

CIVIL COVER SHEET

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

(a) PLAINTIFFS

ROBERT MALEK, *ROBERT MALEK C/O MARLENE MALEK*

(b) County of Residence of First Listed Plaintiff NASSAU
(EXCEPT IN U.S. PLAINTIFF CASES)

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

DEFENDANTS

LETTIA JAMES, ADMINISTRATION FOR CHILDRENS SERVICES, ET AL.

County of Residence of First Listed Defendant KINGS
(IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

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

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

ONE DEFENDANT IS FROM NEW JERSEY

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

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

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

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395M) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

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

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

VI. CAUSE OF ACTION

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

1ST, 4TH, 8TH, 9TH AND 14TH AMENDMENTS. 42 US 1983, 1985, 1986, 2000 TITLE 6, TRUMP EXECUTIVE ORDER 13889

Brief description of cause: *VIOLATION OF ESRA ACT. ACS/INTE OVERLOOKED AND NOT DETECTED. REAS: COUNTERFEIT, FALSE AND FORGED MEDICAL (PSYCH) REPORTS WERE FILED UPON "CASE" NN - 19410-18, NN 19411-18 AND*

VII. REQUESTED IN COMPLAINT:

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

DEMANDS *30,000,000.00 TO PLAINTIFF*

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

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE SANNES, STEWART

DOCKET NUMBER 21 CV 1230, 22 CV 167

DATE

07/28/2022

SIGNATURE OF ATTORNEY OF RECORD

S/S

Verified by pdfFiller

Robert M. Malek
07/28/2022

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

0001

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT MALEK, ROBERT MALEK C/O MARGARET MALEK

(PLANTIFF)

CIVIL CASE # : _____

VS,

CIVIL RIGHTS COMPLAINT

PURSUANT TO :

42 USC 1983, 1985, 1986, 2000 TITLE 6,
TRUMP EXECUTIVE ORDER 13899
1st, 4TH, 8TH, 9TH AND 14TH
CONSTITUTIONAL AMENDMENTS

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

(DEFENDANTS)

PLANTIFF REQUESTS A TRIAL BY JURY

PLANTIFF IN THE ABOVE CAPTIONED ACTION ALLEGES AS FOLLOWS :

IN SUMMARY,

CAUSES OF ACTION :

1. DAVID HANSELL / ACS RUBBER STAMPING PETITIONS IN VIOLATION OF THE FEDERAL ESRA ACT.

EXHIBIT B

2. ACS DOES NOT LEGALLY EXIST, NYC CHILDREN DOES NOT LEGALLY EXIST, ACS POLICE DO NOT LEGALLY EXIST AND HAD NO LEGAL RIGHT TO FILE PETITION / AMENDED PETITION AGAINST ROBERT MALEK.

EXHIBIT D.

2.1 THE STATE OFFICE OF CHILDREN AND FAMILY SERVICES HAS NO EVIDENCE OF THEM LEGALLY EXISTING EITHER.

EXHIBIT D78

3. THE FILING OF AFFIRMATION IN OPPOSITION / ORDER TO SHOW CAUSE BY ACS ALMONTE (OF WHICH IS A LEGAL IMPOSSIBILITY) THAT WAS 3 MONTH BACKDATED (10 MONTHS TO RESPOND ! JAN. - OCTOBER 2020) OF WHICH CONTAINED KNOWINGLY FALSE STATEMENTS WITH ATTEMPT TO HAVE RESPONDENT ARRESTED.

THE OSC CONTAINED THE FALSE ALLEGATION OF CRIMINAL ASSAULT AND BATTERY (PHYSICAL ABUSE) OF WHICH ACS, ROSMIL ALMONTE , TRAVIS JOHNSON, MARGARET INGOGLIA, JACQUELINE WILLIAMS AMONG OTHERS KNEW WAS FALSE AND HAVE NO EVIDENCE OF..

EXHIBIT K

IT IS A VIOLATION OF DUE PROCESS TO LIE IN THIS MANNER

EXHIBIT P

3A. THE FILING OF FALSE MEDICAL PSYCHE REPORTS CLAIMING EXTENSIVE PHYSICAL ABUSE (CRIMINAL ASSAULT AND BATTERY) AGAINST ROBERT MALEK, KNOWN TO ACS AND OTHERS AS BEING FALSE..THESE MEDICAL REPORTS CLAIM MY DAUGHTER IN SUM AND SUBSTANCE, DOESNT WANT TO KNOW OR VISIT OR HAVE ANY CONTACT WITH HER FATHER.

EXHIBIT M, 35A, J

3B. CALL BY MARGARET INGOGLIA TO THE SCR IN ALBANY IN 2015 CLAIMING PHYSICAL ABUSE OF WHICH SHE CONTRADICTED 15 TIMES TO ACS. EVIDENCE IN

EXHIBIT I

3C. MARGARET INGOGLIAS FALSE STATEMENTS TO KEVIN GORRASI, COMPREHENSIVE FAMILY SERVICES DURING HER INTAKE CLAIMING PHYSICAL ABUSE BY ROBERT MALEK WHILE SHE WAS PREGNANT WITH OUR DAUGHTER !!!!!!!!!!!!!!!!!!!!! AND AFTER HER BIRTH OF WHICH SHE CONTRADICTED 15 TIMES TO ACS TO AFFECT THE PARTIALITY OF HIS REPORTING TO THE COURT AND TREATMENT OF KEVIN GORRASI UPON RESPONDENT. AND DID AFFECT HIS REPORTING TO THE COURT. FOR INSTANCE, HE HAD CLAIMED HE MADE UP FOR ALL MARGARET INGOGLIAS LATENESS AND HE DID NOT. HE DID NOT REPORT MY DAUGHTERS INJURIES EITHER IN VIOLATION OF LAW AS A MANDATED REPORTER.

EXHIBIT I

3D. MARGARET INGOGLIA , ROSMIL ALMONTE, ACS, WILLIAMS, TRAVIS JOHNSON, LEGAL AID, JANIE GROFF, SUN RIVER HEALTH, DR VARMA (UNKNOWN AT THIS POINT. IT APPEARS SHE WAS A VICTIM OF GROFF), CHRISTOPHER C ESCOBAR, ROBERT RUSS LACHANSE (NOT LIMITED TO) CONSPIRED TO PRODUCE FRAUDULENT PSYCHE REPORTS WHICH CONSISTED OF CRIMINAL ALLEGATIONS OF PHYSICAL ABUSE WHILE IMPLEMENTING A LEGAL TECHNIQUE TO PREVENT ME FROM SEEING MY DAUGHTER WITHOUT CORRESPONDING ORDER TO APPEAL FROM. EVEN IF I WERE ABLE TO APPEAL AND BE SUCCESSFUL, I WOULD BE WITHOUT SEEING MY DAUGHTER FOR ABOUT A YