB-CLASS

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

MEDICAL NEGLECT
CHRONIC ILLNESS, ETC.
EDUCATIONAL NEGLECT
PLUS NOW

CONNECTIONS
STAGE SUMMARY

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

CASE ID: 26871653
CASE NAME: Ingoglia, Margaret
CD: M05

STAGE: Investigation
STAGE ID: 32516413
STAGE NAME: Ingoglia, Margaret
REPORT DATE: 4/19/2019

INTAKE NARRATIVE

Call Narrative

Narrative:

On an ongoing basis since August 2018, Margaret (4) has been chronically ill. The mother (Margaret) has not sought out medical attention for Margaret. As a result, Margaret continues to be chronically ill. It is unknown if Margaret has sustained any other injuries as a result. For a period of six months or longer, Joe (15) has been chronically ill. The mother has not sought out medical attention for Joe. As a result, Joe continues to be chronically ill. It is unknown if Joe has sustained any other injuries. This is an ongoing situation for both children. The biological father to Margaret (Robert) has an unknown role.

~~25~~ 258

EDUCATIONAL NEGLECT. ACS

DID NOT TURN OVER DISCOVERY
FOR A YEAR + A HALF. THEY-
ARE OBVIOUSLY DOING SO FOR A REASON.



5/9 (bA)

Comprehensive Family Services
Forensic & Therapeutic Services
Richard Spitzer, Executive Director

450 Lexington Avenue
4th Floor
New York, NY 10017

tel. 212.267.2670
fax. 212.267.2665
www.cfs-nyc.com

CONFIDENTIAL

May 7, 2019

Honorable Jacqueline Williams
330 Jay Street
Brooklyn, New York 11201

Case Name: M[REDACTED] Michelle Malek
File #: 235429
Child: M[REDACTED] Michelle Malek DOB 10/29/14

Judge Williams:

Comprehensive Family Services (CFS) is in receipt of Court Order dated October 22, 2018 directing that CFS conduct two, two-hour sessions per week, between Mr. Robert Malek, and his daughter, Margaret (Mini) Michelle (age 4). Since the last court date, seventeen visits have occurred, primarily every Monday and Tuesday from 9 - 11 am. The mother cancelled four visits due to Mini being ill, and this writer cancelled one due to personal illness. All visits that were cancelled were eventually made up at another date and time. The following report is respectfully submitted

The Court should be aware that the mother has been on time for only two of the seventeen visits. Usually she is thirty to forty-five minutes late, and on six separate occasions has been over an hour late. Twice, she arrived one hour and forty-five minutes past the scheduled start time. This writer has spoken to the mother at length about her lateness, wrote her a letter regarding it, and has contacted ACS to inform them of this issue. Each time the mother has been late, this writer was able to accommodate extending the time so as to allow the father to have his full two-hour visit with his daughter. The mother has also arrived, at times, with her son Joe, saying he had an appointment later in day as an explanation for his absence from school. Ms. Ingoglia was told on several occasions that she cannot leave Joe or her

260

CONNECTIONS
STAGE SUMMARY

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

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

STAGE: Investigation
STAGE ID: 32337130
STAGE NAME: Ingoglia, Margaret
REPORT DATE: 1/7/2019

ALLEGATIONS

MA/AB CHILD: Palomino-Ingog, Jo
ALLEGED SUBJECT: Ingoglia, Margaret
ALLEGATION: Educational Neglect

CHILD ID: 28030015
SUBJECT ID: 2124708
UNSUB/SUB: SUB

CONNECTIONS
STAGE SUMMARY

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

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

STAGE: Investigation
STAGE ID: 32337130
STAGE NAME: Ingoglia, Margaret
REPORT DATE: 1/7/2019

INTAKE NARRATIVE

Call Narrative

Narrative:

Joe (age 14) has missed several weeks of school and is falling behind academically as a result. The mother (Margaret) is aware of Joe's excessive absences, yet she fails to adequately address the concerns. Margaret (age 4) has an unknown role.

~~44~~ 262

Family Services
Progress Notes

CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

Case Name: Ingoglia, Margaret

Case ID: 26871553

End of Note

Event Date: 12/21/2018
Entry Date: 12/27/2018
Author: Copeland, Crystal
Method: Phone
Location:

Event Time: 11:15 AM
Dist. Agy: S45

--DRAFT--
Duration:
Note Status: Draft
Entered By: Copeland, Crystal

Type(s): Case Conference, Casework Contact, Collateral Contact
Purpose(s): Case Planning
Other Participant(s): Case Manager, Supervisor, Third Party Reviewer
Family Participant(s): Ingoglia, Margaret
Focus: Ingoglia, Margaret; Malek, Margaret; Palomino Ingoglia, Joe
Progress Notes Narrative:

There was a scheduled ERC conducted on December 21, 2018. In attendance was BMI Ms. Margaret Ingoglia (via phone), ACS CM Ms. Aradisha Hudson (via phone), Facilitator Tammy Miles, Supervisor Ting Li, and Case Planner Crystal Copeland. During the conference strengths, concerns, and an action plan was discussed. The following is the outcome from the conference:

Strengths-

- Ms. Ingoglia took Joe to his mental health appointment
- Ms. Ingoglia reports feeling safe in their shelter
- CH Joe can be helpful

She reports her family is learning to share

Ms. Ingoglia filed an application for housing and she wants to learn how to work with a computer

- The family might benefit from YAI or OPWDD services

- Ms. Ingoglia has attended some parenting classes + FAILED THE PROGRAM FOR 2 YRS.

- Ms. Ingoglia would like to work in a creative field and earn a GED

- Minnie appears to be meeting her developmental milestones

2018 + FAILED IT BEFORE AS
WELL. STILL DONT PASS
IT!

Concerns-

- There were 5 new call to the SCR made between October 28 and November 23

- Joe is not attending and is enrolled in a Brooklyn school and still await mental health

- Minnie does not have any structure. She's allowed to remain up all night and her behavior is the excuse for the family not following through on task

MINNIE'S FARM!

- There are concerns about the mom's cognition

DR. FOX ON MARG. "PLANNED

HELPLESSNESS"

NOT TRUE

- As per progress notes, Joe attended school 3 days in September, 5 days in October, 2 days in November, and no days prior to December 17.

ONLY ATTENDED 10 TIMES!

- Joe is not receiving IEP services and has been held back twice

Ms. Ingoglia need childcare

263

12/27/2018

- BMI does not receive child support

NOTE: THERE ARE ISSUES WITH THIS REPORT + TWO OTHERS.
NOTICE OF CLAIM FILED, AFFIDAVIT DU REMPLI FILED IN FAMILY COURT.

many helpings as she pleases to cake and candy for her birthday.

NYPD Special Victims Unit has been in contact with the CPS team in reference to complaints made by the BF regarding their investigation into allegations of Margaret being physical abused. In speaking with Lt. Bermudez, there were no findings. The BF has since filed an official complaint with the NYPD Internal Affairs Bureau (IAB)

Supervised Visits:

BF reported that BM do not feed subject children with nutritious foods and always feed the children McDonalds. During visits, SC tells BF that she wants McDonalds and BF gives SC money for her and SC Joe to eat McDonalds after the supervised visit. The father was asked to not give the child Margaret cash money

Both parents have problems re-directing SC. SC have thrown tantrums and begged to get McDonalds and CPS has observed both parents give SC McDonalds after. CPS Jones experience SC crying and hitting BM for McDonalds on November 6th, 2019. BM also reported to CPS Jones as she was conducting a visit and reported that she gives SC whatever she wants.

CPS Adams conducted a supervised visit on November 4th, 2019 and it was reported that BF gave SC milk that he left at the field office that was not stored in a fridge.

During a supervised visit October 24th, 2019 CPS observed SC Margaret eating eggs, and cherry tomatoes out of BF hand. BF was concerned and did not like this behavior but allowed SC to continue to do this. This is not the first time CPS observed SC eating from BF hand one time before. CPS had a conversation with BM who reported that SC likes to act like she's a dog.

CPS tried to schedule three visits a week to make up some of the 500 minutes with adding a day, but each week there has been a cancellation. All visits have been cancelled from BM due to the children being sick or tired and on one occasion, the BM had an appointment to look at an apartment with a housing specialist and did not finish in time to arrive for the supervised visit. In addition, child Margaret's school bus dropped off the child too late for the mother to travel to the boro office for visits. The CPS team spoke with the bus company about ensuring that Margaret arrives home on time.

In speaking with the FSU team recently, the 500 minutes is currently in the process of being made up.

Education:

NOV. 14 COURT REPORT
The children have missed multiple days of school this school. SC Joe has missed 13 days. Both children have IEP's and should be attending school regularly. When one child is sick, BM keeps both the children home from school. One day the children were apart of a fire drill at the shelter at 1am, and BM kept the children home from school due to the children being tired from the fire drill. CPS has had numerous conversations about the importance of school for the children.

LIE. SPoke TO BM BUOS / YAM / MATT / PALE.
212-361-7442. DIRECT TEL # MR. SIMMONS.

CPS and CPS II Ms. Ferguson had numerous conversations with BF to discuss if he has any concerns for SC when he is with her or see anything alarming. CPS now conducts a body check

during each visit while a co-worker is present, as well as take photos of SC.

Medical:

On November 9, 2019, the children reportedly had an updated physical. As per Ms. Ingoglia, child Joe has a follow-up appointment for blood work and she is expecting a referral via mail for Joe to be referred to a endocrinologist. Joe has complained about pain in his legs and weight gain.

The team will follow up with the children's medical provider.

Services:

Ms. Ingoglia and the children continue to receive preventive services from CAMBA. The family's case planner is Ms. Wilson. Ms. Wilson can be reached at (347)461-3055.

The case has been recently re-assigned to the ACS Family Services unit (FSU). The assigned FSU/CPS Ms. Jones can be contacted at (646) 784-1919.

The BF Mr. Malek will be referred to the SCO Fatherhood program for parenting skills classes.

CPS will follow up with the PPRS case planner in regards to referring Ms. Ingoglia to parenting skills classes.

The ACS Early Childhood Consultant recommended Margaret (Minnie) be referred for an neuropsychological assessment. The assessment would assist in assessing Minnie's behavior and brain functioning to assess a child's needs. The consultant recommended CPS reach out to SUNY Downstate Hospital however the facility does not offer the services.

BRADY

FUNCTIONING ???!

↑ !!! THIS IS DISGUSTING!

THEY DON'T EVEN OFFER SUCH FRANKENSTEIN TESTING

New York City Administration for Children's Services will continue to monitor the health and safety and well-being of subject children. New York City Administration for Children's Services hopes that the information presented in this report will assist the court in deciding the best interest of the subject children

Respectfully submitted,

Ardalsha Hudson

Preparer (Print name)

Signature

November 6, 2019

Date

19 Rogers Ave 273

Address and Unit

ardalsha.hudson@nycs.nyc.gov

E-mail

718-245-5975

Telephone

Rashima Ferguson

Preparer's Supervisor (Print name)

Signature

November 15, 2019

Date

CONNECTIONS
STAGE SUMMARY

****WARNING****

CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

CASE ID: 26671553
CASE NAME: Ingoglia, Margaret
CD: K15

STAGE: Investigation
STAGE ID: 31708154
STAGE NAME: Ingoglia, Margaret
REPORT DATE: 12/7/2017

2
3 CASE OPEN SERVICES
~~WORK - CPS REQUIRED~~

STAGE ID	WORKER NAME	ROLE	TELEPHONE	DISTRICT OR REGIONAL OFFICE
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
32893526	Malek, Robert ARI		12/18/2019	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
32109738	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	8/28/2018 8/28/2018 IND APRV	Case open-CPS required CPS - Familial
32053377	Ingoglia, Margaret INT	SUB	8/28/2018 8/28/2018	CPS - Familial
32893524	Malek, Robert ARI		12/18/2019	CPS - Familial
31743371	Ingoglia, Margaret INV	SUB	12/29/2017 3/12/2018 UNF APRV	Case open-CPS required CPS - Familial
31743321	Ingoglia, Margaret INT	SUB	12/29/2017 12/29/2017	CPS - Familial
32931588	Ingoglia, Margaret INT	ADD	1/12/2020 2/3/2020	Closed - Additional Report CPS - Familial
32908503	Ingoglia, Margaret INT	ADD	12/26/2019 12/27/2019	Closed - Additional Report CPS - Familial
32866561	Ingoglia, Margaret INT	ADD	11/28/2019 12/12/2019	Closed - Additional Report CPS - Familial
31710004	Ingoglia, Margaret FSS	CWS	12/7/2017	
31709999	Ingoglia, Margaret FSI	CWS	12/7/2017 12/7/2017	
31708154	Ingoglia, Margaret INV	INI	12/7/2017 2/7/2018 UNF APRV	Case open-Services CPS - Familial
31707808	Ingoglia, Margaret INT	INI	12/7/2017 12/7/2017	CPS - Familial

STAGE ID	WORKER NAME	ROLE	TELEPHONE	DISTRICT OR REGIONAL OFFICE
32996314	Ferguson, Rashima N	Primary	(718) 756-3553	Brooklyn East Field Office
32996314	Christiani, Danielle	Secondary	(718) 735-2611	Brooklyn East Field Office

STAGE ID	WORKER NAME	ROLE	TELEPHONE	DISTRICT OR REGIONAL OFFICE
32968232	Hudson, Ardaisha Z	Primary	(718) 245-5975	Brooklyn East Field Office
32968232	Christiani, Danielle	Secondary	(718) 735-2611	Brooklyn East Field Office
32968232	Dube-Anderson, Nadege	Secondary	(718) 221-4039	Brooklyn East Field Office
32968232	Greenley, Victoria	Secondary	(646) 935-1429	Acs Emergency Children's Servi

STAGE ID	WORKER NAME	ROLE	TELEPHONE	DISTRICT OR REGIONAL OFFICE
32968204	Fauststack, Jeremiah L	Histor. Primary	(646) 935-1351	Acs Emergency Children's Servi

STAGE ID	WORKER NAME	ROLE	TELEPHONE	DISTRICT OR REGIONAL OFFICE
32907581	Hudson, Ardaisha Z	Histor. Primary	(718) 245-5975	Brooklyn East Field Office
32907581	Christiani, Danielle	Historical Secondary	(718) 735-2611	Brooklyn East Field Office

CONNECTIONS
STAGE SUMMARY

WARNING
CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

CASE ID: 26871553
CASE NAME: Ingoglia, Margaret
QD: K15

STAGE: Investigation
STAGE ID: 31708154
STAGE NAME: Ingoglia, Margaret
REPORT DATE: 12/7/2017

5 CASE CPS/SERVICES
2 INDICATED CPS
REBUTED

CASE SUMMARY

STAGE ID	STAGE NAME	STAGE TYPE	DT OPEN	DT CLOSE	DET.	STAT.	REASON STAGE CLOSED	CLASS.	SUB- CLASS
32996314	Ingoglia, Margaret	INT	ADD	2/18/2020				CPS - Familial	
32968232	Ingoglia, Margaret	INV	INI	2/2/2020		NEW		CPS - Familial	
32968204	Ingoglia, Margaret	INT	INI	2/2/2020	2/2/2020			CPS - Familial	
32907581	Ingoglia, Margaret	INV	DUP	12/24/2019	12/27/2019	SUS	APRV	Closed as Duplicate	CPS - Familial
32907566	Ingoglia, Margaret	INT	SUB	12/24/2019	12/24/2019			CPS - Familial	
32904653	Ingoglia, Margaret	INV	DUP	12/21/2019	12/26/2019	SUS	APRV	Closed as Duplicate	CPS - Familial
32904605	Ingoglia, Margaret	INT	SUB	12/21/2019	12/21/2019			CPS - Familial	
32853970	Ingoglia, Margaret	INV	DUP	11/20/2019	11/25/2019	SUS	APRV	Closed as Duplicate	CPS - Familial
32853897	Ingoglia, Margaret	INT	SUB	11/20/2019	11/20/2019			CPS - Familial	
32841506	Ingoglia, Margaret	INV	SUB	11/13/2019	1/9/2020	UNF	APRV	Case open-Services	CPS - Familial
32841469	Ingoglia, Margaret	INT	SUB	11/13/2019	11/13/2019			CPS - Familial	
32836419	Ingoglia, Margaret	INV	SUB	11/11/2019	11/13/2019	UNF	APRV	Case open-Services	CPS - Familial
32836386	Ingoglia, Margaret	INT	SUB	11/11/2019	11/11/2019			CPS - Familial	
32828241	Ingoglia, Margaret	INT	ADD	11/6/2019	11/14/2019			Closed - Additional Report	CPS - Familial
32826825	Ingoglia, Margaret	INV	SUB	11/5/2019	11/13/2019	UNF	APRV	Case open-Services	CPS - Familial
32826816	Ingoglia, Margaret	INT	SUB	11/5/2019	11/5/2019			CPS - Familial	
32807436	Ingoglia, Margaret	INT	ADD	10/24/2019	10/28/2019			Closed - Additional Report	CPS - Familial
32771932	Ingoglia, Margaret	INV	SUB	10/2/2019	10/23/2019	UNF	APRV	Case open-Services	CPS - Familial
32771892	Ingoglia, Margaret	INT	SUB	10/2/2019	10/2/2019			CPS - Familial	
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			Closed - Additional Report	CPS - Familial
32516413	Ingoglia, Margaret	INV	SUB	4/19/2019	6/18/2019	IND	APRV	Case open-CPS required	CPS - Familial
32516289	Ingoglia, Margaret	INT	SUB	4/19/2019	4/19/2019			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			Closed - Additional Report	CPS - Familial
32268597	Ingoglia, Margaret	INV	DUP	11/23/2018	11/26/2018	SUS	APRV	Closed as Duplicate	CPS - Familial
32268449	Ingoglia, Margaret	INT	SUB	11/23/2018	11/23/2018			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

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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: 32053647

The referral was made to Catholic Charities, the case is still active. Supv. Carol Thomas.

The prior Hx was summarized as below:

1/25/06

Inadequate Guardianship and Lacerations, Bruises and Welts

Indicated

2

On January 21, 2006, Margaret brought her son, Joe (age 1), to Jamaica Hospital to have a rash on his body treated. The condition on his skin did not appear to be a simple rash. He had multiple linear scratches all across his back, his chest and his neck. These scratches are in various stages of healing. Many are infected. Some of the scratches that have scabbed over appear to have been "picked" back open. The child was admitted to the hospital, and many tests were run to try to determine the cause of the child's condition. Joe's doctor's determination from the tests taken is that Joe's rash is not consistent with any known infectious condition.

Joe's rash looks like many tiny little cuts instead of a general rash. They look as if they were inflicted to him. Margaret ascertains that they are due to something in the shelter she lives in or from some kind of bug bite. The appearance and nature of Joe's injuries gives cause that they could not have been sustained for the reasons Margaret gives. It is believed one of the child's caretakers intentionally scratches him, and even pulls at the child's scabs as they heal. They became infected because of it.

11/25/08

Inadequate Food, Clothing and Shelter, Lack of Medical Care and Inadequate Guardianship

Indicated

JOE'S FATHER. MARGARET'S OTHER DESTROYED RELATIONSHIP

Day, 11/25/08, father, Juan, assaulted mother, Margaret in the presence of child, Joe (4). This is the first time Juan assaulted mother in the presence of child.

9/3/15

NOT
TRUE
SEE NEXT
PAGE

SO WHAT ABOUT THE SAY SO
INVESTIGATION

Under Malsk Robert (BF)

Inadequate Guardianship

WHEN JOE WAS ASKED ME
JUST SAID AT FATHER USED TO
PUT SOAP IN AT MOTHER'S MOUTH.
I HAVE THAT PAGE.

11/13/15

GOI

12/20/15

BF, Juan Palomino

Inadequate Guardianship and Lacerations, Bruises and Welts

Printed: 9/21/2018 12:27:59

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InvestiGREAT, LLC

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Jamaica, New York 11432
Main Number (718) 412-1645

50 Shady Hill Lane
Glastonbury, CT 06033
Main Number (860) 899-1710

CT PI License #A2678
NY PI License #11000169211

AFFIDAVIT

I, Adam Dorufeld, a duly licensed private investigator in New York and Connecticut, state that I have completed my investigation of Juan Palomino, Date of Birth - 11/9/52. Utilizing several private database records, I did not locate an arrest record in 2008 or 2009 stemming from an incident of 11/25/08 involving Margaret Ingolia.

Affiant

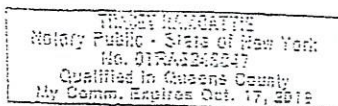
Date

4/27/19

Notary

Date

4/27/2019



Licensed by New York State, Department of State, Division of Licensing Services
and also the State of Connecticut, Department of Emergency Services & Public Protection

Progress Notes

CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

Case Name:

Ingoglia, Margaret

Case ID:

26871653

On 11-6-18, there were suspended allegations of inadequate guardianship, lacerations, bruises, or welts, and lack of medical care made against Margaret Ingoglia and Robert Malek for Margaret Malek and Joe Palomino-Ingoglia.

On 11-1-18, there were suspended allegations of inadequate guardianship, lacerations, bruises, or welts, and lack of medical care made against Margaret Ingoglia and Robert Malek for Margaret Malek and Joe Palomino-Ingoglia.

On 12-20-15, there were unfounded allegations of inadequate guardianship and lacerations, bruises, or welts made against Juan Carlos Palomino for Joe Palomino-Ingoglia. The investigative conclusion indicated that the child, who has mental health and cognitive delays, had made a false allegation against the father. The child was cleared by Cohen Children's Hospital and free of any signs of abuse.

ALL ALLEGATIONS! MARY MALEK DOE. TO PC. 10/18/18.

On 9-3-15, there were unfounded allegations of inadequate guardianship made against Robert Malek for Margaret Malek. The dad denied any violence towards the children's mother, who refused to work on their relationship.

On 11-28-08, Substantiated allegations of inadequate guardianship, inadequate food, shelter, or clothing, and lack of medical care made against Margaret Ingoglia and Juan Carlos Palomino for Joe Palomino-Ingoglia. The child had ringworm on his face, which was not treated promptly, and the home was not hygienic.

On 1-20-06, there were substantiated reports of inadequate guardianship made against Margaret Ingoglia and Jennie Ingoglia for Joe Palomino-Ingoglia. Reports of lacerations, bruises, or welts were unfounded against the women. The mom and MGM maintained their shelter unit in an unhygienic manner drawing vermin. The lesion on the child's face was dermatological. Please note there are additional subsequent, duplicates and ADD INFO in this stage.

*NOT UNFOUNDED
FROM 10/18/18*

Additional Case ID's:

26244679

26192668

23109132

21751183

WHAT ABOUT 09?

It is recommended that ALL prior history be reviewed and assessed accordingly.

Were DIR's/Criminal clearances conducted? Properly.
CWS requested an investigative consult on 1/6/2018 @ 12:05pm.

*JOE'S BIOLOGICAL
FATHER*

Was a clinical consultation done? Based on the narrative, there are no concerns of DV or MH. Therefore, a consult is not needed at this time.

End of Note

Event Date: 1/6/2019

Entry Date: 1/6/2019

Author: Velasquez, Nuvia V

Method:

Location:

Type(s): Supervisor/Managerial Review

Purpose(s): Initial

Other Participant(s):

Family Participant(s):

Focus: Ingoglia, Margaret; Malek, Margaret; Malek, Robert; Palomino-Ingoglia, Joe

Progress Notes Narrative:

Event Time:

Dist. Agency: A66

"DRAFT"

Duration:

Note Status: Draft

Entered By: Velasquez, Nuvia V

Printed: 1/8/2019 5:13:32

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CASE NAME: Ingoglia, Margaret
STAGE NAME: Ingoglia, Margaret
Inadqt Suprvsn
ACTIVE BROOKLYN

Investigation
Progress Notes

CASE ID: 26871558
STAGE ID: 32228711

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

NEGLECT
12/11/2008
PALOMINO, JOE NN-36254-08
INGOGLIA, JENNIE
INGOGLIA, MARGARET
Excess Crpt Punish
Fail Adqt FD/SH/CL
Inadqt Suprvsn
Medical
Mental Illness
INACTIVE BROOKLYN

ABUSE
01/31/2008
PALOMINO, JOE NN-03201-06
INGOGLIA, JENNIE
INGOGLIA, MARGARET
Inadqt Suprvsn
Physical
INACTIVE QUEENS

09? AS SOON AS
DE + MT DAD WERE
PLACED WITH MARGARET
PROBLEM SINCE
ALAN.

ROBERT MAREK HAS ZERO
NEGATIVE PAST.

Event Date: 10/30/2016

Event Time: 12:00 AM

Printed: 1/8/2019 6:01:06

End of Note

Duration:

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Investigation
Progress Notes

CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

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

CASE ID: 26871553
STAGE ID: 32053647

Miscellaneous Information: The father is the father of Margaret. The father had a visit with Margaret last Thursday (8/9/18) and noticed a bump and scratches. The father was supposed to have a visit with Margaret on Monday and today, but the mother did not bring Margaret to the visit. The father is concerned that something may have happened to Margaret and that is why the mother didn't bring her. Joe has an unknown mental health diagnosis. It is unknown if he is currently engaged in treatment or prescribed medication. Joe has tried sucking the mother's nose and face and tried touching her breast. The father has concerns that Joe may have exposed himself to Margaret in the past because Margaret was saying "penis" and Joe was giving Margaret a bath. Further information is unknown. The father is requesting contact from the assigned caseworker.

Locating Information: The family's current location is unknown.

IRT Screening: Case has not been enhanced to an IRT.

Red Flags/ Safety Factors: SC is out of control and BM cannot control SC.

Potential worker safety concerns: No worker safety concerns reported.

Hypothesis:

SC is out of control and BM cannot control SC.

BM is overwhelmed with SC's behavior.

Consultations:

An IC will be requested by Applications.

GPSSII reviewed the case and assigned the case to CPS to call the source, make a visit and make an assessment of the family. The family listed in a two indicated cases in 2008 regarding I.G. as it was noted the home was a health hazard. In 2009, the case was indicated for I.G., inadequate food, clothing and shelter and Lack of Medical Care as SC Joe had ring worms and BM did not provide medical care in an adequate time frame. BF Palomino, J. was also indicated for being the aggressor in Domestic Violence. In 2013 BF Melek, R. was indicated for I.G. being the aggressor in Domestic Violence. The family currently has an open case regarding allegations of SC Joe hitting sibling and the last documented face to face contact was conducted on 8/10/17 by Elder, T.

Initial Guidance/ Supervisory Directives - CPS has been provided the following:

- Do they have any support willing to assist in SC's care? (Kinship resources) (Name, DOB, Phone Number, and Address).
- Are the parents overwhelmed? Would they like a PINS warrant for SC?
- Is SC aggressive toward BM and the rest of the family?
- Is SC or anyone else in the family currently diagnosed with any mental health? Is SC or anyone else in the home receiving any treatment (When and where)?
- Ask adults in the home how are the children disciplined? How often? Who disciplines them?
- Ask children how they are disciplined? How often? What is used? Are they afraid or uncomfortable around anyone? Who?

המחלקה לבריאות הציבור

Investigation
Progress Notes

WARNING
CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

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

CASE ID: 26871553
STAGE ID: 32055647

JARE INGOGLIA 10/22/1979 Applicant/Payer
NIE INGOGLIA 07/22/1948 Unknown
HRA WMS 928-248-7673 1110 E 101 ST
BROOKLYN, NY 11238

Child Advocacy Center CAC

No- Narrative does not specify CAC involvement

DV case

No- Narrative does not report any DV incidents

Penhandling

No- Narrative does not report any penhandling

Sex trafficking

No- Narrative does not report sex trafficking incidents

ATS: Unavailable during clearance 8pm 8/9/18

SUMMARY OF HISTORY:

2109132 Case was opened on 11/25/2008 and closed on 01/05/2009. The case came in with allegations of inadequate guardianship, inadequate food/clothing/shelter and lack of medical care. The case was indicated against the mother and father for the child for the allegations due to the father hitting the mother in front of the child, the mother not providing appropriate living conditions for the child and allowing the child to have ring worm for month without medical treatment.

21761183 Case was opened on 01/26/2008 and closed on 03/20/2008. The case came in with allegations of inadequate guardianship and lacerations/bruises/welts. The case was indicated against the mother and grandparent for the child for the allegations due to them not providing the child appropriate living conditions.

TURN ID 19A - INTERVIEWED FOR MORE TIME FOR

LTS:

Case Name: Margaret Ingoglia Case #: 5266694 Borough: Brooklyn
Pet Type: NEGLECT Filing Dt: 12/11/2006 Hearing: 09/28/2010 (Post-Dispo Conf/Rpt) (4) (L300)

Proceeding: Post-dispo conference. As agreed by ACS (CPM Dougherty) and all parties, the NRF is granted a final order of custody -- RM still has unsupervised visits with the SO, as arranged by the parties -- the only condition is that visits are not to take place in the home of the RM.

Child Outcomes:

NAME/DOCKET #/CIN	REMOVAL DT	STATUS
Jos Palomino (INN-36254-08) (DY24812V)	-	Release/No Sup (Alleged Father)

Were DIR's/Criminal clearances conducted? Pending submitted on 8pm

Was a clinical consultation done? Pending submitted on 8/28/18 at 7:26pm

*11/25/08 IS WHEN
MOTHER MADE ALLEGED
JUAN PALOMINO ALMOST
KILLED HER BUT THEY
GAVE ONE TO NDA +
TOOK NDA: FATHER FROM
MOTHER!*

End of Note

Event Date: 8/10/2018 Event Time: 1:00 AM Duration: 20 min
Entry Date: 8/10/2018 Dist. Agt: A66 Note Status: Draft
Author: Williams, Benjamin Entered By: Williams, Benjamin

Printed: 9/21/2018 12:27:59

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

CASE ID: 26871552
STAGE ID: 32083647

Progress Notes

CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

Case Name: Margaret Ingoglia (Active 292)

18

Case Number: 5236894

HR: yes 5 Sex abuse

DA: yes

IRT: ref

CPM: Danielle Christiani

Connections: Yes o 21751163 indicated 2006, o 23109132 indicated 1/5/2009, new inv 8/8/2018

HHS CONNECT: Yes history of PA found using address and name on file

ATS: no

Assigned to unit 292 @ 11:19 am

Application's worker initials: GBest

THEY LEFT OUT

ONE

THREE was 06, 08, 09

, 2018

End of Note

Event Date:

8/10/2018

Event Time:

Dist. Agt: A66

Duration:

Note Status: Draft

Entered By: Elder, Tomeeka

Entry Date:

8/10/2018

Author:

Method:

Location:

Type(s):

Purpose(s):

Other Participant(s):

Family Participant(s):

Focus:

Supervisor/Managerial Review

Initial

Progress Notes Narrative: 132072919

Initial

Subsequent report received and assigned to 292-1.

Allegations: Inadequate Guardianship and Sexual Abuse

Narrative: Fourteen year old Joe has a history of physically aggressive behaviors and sexually acting out behaviors. Joe has physically assaulted the father (Juan) resulting in permanent disfigurement to the father's face. Joe sexually acts out inappropriately with the mother (Margaret). Both the mother and the paramour (Robert) are aware of these behaviors and continued to allow Joe to be alone with Margaret (age 3). This results in Joe sexually acting out with Margaret (age 3) and now Margaret (age 3) mimics the sexually inappropriate behaviors. At an unknown time over the past two days while in the mother's care, Joe forcefully threw Margaret (age 3) resulting in a 1 inch in diameter swollen contusion to her forehead with multiple scratch marks. This violence towards Margaret also occurred in the past with the mother present. Neither adult can control Joe or keep either child safe. The role of the father (Juan) is unknown.

Miscellaneous Information: Joe was living with his father until he beat him. Joe then came to live with the mother and paramour (Robert is biological father of Margaret age 3). Joe misbehaved and Robert and the mother said they would have him spend time alone in the upstairs apartment. Joe left a suicide note and then spent the next month in Brunswick Mental Hospital. Joe would hold the mother's breasts, suck on her nose and treat her like a girlfriend. Joe would kiss Margaret all over her body, cheek, legs, arms, back, and breast area. Margaret would mimic this behavior with her own friends and toys. On an occasion the mother and paramour left

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CONFIDENTIAL STEADY STATE

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ATTACHED 2nd PAGE

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US AS REPORTED BY MARGARET
+ THE BROWN WOMAN REPORT

CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

STAGE ID: 32063647

107

CPM: Danielle Christiani

Connections: Yes o 21751163 indicated 2006, o 26109132 indicated 1/6/2009, new inv 8/8/2018

HHS CONNECT : Yee history of PA found using address and name on file

ATS: no

Assigned to unit 292 @11:19 am

Application's worker initials: GEs;

ONE LEFT OUT
ONE
THREE WAS 06, 08, 09
2018

End of Note

Event Date:	6/10/2018	Event Time:		Duration:	
Entry Date:	6/10/2018	Dist.Agy:	A66	Note Status:	Draft
Author:				Entered By:	Elder,Tomeeka
Method:					
Location:					
Type(s):	Supervisor/Managerial Review				
Purpose(s):	Initial				
Other Participant(s):					
Family Participant(s):					
Focus:					
Progress Notes Narrative: 132072819					

42111

Subsequent report received and assigned to 202-1.

Allegations: Inadequate Guardianship and Sexual Abuse

Narrative: Fourteen year old Joe has a history of physically aggressive behaviors and sexually acting out behaviors. Joe has physically assaulted the father (Juan) resulting in permanent disfigurement to the father's face. Joe sexually acts out inappropriately with the mother (Margaret). Both the mother and the paramour (Robert) are aware of these behaviors and continued to allow Joe to be alone with Margaret (age 3). This results in Joe sexually acting out with Margaret (age 3) and now Margaret (age 3) mimics the sexually inappropriate behaviors. At an unknown time over the past two days while in the mother's care, Joe forcefully threw Margaret (age 3) resulting in a 1 inch in diameter swollen contusion to her forehead with multiple scratch marks. This violence towards Margaret also occurred in the past with the mother present. Neither adult can control Joe or keep either child safe. The role of the father (Juan) is unknown.

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Printed: 9/21/2018 12:27:59 JVOF 50777

CONVICTS (247) STEAKING Prison

11-15-19

Answer 2nd Puz

275

US is worried of ~~misinformation~~
of the ARMS work being



THIS REPORT WILL BE
ADDRESSED IN THE FUTURE

David A. Hansell
Commissioner

COURT REPORT

William Fletcher, LCSW
Deputy Commissioner

Charita Thomas
Associate Commissioner

Rodney Jackson, LCSW
Assistant Commissioner

Division of Child Protection

Brooklyn Borough Office
Main East Office
1274 Bedford Avenue
Brooklyn, New York, 11216

(718) - tel
(718) - fax

CONFLICT OF INTEREST. THOSE WHO ARE
BEING SUED + PLAINTIFF AGAINST DEFENDANTS ARE
EVALUATING.

Name of Case: Margaret Ingolia
Date: 03/13/2020
Docket Number: NN-19411-18 NN-19410-18
Judge: Honorable Judge Jaqueline Williams
Subject Child: Joe Palomino (03/15/2004)
Dates of Birth: Margaret Malek (10/29/2014)
(DOB): AKA MINNIE
Respondent (& DOB): Robert Malek (04/06/1969)
Petitioner (& DOB):

Honorable Judge: Jacqueline Williams

In accordance with the court's directives, NYC Children's is submitting an updated report on the supervised visits between the respondent father Robert Malek and subject child Margaret "Minnie" Malek.

Field Office Supervised Visits commencing January 2020: ✓

(MARGARET, AKA CHILDREN 2 TIME SICK WITH PAIN) MR. MALEK
JOE ZERO TIMES IN 6.5 MONTHS.

FURTHER OUTLINES ILLNESS +
ABSENCE FROM SCHOOL

THIS HAS BEEN LOGIC ON FOR 1.5 YRS + 54
CHILDREN 2 TIME SICK WITH PAIN (MARGARET) DURING 1 YR

276

January 28th supervised visit was canceled by Ms. Ingoglia due to subject child Joe having his Nutrition therapy. CPS informed Mr. Malek and informed him the two hours will be made up on upcoming visits, by extending the visit for an hour on each visit. (Mr. Malek generated a SCR report because this visit was canceled)

~~SO WHY NOT MY DAUGHTER ? IT IS EVEN QUESTIONABLE AS TO WHETHER OR NOT JOE IS RECEIVING THIS WITH VARIOUS EVIDENCE I HAVE.~~

February 3rd supervised visit was covered by CPS Garcia for a duration of 2hrs, 4:10pm - 6:10pm. This visit was switched to that Monday, as on February 4th Joe has another medical appointment that will conflict with the visit schedule. Mr. Malek was notified about the switch of the visit and agreed.

February 4th supervised visit was canceled due to subject child Margaret having a high fever, as well as Joe's Nutrition therapy. Doctor's note was provided. Mr. Malek was notified and was reminded the visit was switched only for that week and we still have 2 hours to make up for the visit on 1/28/20.

February 6th supervised visit was canceled due to subject children Joe and Margaret being sick with colds. Doctor's not was provided. Mr. Malek was notified and was assured the visits will be made up, a total of 4 hours. CPS further planned with bother parents on what days going forward the visits will be made up, to which they agreed.

FEB. 25 CHILDREN SICK AGAIN. ACCORDING TO RECORDED PHONE CONVERSATION. 102 FEVER.

278

57

During this visit Mr. Malek threaten to call in a report to SRC because the subject child Margaret told him she vomited "4 times" the day before and her mother said it's because of the food Mr. Malek gave her. Mr. Malek got upset and told the child her mother is a "liar". CPS told Mr. Malek that his concerns will be addressed with the mother. Mr. Malek continued to question the child about what exactly she ate, and where the mother got the food from. The child told the father she ate fries from McDonalds. Mr. Malek became enraged and began yelling in the presence of other parents and the subject child, talking about her mother and Joe. CPS called CPSSII to come and assist with Mr. Malek.

I HAVE VIDEO AND AUDIO. THEY ARE LYING AGAIN.

March 9th supervised visit was covered by CPS for a duration of 2 hours, 4pm to 6pm. The visit was in a private cubicle. The subject child told the father she lost her voice at school and was speaking in a hoarse tone of voice. The father told the child to rest her voice and try not to do much speaking. The father brought toys for the child, he thought her how to hold a baseball bat. The father asked the child if she would like to learn. Then the father and daughter sat on the floor and played with cars. The father eventually laid on the floor, the child climbed on the father's chest, then scoop on his neck and over his head. Father was enjoying the bonding rolling on the floor. The child asked the father to pick her up to look over at the other cubicle, the father pick the child up, and CPS quickly redirected the father not to oblige the child. The father said he had no intentions of putting the child to look over into the other cubicle. The child then asked to go to the playroom, the father agreed. The father and a parent got into a squabble surrounding SC taking toys away from the a 2-year-old child in the playroom. The father and subject child were directed back to the cubicle. There the father rationale to child when she asked what happen? He responded that the other parent is "crazy". The father suggested a movie, "Barbie". The father cozied up with the child rubbing her hands, holding her hands, rubbing her hair with his face during the movie until it ended. The father told the child he will bring the movie on the next visit, which made her happy. CPS followed up with the father for the signed HIPPA, he still did not sign the form. Later that night he sent CPS a series of texts and one of them stated, he will reconsider the HIPPA, but don't want to do something to "benefit Almonte", and if nothing is found he still sees the SC for only 4 hours.

Home Visits:

MORE LIES OUT OF ACS NEW YORK CITY... I HAVE VIDEO AND AUDIO.
THIS IS WHY THEY HAVE THE RULE OF NO AUDIO, VIDEO, PHOTOGRAPHY.

School:

279



On 02/13/20, CPS visited the schools of the subject child Joe and Margaret. Margaret has an IEP and is receiving supportive services at school. Academically, Margaret is doing well and

consistently follow class rules as per class Teacher and Counselor. Joe has an IEP as well and receives supportive services at school. As per the Guidance Counselor, Joe has no behavioral issues, the only concern is his absence. CPS and preventive Case Planner held a school meeting with the school team and the non-respondent mother Ms. Ingoglia to address, plan and support Joe's educational process. A plan was implemented and agreed upon during the meeting.

Medical:

JOE STILL NOT GOING TO SCHOOL THIS HAS BEEN GOING ON NOW SINCE SEPT OF 2018.

The subject children Joe and Margaret are medically up to date. Their immunizations are up to date as well. The children were last seen by their physician on 02/25/2020 for a sick visit. The children have since gotten over their illness and are doing well. Joe continues to see his endocrinologist and Nutritionist to manage/address his pre-diabetes on Tuesday's.

Services and referrals:

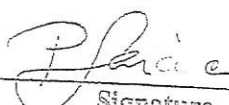
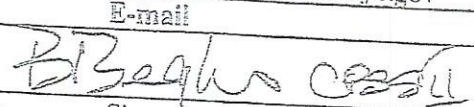
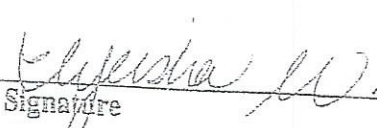
Contact with Preventive:

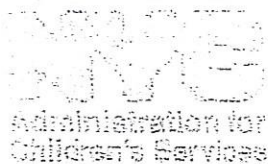
As per Case Planner, their agency is doing casework monitoring with Ms. Ingoglia to reduce the risk of placement.

Summary:

THERE WERE OTHER SICKNESS DAYS AND TIMES THAT HAVE NOT BEEN ADDRESSED BY ACS.

Respectfully submitted,

Paula Garcia		03/13/2020
Preparer (Print name)	Signature	Date
1274 Bedford Avenue Unit 225	paula.garcia2@acs.nyc.gov	718-623-4629
Address and Unit	E-mail	Telephone
Bolade Begho		03/13/2020
Preparer's Supervisor (Print name)	Signature	Date
Iyeisha Witherspoon		03/13/2020
Preparer's CPM if needed (Print name)	Signature	Date



David A. Hansell
Commissioner

COURT REPORT

William Fletcher, LCSW
Deputy Commissioner

Rodney Jackson, LCSW
Assistant Commissioner

Child Welfare Programs
Division of Child Protection

Brooklyn Borough Office
Main East Office
1274 Bedford Avenue
Brooklyn, New York, 11216

(718) - tel
(718) - fax

Name of Case:	Ingoglia, Margaret
Date:	November 14 th , 2019
Docket Number:	NN-19411-18 NN-19410-18
Judge:	Honoring Judge Jacqueline Williams
Subject Child	Margaret Malek
Dates of Birth (DOB):	10/29/2014 Joe Palomino 03/15/2004
Respondent (& DOB):	Robert Malek 04/06/1969
Petitioner (& DOB):	

Brooklyn Family Court
330 Jay Street
Brooklyn, NY 11201

Presiding Honorable Judge Jacqueline Williams,

In accordance with Brooklyn Family Court directives, NYC Children's Services hereby submits the following report regarding the assessment of the family:

On November 5th, 2019 CPS received a subsequent SCR report regarding concerns of child Margaret and Joe feeling ill. During a supervised visit, Child Margaret disclosed to BF that she has thrown up in the home with BM recently. The mother admitted allowing Margaret to get as

Handwritten signatures and initials

NOTE : MY DAUGHTERS BIRTHDAY WAS ON THE 29TH OF OCTOBER. I SAW HER ON 11/4 AND MINNIE SAID SHE WAS THROWING UP LAST NIGHT. SO WHAT THIS MEANS IS 6 DAYS LATER, MINNIE IS GIVEN SO MUCH CANDY AND CAKE THAT SHE IS THROWING UP...

many helpings as she pleases to cake and candy for her birthday.

NYPD Special Victims Unit has been in contact with the CPS team in reference to complaints made by the BF regarding their investigation into allegations of Margaret being physical abused. In speaking with Lt. Bermudez, there were no findings. The BF has since filed an official complaint with the NYPD Internal Affairs Bureau (IAB)

DEPUTY INSPECTOR ROE SAID THAT THE EVIDENCE I SENT HER WAS DEFINITELY DISTURBING. SHE IS GOING TO BE NAMED IN A SUBPOENA REQUEST TO YOUR COURTROOM.

Supervised Visits:

CPS tried to schedule three visits a week to make up some of the 500 minutes with adding a day, but each week there has been a cancellation. All visits have been cancelled from BM due to the children being sick or tired and on one occasion, the BM had an appointment to look at an apartment with a housing specialist and did not finish in time to arrive for the supervised visit. In addition, child Margaret's school bus dropped off the child too late for the mother to travel to the boro office for visits. The CPS team spoke with the bus company about ensuring that Margaret arrives home on time. HOUSING SPECIALIST? OF NOTE HERE IS THAT IF THIS WERE TRUE, WHY IS MARGARET STILL IN SHELTERS?

In speaking with the FSU team recently, the 500 minutes is currently in the process of being made up.

Education:

The children have missed multiple days of school this school. SC Joe has missed 13 days. Both children have IEP's and should be attending school regularly. When one child is sick, BM keeps both the children home from school. One day the children were apart of a fire drill at the shelter at 1am, and BM kept the children home from school due to the children being tired from the fire drill. CPS has had numerous conversations about the importance of school for the children.

SPOKE WITH DHS OMBUDSMAN SIMMONS. THIS WAS REFERENCED ON ANOTHER PAGE. THERE IS NO WAY A FAMILY SHELTER WOULD HOLD A FIRE DRILL IN THE MIDDLE OF THE NIGHT.

CPS and CPS II Ms. Ferguson had numerous conversations with BF to discuss if he has any concerns for SC when he is with her or see anything alarming. CPS now conducts a body check

TAKES PHOTOS OF MY DAUGHTERS NAKED BODY AND MAKES ME UNDRESS HER. REALLY SICK.

during each visit while a co-worker is present, as well as take photos of SC.

Medical:

On November 9, 2019, the children reportedly had an updated physical. As per Ms. Ingoglia, child Joe has a follow-up appointment for blood work and she is expecting a referral via mail for Joe to be referred to a endocrinologist. Joe has complained about pain in his legs and weight gain.

The team will follow up with the children's medical provider.

Services:

Ms. Ingoglia and the children continue to receive preventive services from CAMBA. The family's case planner is Ms. Wilson. Ms. Wilson can be reached at (347)461-3055.

The case has been recently re-assigned to the ACS Family Services unit (FSU). The assigned FSU/CPS Ms. Jones can be contacted at (646) 784-1919.

The BF Mr. Malek will be referred to the SCO Fatherhood program for parenting skills classes.

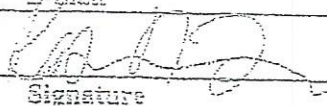
CPS will follow up with the PPRS case planner in regards to referring Ms. Ingoglia to parenting skills classes. MARGARET HAS FAILED HER PARENTING PROGRAM SINCE JAN OF 2018. ACS MAKES NO MENTION OF THIS EVER AGAIN. SHE UNDOUBTEDLY FAILED IT ONCE AGAIN BY NOT SHOWING AND COMING EXTREMELY LATE.

The ACS Early Childhood Consultant recommended Margaret (Minnie) be referred for an neuropsychological assessment. The assessment would assist in assessing Minnie's behavior and brain functioning to assess a child's needs. The consultant recommended CPS reach out to SUNY Downstate Hospital however the facility does not offer the services.

ACS TRYING TO MAKE A CASE AGAINST MR MALEK AS TO HOW HIS BEHAVIOR IMPACTS HIS CHILD. MY DAUGHTERS BEHAVIOR IS FINE AND ACS IS LYING AND USING MY DAUGHTER AS A PAWN FOR THEIR CASE AND THEIR LAWSUIT DEFENSE.

New York City Administration for Children's Services will continue to monitor the health and safety and well-being of subject children. New York City Administration for Children's Services hopes that the information presented in this report will assist the court in deciding the best interest of the subject children

Respectfully submitted,

Ardaisha Hudson		November 6, 2019
Preparer (Print name)	Signature	Date
19 Rogers Ave 273	ardaisha.hudson@accs.nyc.gov	718-245-5975
Address and Unit	E-mail	Telephone
Rashima Ferguson		November 13, 2019
Preparer's Supervisor (Print name)	Signature	Date



David A. Hansell
Commissioner

William Fletcher, LCSW
Deputy Commissioner

Charita Thomas
Associate Commissioner

Rodney Jackson, LCSW
Assistant Commissioner

Division of Child Protection

Brooklyn Borough Office
Main East Office
1274 Bedford Avenue
Brooklyn, New York, 11216

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COURT REPORT

Name of Case:	Margaret Ingoglia
Date:	February 10, 2020
Docket Number:	NN-19411-18 NN-19410-18
Judge:	Jacqueline Williams
Subject Child Dates of Birth (DOB):	Joe Palomino (03/15/04) Margaret Malek (10/29/14)
Respondent (& DOB):	Robert Malek
Petitioner (& DOB):	

Honorable Judge Williams:

In accordance with the court's directives, New York City Children is submitting an updated court report on behalf of the supervised visits between respondent father Mr. Robert Malek and his daughter, subject child Margaret "Minnie" Malek.

On 01/06/2020, this case was reassigned to FSU/CPS Paula Garcia, who first supervised the parent /child visit on 01/14/2020. Mr. Malek has supervised visits with the subject child twice a week, Tuesdays and Thursdays 4 pm to 6pm.

This report will highlight the supervised visits thus far:

Current Update:

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January 28th visit was canceled due to subject child specialist appointment for obesity /diabetes

January 30th visit began at 4pm and ended at 6:35pm, to make up 35 minutes from January 23rd visit.

February 4th visit was canceled due to Joe's medical appointment.

February 6th visit was canceled as Joe and Minnie was sick and was at a doctor's visit.

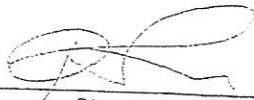
The team contacted the both mother and father. Both parents agreed for the visit scheduled next week: Tuesday 2/11 and Thursday 2/13 visit will be from 4-7pm both days to make up the two hours for missed visit yesterday due children being sick.

On Monday 2/3/2020 The visit was held instead of 2/4/2020 scheduled visit due to the mother having a follow up medical appt for Joel.

~~246~~ 246

Respectfully submitted,

Paula Garcia



Preparer (Print name)

Signature

02/10/20

Date

1274 Bedford Avenue Brooklyn-
225

paula.garcia2@acs.nyc.gov

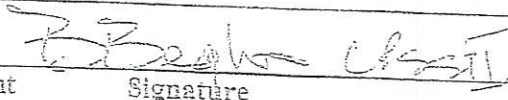
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Address and Unit

E-mail

Telephone

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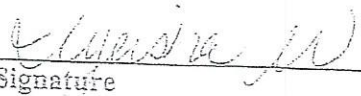
Preparer's Supervisor (Print
name)

Signature

02/10/20

Date

Ayeisha Witherspoon



Preparer's CPM if needed (Print
name)

Signature

02/10/20

Date

287



David A. Hansell
Commissioner

William Fletcher, LCSW
Deputy Commissioner

Charita Thomas
Associate Commissioner

Rodney Jackson, LCSW
Assistant Commissioner

Division of Child Protection

Brooklyn Borough Office
Main East Office
1274 Bedford Avenue
Brooklyn, New York, 11216

(718) - tel
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Name of Case: Margaret Ingoglia
Date: 07/07/2020
Docket Number: (NN-19411-18),(NN-19410)
Judge: Honorable Judge Jaqueline Williams
Subject Child: Joe Palomino (03/15/2004)
Dates of Birth (DOB): Margaret Malek (10/29/2014)
Respondent (& DOB): Robert Malek (04/06/1969)
Petitioner (& DOB):

Honorable Judge: Jacqueline Williams

In accordance with the court's directives, NYC Children's is submitting an updated report for the case Margaret Ingoglia.

Updates:

Supervised Visits Mr. Malek (RF):

The last in-person supervised visit was on 03/19/20 for a duration of two hours at the agency. Due to Covid-19 outbreak and New York City State of Emergency, the agency has suspended all in-person visitation. However, on 3/20/20, one day after Mr. Malek in-person supervised visit he texted CPS asking, "what is happening". CPS responded that in-person visits has been suspended until further notice. On 03/21/20 (Saturday), Mr. Malek texted CPS informing that he's going to the hospital and is Margaret alright. CPS returned his call on that Saturday. Mr. Malek stated he was in the hospital to get tested as he went for a walk that morning and knew something was not right with his lungs and can never remember having an infection starting in his lungs. CPS

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THIS REPORT WILL
BE ADDRESSED IN FULL IN
THE FUTURE. OUR LIFE AFTER
COURT REPORT ANOTHER.

validated Mr. Malek and told him to be safe and to keep CPS posted on this situation. On 3/25/20, CPS received more texts from Mr. Malek expressing how he think he contracted his illness. Mr. Malek texted 41 hours after he saw a client at Mt. Sinai Hospital, he got sick. Mr. Malek also texts that he got sick from the elevator at Family court or at the parking garage. Mr. Malek kept sending texts about his Covid-19 scare and to inquire how the child Margaret was doing during the health pandemic. Some of his text instructed that the child Margaret should not be brought out of the home under any circumstance as it is not safe. Mr. Malek offered to buy air purifier, food, and have it delivered to the family home, he even offered CPS \$50 to deliver food for the family. Mr. Malek was willing to do what he can, for the family to remained indoors safe. CPS informed Mr. Malek the family does not have food security and CPS has been delivering food during visits.

Mr. Malek contacted CPS early April to inquire about visits. CPS told Mr. Malek we can do supervised phone contacts twice a week, between him and the subject child. Two early barriers that prevented Mr. Malek from having phone contact with the subject child was one, Ms. Ingoglia was not allowing any devices in her home to be used for the fear that her information and location will be breached. Secondly, ACS was going twice per month to family's and engaging at the door as not to put each other at risk. Therefore, CPS volunteered to use her phone for when she visits the family. Mr. Malek did not agree for that arrangement, he did not want the child to leave the apartment fearful of her contracting the illness. CPS asked Mr. Malek if he can buy a phone for the child and then we can begin the visit without CPS going to the home. Mr. Malek agreed then change his mind and stated, he does not want ACS to supervise the visits. From since then Mr. Malek has been sending texts, emails to CPS and FCLS on how he wants the supervised visit to occur during the pandemic. CPS and her Team, as well as FCLS Team were corresponding trying to bring a resolution that Mr. Malek would accept, but to no avail.

On 04/06/20, Mr. Malek had his first phone contact with Margaret, then phone contacts occurred only when CPS conducted a face to face visit with the family, 06/26/20, was the last phone contact. On 04/09/20, Mr. Malek contacted FCLS stating he is not getting video visit with the subject child. The cycle began again with Mr. Malek not wanting CPS/ACS to supervise the visits and the visits must occur inside the home, which the mother continues to oppose. Mr. Malek then identified two Psychologist as Resources to supervise his visits with the child Margaret. CPS contacted the Resources and one did not exist. The other Resource Psychologist checked out, but he insisted ACS must pay for his service. ACS did not approve Mr. Malek Resource. Finally, CPS and Ms. Ingoglia suggested the visit can occur in a safe room in the building where they reside. Moreover, the mother's social worker was willing to provide a laptop and supervised the child since the Ms. Ingoglia cannot. That arrangement was refused by Mr. Malek, on the premise the child is being put at risk, he insisted the visit must take place in the mother's apartment, which the mother refuse. On 06/19/20, CPS was advised to refer Mr. Malek to the NYSPCC's Therapeutic Supervised Visitation Program. CPS obtained the referral package and was set to submit the request and decided to ask Mr. Malek if he is willing to this arrangement. On 06/22/20, CPS and CPSS I had a phone conversation with Mr. Malek about Therapeutic Supervised visits with Minnie and it does involve out of pocket payments by him. Mr. Malek insisted that he will not discuss any resource unless the ACS team can give him an answer to why his Resource was not approve. That discussion ended with Mr. Malek being explosive and CPSS I ended the call. Also, I must highlight, Mr. Malek called in two investigation during the Covid-19 pandemic against the non-respondent mother. The first, was on 05/05/20 and the other 06/06/20, those reports were to undermine Ms. Ingoglia ability to care or the subject children Margaret and Joe.

Home Visits:

RECORDED PHONE CALL.
NOT TRUE.

BT 289

CPS continued to conduct announce and unannounced visit during the Covid -19 pandemic. The home continues to be safe with no apparent safety concern currently. The clutter situation has been addressed and the mother storage and organized items in the home. The home continues to have a working smoke/CO detector and sturdy window guards. The home is equipped with three fans so the home can maintain a cool temperature. However, the mother requested for air-condition unit to be installed. CPS also observed an amount of food supply, provisions and sleeping arrangement for the children. The children continue to be well cared for and their basic needs are met by the mother. Recently, Ms. Ingoglia did a graduation party for Joe, she and the child Margaret made a cake and decorated the home with decorations they created, to ensure Joe felt special for accomplishing this milestone. The children appear to have a close bound with their mother and seems to be thriving in the home environment. However, subject child Margaret continues to exhibit oppositional behavior in the home. Margaret's behavior is being addressed through therapy with her school counselor and Psychotherapist. CPS has delivered and continues to deliver toys, multivitamins, juice, body soap for Margaret at Mr. Malek request, which the child is happy to receive. CPS has supported the family throughout the health crises by conducting face to face visits, supervising phone contacts, delivering food and medicine lock box. During these visits the children was observed without any marks and bruises on their bodies. The last home visit was on 06/26/20.

CONTRADICTION

School:

Due to Covid-19 [REDACTED] Margaret have been participating in remote learning. On 06/23/20, CPS reached out to the children school counselors for academic progress. [REDACTED]

Margaret guidance counselor reported that there's no behavioral concern for the child. Margaret has been receiving counseling twice a week from her counselor, who is currently working on the child social skills and Trauma related issues. Margaret is also seen once a week for video sessions with her Occupational Therapist and Speech Therapist. Both guidance counselor reported to work closely with the children mother and she's cooperative and is receptive to suggestions for the greater good of the children education progress.

Medical:

[REDACTED] Margaret [REDACTED] up to date with [REDACTED] annual physicals. [REDACTED] immunizations are up to date as well. Margaret [REDACTED] healthy since covid-19 health outbreak. Subject child Margaret had one doctor visit on 05/26/20 for an ongoing issue. Subject [REDACTED]

[REDACTED] The non-respondent mother continues to address all the children medical concerns as recommended.

Services and referrals:

The non-respondent mother and children have Preventive Services in place. Ms. Ingoglia [REDACTED] and Margaret continues to be engaged in mental health services to address concerns. On 06/23/20, CPS spoke with Ms. Ingoglia psychotherapist who reported to engage Ms. Ingoglia in weekly psychotherapy for childhood trauma and trauma related anxiety and stress in

the context of domestic violence and ongoing custody dispute of her daughter. CPS also followed up with subject child Margaret's Psychotherapist, who has not contacted CPS to date. [REDACTED]

[REDACTED] CPS was able to speak with customer service, who reported that the children are consistent with their therapy on a weekly basis. [REDACTED]

On 03/25/20, CPS partake in a mental health consult for Mr. Malek. Recommendations and referrals were given to discuss with Mr. Malek. CPS had a discussion with Mr. Malek about referring him to a mental health clinic in his community and he declined the offer. Mr. Malek is not receptive to addressing mental health concerns currently. *LJE.*

Contact with Preventive:

PPRS continues to be in place for this family and Preventive Worker has been addressing any issues that arises with the family. Case Planner reported no concerns for the children currently.

DIR/Criminal History:

An updated search for Criminal History and Domestic Incident Report was submitted on 02/27/2020. The results were received on 03/05/2020, which showed no new DIR's or CRIMINAL report file for Ms. Margret Ingoglia or Mr. Robert Malek. There's a full stay away Order of Protection in place against Mr. Malek, on behalf of Ms. Ingoglia, Joe and Margaret.

Summary:

LJE CPS has been assigned to this case as of January 6th, 2020, since then CPS has been working with the family. Ms. Ingoglia has been cooperative and has allowed CPS to enter her home. Ms. Ingoglia seems to enjoy caring for the subject children Joe and Margaret and they seem happy in her care. She is providing for their basic needs. During visit's the children is friendly and always ready to engage CPS. Ms. Ingoglia continues to learn skills to provide a safe and structural home for Joe and Margaret. CPS is working with her on consistency. *LJE* During Covid-19 outbreak, Ms. Ingoglia adhere to New York State orders and sheltered in place and kept the children safe and healthy. Ms. Ingoglia is receptive to supervised video visits or supervised phone contact between Mr. Malek and Margaret. However, Ms. Ingoglia did not agree for her phone or Joe's phone to be used for phone or video contact; neither can the video visit to occur in her home. Ms. Ingoglia and CPS advocated for the video visit to occur in her building in a safe space without the use of her or Joe's devices. Mr. Malek refused on the premise that the child will be leaving the home and can contract the virus and he does not want ACS/CPS to supervise the visits going forward. Mr. Malek presented two Resources to supervise the video visits. CPS contacted the Resources identified the first one (Psychologist) the information given, no business came matching that information. The second Resource identified (Psychologist), claimed he does not know of Mr. Malek and asked questions of what is expected of this supervised virtual visit will look like. After learning about the requirements, the Resource insisted, ACS must pay for his services not Mr. Malek. ACS did not approve Mr. Malek resource. CPS was made privy to a contracted resource for supervised therapeutic visits. CPS contacted the resource and got all the details, then CPS and CPSS1 had a conversation with Mr. Malek before sending out the referral. Mr. Malek was insisting he must know why ACS rejected his resource before any conversation about referring him for

LPR

therapeutic visits with his daughter at this new resource. As a result, supervised phone contact between Mr. Malek and Margaret continues when CPS visits the home, which is going well so far. Mr. Malek continues his manipulative behaviors and wants to control Ms. Ingoglia ability to care for the children. One way he does that is by calling in reports to the State Central Registry. On 05/05/2020 an additional information case was called in regarding subject child Joe going outside to the store without a mask on and Mr. Malek not seeing Margaret for the past 3 weeks. On 06/06/20, a subsequent case reporting that Margaret has a medical condition which prevents her from perspiring in hot temperatures. This condition predisposes her to heat exhaustion with corresponding symptoms of vomiting and elevated temperatures. Ms. Ingoglia knows about this medical condition but has failed to address the situation appropriately. On 06/06/20 the local temperatures will rise placing the child at imminent risk of heat exhaustion/stroke. As per the non-respondent mother there's no medical evidence to support Mr. Malek claim/report.

NOTE: THESE LIES + OTHERS TO BE ADDRESSED

Respectfully submitted,

Paula Garcia

Preparer (Print name)

Signature

07/07/2020

Date

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E-mail

718-623-4629

Telephone

Bolade Begho

Preparer's Supervisor (Print name)

Signature

07/07/2020

Date

Iyeisha Witherspoon

Preparer's CPM if needed (Print name)

Signature

07/07/2020

Date

OF WHICH MOTHER NOW HAS A DOCTOR NOTE.

Preventive Exam Summary
MARGARET MALEK (Sex: F, DOB: 10/29/2014)
Date of Visit: 01/29/2018

Patient Demographics

Name: MARGARET MALEK
Date of birth: 10/29/2014 Sex: F
Language: ENGLISH
Race: White
Ethnicity: Not Hispanic or Latino

Visit Information

Date/time: 01/29/2018 @ 03:24 pm
Location: Mark B Lew MD LLC
Appointment type: WELL VISIT, EST
Accompanied by: Father

Interval History

Three year well visit:
Parental concerns: PICKY EATER
Recent injury/illness: none
Special health care needs: none
Visits to other health care providers/facilities: none
Changes/stressors in family or home: none
Observation of parent-child interaction: normal (active communication; parent gives child choices; parent encourages cooperation; unacceptable behavior elicits appropriate response)

EVIDENCE OF
STUNTED
GROWTH

ROS Findings

Well Visit: Preschool: Confirms GI: has normal BM pattern/stool consistency. is toilet trained for urine/stool during waking hours. watches limited TV/appropriate shows, no TV in bedroom. gets appropriate amount of exercise. brushes teeth. regular dental visits.

Patient History

Past Medical, Family, and Social History reviewed and updated as appropriate
Problem List Reviewed by Dilara Rakhman (322) 01/29/2018 15:24:56
No active problems

Allergies/Reactions Reviewed by Dilara Rakhman (322) 01/29/2018 15:25:00
No active medication allergies or reactions

Medication List Reviewed by Dilara Rakhman (322) 01/29/2018 15:25:03

Vital Signs

Blood Pressure: 86 / 50 @15:15
Temp (skin): 97.4F / 36.3C
Weight: 31lb 7oz / 14.23kg (48 %ile)
Height: 37.5 in / 95.3 cm (46 %ile)
BMI: 15.7 (53 %ile)

Exam Findings

Constitutional: Normal general appearance: alert, pleasant, not ill appearing, no distress.
Eyes: Normal red reflex/fundoscopy exam; normal cursory ophthalmoscopic exam; conjunctivae & lids: pink & moist; pupils & irises: PERRLA; visual acuity by observation.
Ears, Nose, Mouth, Throat: Normal canals & TMs: clear with normal landmarks & light reflex; nares: clear; lips, teeth and gums: no caries, plaque, demineralization, staining, injury, or gingivitis; oropharynx: moist mucous membranes, without pharyngeal erythema or intraoral lesions.
Neck: Normal neck: supple, trachea midline, no masses or significant adenopathy.
Respiratory: Normal respiratory effort: no retractions, no tachypnea; auscultation of lungs: clear & equal breath sounds without rales, rhonchi or wheeze.
Cardiovascular: Normal palpation of heart: PMI nondisplaced; auscultation of heart: regular rate & rhythm, no murmur.
Gastrointestinal: Normal abdomen: soft, nontender/nondistended, normal bowel sounds, no mass; liver & spleen: no hepatosplenomegaly.
Genitourinary: Normal appearance of prepubertal external genitalia and introitus.
Musculoskeletal: Normal muscle strength & tone.
Skin: Normal inspection: no rash.
Neurologic: Normal age appropriate social/language interaction.

School Exam Findings

Active/Exam
Pupils: Normal

Created: 02/19/2020 01:49 PM

Confidential Information

(<https://www.beaumont.org/home>)

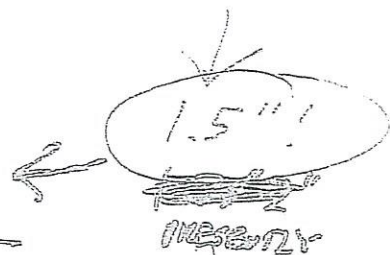
HOME (/) - TREATMENTS & SERVICES (/SERVICES) -
BEAUMONT CHILDREN'S (/SERVICES/CHILDRENS) -
HEALTH AND SAFETY (/SERVICES/CHILDRENS/HEALTH-SAFETY) -
YOUR GROWING CHILD | SCHOOL-AGE (6 TO 12 YEARS)

Your Growing Child | School-Age (6 to 12 Years)

How much will my child grow?

While all children may grow at a different rate, the following indicates the average for school-aged children 6 to 12 years old:

- Weight: average gain of about 5 to 7 pounds a year
- Height: average growth of about 2.5 inches per year



What can my child do at this age?

As your child continues to grow, you will notice new and exciting abilities that your child develops. While children may progress at different rates and have diverse interests, the following are some of the common milestones children may reach in this age group:

- 6- to 7-year-olds:

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- likes to paint and draw

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4/27

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Average Height to Weight Chart: Babies to Teenagers

Author: *Disabled World*Contact : www.disabled-world.com

Published: 2017/11/30 (2 years ago) - Updated: 2020/03/05 (A week ago) .

Synopsis:

› Average height to weight ratio chart by age for kids and teenage girls and boys in inches - pounds and centimeters - kilograms.

Key Points:

- › Every baby, child, and teenager is different in the way they mature and grow during their teen years.
- › On average, girls commence puberty around ages 10 to 11 and end puberty around 15 to 17 years old; boys start puberty around age 11 to 12 and end around 16 to 17 years of age.

Main Digest

➤ Are you older than 20? Try our Adults Height to Weight Chart (<https://www.disabled-world.com/calculators-charts/height-weight.php>) .

Our easy to read optimum height to weight ratio charts, cover newborn babies to teenage girls and boys, and will give you a general idea of whether you are of *average weight* for your age and height without using complicated percentile graphs, however, please keep in mind the following:

- Height and weight ratio charts are not truly accurate measures or indicators, especially for young children and teenagers. Height to weight charts for girls and boys represent only a rough average and should be used in conjunction with a BMI calculator for kids (<https://www.disabled-world.com/calculators-charts/child-bmi.php>) .
- Young children and teenagers often have growth spurts during their growing years. During puberty your body will grow faster than at any other time in your life. On average, girls commence puberty around ages 10 to 11 and end puberty around 15 to 17 years old; boys start puberty around age 11 to 12 and end around 16 to 17 years of age (*Wikipedia*). During this period it is quite possible to gain and lose weight rapidly, as well as add inches to their heights seemingly overnight. This is particularly so in many adolescent girls who often experience dramatic changes in weight, bone composition, height, body fat distribution - especially through their pubescent years.

73
285

420

3 - Every baby, child, and teenager is different in the way they mature and grow during their teen years. Dieting for teens is not recommended as quite often you will find they will simply "grow out" of their "baby fat" as they mature into young adults. Your pediatrician or family physician is really the best person to consult if you are worried about your child's height to weight ratio as a doctor can use a medical growth chart to keep track of your progress as you mature.

Our height to weight chart now displays both Metric and Imperial measurements;
Pounds/Kilograms and Inches/Centimeters.

- » Female: 1-11 mths
- » Female: 1-2 yrs
- » Female: 2-12 yrs
- » Female: 13-20 yrs
- » Male: 1-11 mths
- » Male: 1-2 yrs
- » Male: 2-12 yrs
- » Male: 13-20 yrs

Age	Weight	Length
1 mth	7.3 lb (3.3 kg)	19.4" (49.2 cm)
2 mth	9.6 lb (4.3 kg)	21.2" (53.8 cm)
3 mth	11.7 lb (5.3 kg)	22.1" (56.1 cm)
4 mth	13.3 lb (6.0 kg)	23.6" (59.9 cm)
5 mth	14.6 lb (6.6 kg)	24.5" (62.2 cm)
6 mth	15.8 lb (7.1 kg)	25.3" (64.2 cm)
7 mth	16.6 lb (7.5 kg)	25.9" (64.1 cm)
8 mth	17.4 lb (7.9 kg)	26.5" (67.3 cm)
9 mth	18.1 lb (8.2 kg)	27.1" (68.8 cm)
10 mth	18.8 lb (8.5 kg)	27.6" (70.1 cm)
11 mth	19.4 lb (8.8 kg)	28.2" (71.6 cm)
12 mth	19.9 lb (9.0 kg)	28.7" (72.8 cm)

Weight	Length
20.4 lb (9.2 kg)	29.2" (74.1 cm)

296

Average Height to Weight Chart: Babies to Teenagers : Disabled World

14 mth
15 mth
16 mth
17 mth
18 mth
19 mth
20 mth
21 mth
22 mth
23 mth

21.5 lb (9.7 kg)
22.0 lb (9.9 kg)
22.5 lb (10.2 kg)
23.0 lb (10.4 kg)
23.4 lb (10.6 kg)
23.9 lb (10.8 kg)
24.4 lb (11 kg)
24.9 lb (11.3 kg)
25.4 lb (11.5 kg)
25.9 lb (11.7 kg)

30.1" (76.4 cm)
30.6" (77.7 cm)
30.9" (78.4 cm)
31.4" (79.7 cm)
31.8" (80.7 cm)
32.2" (81.7 cm)
32.6" (82.8 cm)
32.9" (83.5 cm)
33.4" (84.8 cm)
33.5" (85.1 cm)

Age
yrs

FEMALE

ABOVE AVERAGE BEFORE

BELOW AVERAGE NOW

yrs
yrs
yrs
yrs
yrs
yrs
yrs
yrs
yrs

Weight

26.5 lb (12.0 kg)
31.5 lb (14.2 kg)
34.0 lb (15.4 kg)
39.5 lb (17.9 kg)
44.0 lb (19.9 kg)
49.5 lb (22.4 kg)
57.0 lb (25.8 kg)
62.0 lb (28.1 kg)
70.5 lb (31.9 kg)
81.5 lb (36.9 kg)
91.5 lb (41.5 kg)

40.5

Height

33.7" (85.5 cm)
37.0" (94 cm)
39.5" (100.3 cm)
42.5" (107.9 cm)
45.5" (115.5 cm)
47.7" (121.1 cm)
50.5" (128.2 cm)
52.5" (133.3 cm)
54.5" (138.4 cm)
56.7" (144 cm)
59.0" (149.8 cm)

Age
yrs
yrs
yrs
yrs

Weight

101.0 lb (45.8 kg)
105.0 lb (47.6 kg)
115.0 lb (52.1 kg)
118.0 lb (53.5 kg)
120.0 lb (54.4 kg)

297

Height

61.7" (156.7 cm)
62.5" (158.7 cm)
62.9" (159.7 cm)
64.0" (162.5 cm)
64.0" (162.5 cm)

Average Height to Weight Chart: Babies to Teenagers : Disabled World

18 yrs

19 yrs

20 yrs

125.0 lb (56.7 kg)

126.0 lb (57.1 kg)

128.0 lb (58.0 kg)

64.2" (163 cm)

64.2" (163 cm)

64.3" (163.3 cm)

Age

0 mth

1 mth

2 mth

3 mth

4 mth

5 mth

6 mth

7 mth

8 yrs

9 yrs

10 mth

11 mth

12 mth

13 mth

14 mth

15 mth

16 mth

17 mth

18 mth

19 mth

20 mth

21 mth

22 mth

23 mth

24 mth

25 mth

Weight

7.4 lb (3.3 kg)

9.8 lb (4.4 kg)

12.3 lb (5.6 kg)

14.1 lb (6.4 kg)

15.4 lb (7 kg)

16.6 lb (7.5 kg)

17.5 lb (7.9 kg)

18.3 lb (8.3 kg)

19.0 lb (8.6 kg)

19.6 lb (8.9 kg)

20.1 lb (9.1 kg)

20.8 lb (9.4 kg)

Weight

21.3 lb (9.6 kg)

21.8 lb (9.9 kg)

22.3 lb (10.1 kg)

22.7 lb (10.3 kg)

23.2 lb (10.5 kg)

23.7 lb (10.7 kg)

24.1 lb (10.9 kg)

24.6 lb (11.2 kg)

25.0 lb (11.3 kg)

25.5 lb (11.5 kg)

Length

19.6" (49.8 cm)

21.6" (54.8 cm)

23.0" (58.4 cm)

24.2" (61.4 cm)

25.2" (64 cm)

26.0" (66 cm)

26.6" (67.5 cm)

27.2" (69 cm)

27.8" (70.6 cm)

28.3" (71.8 cm)

28.8" (73.1 cm)

29.3" (74.4 cm)

Length

29.8" (75.7 cm)

30.3" (76.9 cm)

30.7" (77.9 cm)

31.2" (79.2 cm)

31.6" (80.2 cm)

32.0" (81.2 cm)

32.4" (82.2 cm)

32.8" (83.3 cm)

33.1" (84 cm)

33.5" (85 cm)

22 mth

23 mth

A

2 yrs

3 yrs

4 yrs

5 yrs

5 yrs

7 yrs

3 yrs

1 yrs

0 yrs

1 yrs

2 yrs

g

3 yrs

4 yrs

1 yrs

1 yrs

1 yrs

1 yrs

1 yrs

1 yrs

How to Lose Body Fat Fast

Free Weight Loss Planning Calculator

Feet, Pounds, Kilograms Conversion Chart

Height of Men and Women in Other Countries

<https://www.disabled-world.com/calculators-charts/height-weight-teens.php>

Average Height to Weight Chart: Babies to Teenagers : Disabled World

25.9 lb (11.7 kg)

26.3 lb (11.9 kg)

Weight

27.5 lb (12.5 kg)

31.0 lb (14.0 kg)

36.0 lb (16.3 kg)

40.5 lb (18.4 kg)

45.5 lb (20.6 kg)

50.5 lb (22.9 kg)

56.5 lb (25.6 kg)

63.0 lb (28.6 kg)

70.5 lb (32 kg)

78.5 lb (35.6 kg)

88.0 lb (39.9 kg)

Weight

100.0 lb (45.3 kg)

112.0 lb (50.8 kg)

123.5 lb (56.0 kg)

134.0 lb (60.8 kg)

142.0 lb (64.4 kg)

147.5 lb (66.9 kg)

152.0 lb (68.9 kg)

155.0 lb (70.3 kg)

33.9" (86.1 cm)

34.2" (86.8 cm)

Height

34.2" (86.8 cm)

37.5" (95.2 cm)

40.3" (102.3 cm)

43.0" (109.2 cm)

45.5" (115.5 cm)

48.0" (121.9 cm)

50.4" (128 cm)

52.5" (133.3 cm)

54.5" (138.4 cm)

56.5" (143.5 cm)

58.7" (149.1 cm)

Height

61.5" (156.2 cm)

64.5" (163.8 cm)

67.0" (170.1 cm)

68.3" (173.4 cm)

69.0" (175.2 cm)

69.2" (175.7 cm)

69.5" (176.5 cm)

69.7" (177 cm)

MALE X

229

452

Printable Height/Weight Chart for Girls from Baby to Teenage Years

Printable Height/Weight Chart for Boys from Baby to Teenage Youth

*Information and data for above growth charts sourced from The World Health Organization (WHO), Gerontology Research Center (National Institutes of Health (NIH), USA), and the U.S. Centers for Disease Control and Prevention (CDC).

Similar Documents

- 1 - Pain Scale Chart: 1 to 10 Levels : Disabled World (2016/05/20)
- 2 - DVPRS 2.0 Pain Scale Chart for Service Personnel and Veterans : Disabled World (2020/03/12)
- 3 - Adult Male and Female Height to Weight Ratio Chart : Disabled World (2017/11/30)
- 4 - Average Height to Weight Chart: Babies to Teenagers : Disabled World (2017/11/30)
- 5 - Blood Pressure Chart: Low, Normal, High Reading by Age : Disabled World (2017/11/19)
- 6 - Human Laterality Information and Right or Left Hand Test : Disabled World (2020/02/04)
- 7 - Fitzpatrick Scale Skin Type Test and Result Information : Disabled World (2020/01/17)

Page Citation:

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M Gmail

robert malek <abc75abc@gmail.com>

Fw: I will confirm on Monday that my previous measurement was correct

1 message

abc75abc@gmail.com <abc75abc@gmail.com>
To: SCJC <cjc@cjc.ny.gov>

Sun, Mar 15, 2020 at 1:12 PM

while the judge does nothing.....
the nutritional neglect of my daughter is so bad she is pale, chronically ill as indicated in acs notes and her growth is
now stunted...

Robert malek
I wish to confirm my previous measurement.

Sent from my Verizon LG Smartphone

----- Original message -----

From: abc75abc@gmail.com (mailto:abc75abc@gmail.com)

Date: Sun, Mar 15, 2020 12:21 PM

To: abc75abc@gmail.com (mailto:abc75abc@gmail.com); Travis Johnson; Rosmil Almonte, (ACS); rmaes@bds.org
(mailto:rmaes@bds.org); Henderson Brathwaite;

Cc:


Subject: I will confirm on Monday that my previous measurement was correct

Conversation between Me and Mrs Garcia.

all counsel take note.....

Robert malek

Sent from my Verizon LG Smartphone

 (?ui=2&ik=c084fb222b&view=att&th=170df2eebf22383d&attid=0.1&disp=attd&safe=1&zw) Me_mrs_garcia(11).pdf
130K

301

Me

mrs Garcia I wish to confirm my daughters height on Monday via my tape measure to prove that both acs and Margaret ingoglia have neglected my daughter for the past 2 years nutritionally causing her chronic illness that you have indicated in acs report's. now, her neglect is clear. acs has indicated chronic illness, which is true, Joe as well, which is true. you had told me at visitation that you knew of nothing being done nutritionally for Minnie and that her doctors reports have been fine then you and Almonte state in court that you are now addressing this and made no statements as you have to me. if it would not be for me you would do nothing and have done nothing. so first a problem didn't exist after Ferguson said she will speak to her pediatrician and now when I expose this..... it does. if acs intends to stop me doing a simple tape measure of my own daughter on Monday so that I be sure before I take further legal action, then cancel the visits and such denial will be used as further evidence of your cover-up in court., Robert malek

12:11 PM

Me

furthermore if you intend to take a picture then I will take a picture as well regardless of your no photography rule.

302

12:14 PM

9/13/2020

Gmail - minnies height confirmed at 40.5inches,

 Gmail

robert malek <abc75abc@gmail.com>

minnies height confirmed at 40.5inches,
2 messages

robert malek <abc75abc@gmail.com>

To: "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>

Thu, Mar 19, 2020 at 8:05 PM

rosmil,

my daughters height was 37 inches on march 2 , 2018. proper for her age.
two years later she is 40.5.

proper growth rate is 2.5 inches per year. It is 1.75

proper height is between 42 and 42.5

look at the height of margaret, joe or i and joes father was only about 5'6 whereas my dad was 6 feet as am i.
my daughter was sick during one month only for 3.5 years. joe never.

THE SCR WILL BE CALLED AFTER I PUT TOGETHER THE SICKNESS DATA OF MINNIE AND THE
STATEMENTS WITHIN DISCOVERY TO SHOW THAT THIS INDICATED IN CONTINUING DUE TO YOU AND TRAVIS
NOT ADDRESSING THE ISSUE.

I want discovery on the medical records and the schooling records. I am entitled to them.

The inactions actions of yourself and travis johnson harmed my daughter. I despise you both.

I could care less what you think about me calling the scr to report this.

sincerely,

robert malek

robert malek <abc75abc@gmail.com>

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

Thu, Mar 19, 2020 at 8:06 PM

[Quoted text hidden]

304

**FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS**

In the Matter of a **Family Offense** Proceeding

File #: 143675

Docket #: O-31604-15

Margaret Ingoglia,

Petitioner,

**FAMILY OFFENSE
PETITION**

- against -

Juan C. Palomino,

Respondent.

TO THE FAMILY COURT:

The undersigned Petitioner respectfully states that:

I, Margaret Ingoglia reside at¹ ***Address Confidential***.

The Respondent, Juan C. Palomino resides at 148 Parkside Ave., Apt. 3B, Brooklyn, NY 11226.

The Respondent and I are related in the following way: I have a child-in-common with the Respondent.

The Respondent committed the following family offenses against me and/or my children which constitute attempted assault, assault in the second or third degree, aggravated harassment in the second degree, harassment in the first or second degree, disorderly conduct, menacing in the second or third degree, reckless endangerment, stalking, criminal mischief, sexual abuse in the second or third degree², sexual misconduct, forcible touching, strangulation, criminal obstruction of breathing or circulation, identity theft in 1st, 2nd, or 3rd degree, grand larceny in 3rd or 4th degree, and coercion in 2nd degree [Penal Law §135.60 (1),(2) or(3)].

Describe each incident: starting with the most recent incident: December 13, 2015 location of each incident; specify all injuries and if any weapons where used. at Respondent's Home: On December 13, 2015, Petitioner was at Respondent's apartment with their son, Joe. The child told Petitioner that Respondent punched him in the arm, because the child could not find the Bengay. Respondent also became very angry with Petitioner and was yelling at her as well as harassing and threatening her. Respondent has choked and attempted to murder Petitioner in the past, and she is very frightened for her life as well as the lives of her children.

I have filed a criminal complaint concerning these incidents: See attached.

¹If your health or safety or that of your child or children would be put at risk by disclosure of your address or other identifying information, you may apply to the Court for an address confidentiality order by submitting General Form GF-21, which is available on-line at www.nycourts.gov . See Family Court Act § 154-b.

²Where victim is incapable of consent for reason other than being under age 17 [Penal Law § 130.60(1)].

The following children live with me [including children that are not mine]:

<u>Name</u>	<u>Date of Birth</u>	<u>Relationship to Me</u>	<u>Relationship to Respondent</u>
Margaret Michelle Malek	10/29/2014	Child	Other (Not-Related)

The following children are mine but do not live with me:

<u>Name</u>	<u>Date of Birth</u>	<u>Lives With</u>	<u>Child's Relationship to Respondent, if any</u>
Joe Palomino Ingolia	03/15/2004	Juan C. Palomino	Child

The Respondent committed family offenses against the above child or children as follows³: Respondent punched their son, Joe, in the arm on December 13, 2015.

The Respondent threatened me with a gun or dangerous instrument or object as follows: Petitioner states that Respondent has threatened her with a knife and stick in the past.

There is a substantial risk that Respondent would use or threaten to use a firearm or dangerous instrument or object against me, my child(ren), a member of my household or a person with whom I have or had an intimate relationship on the basis of the following facts and for the following reasons: Petitioner states that Respondent has threatened her with a knife and stick in the past.

I have not made any previous application to any court or judge for the relief requested in this petition.

³Family offenses, when committed against a member of the same family or household or intimate partner, include the crimes of assault or attempted assault, aggravated harassment or harassment, disorderly conduct, menacing, reckless endangerment, stalking, sexual abuse, sexual misconduct, forcible touching, strangulation, criminal obstruction of breathing or blood circulation, criminal mischief, grand larceny, indentify theft and coercion.



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Main Number (718) 412-1845

50 Shady Hill Lane
Glastonbury, CT 06033
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CT PI License #A2673
NY PI License #11000169211

AFFIDAVIT

I, Adam Dornfeld, a duly licensed private investigator in New York and Connecticut, state that I have completed my investigation of Juan Palomino, Date of Birth - 11/9/52. Utilizing several private database records, I did not locate an arrest record in 2008 or 2009 stemming from an incident of 11/25/08 involving Margaret Ingoglia.

Affiant

A handwritten signature of Adam Dornfeld in black ink, written over a horizontal line.

Date

4/27/19

Notary

A handwritten signature of Tracey Ramgattie in black ink, written over a horizontal line.

Date

4/27/2019

TRACEY RAMGATTIE
Notary Public - State of New York
No. 01RA6248847
Qualified in Queens County
My Comm. Expires Oct. 17, 2019

Licensed by New York State, Department of State, Division of Licensing Services
and also the State of Connecticut, Department of Emergency Services & Public Protection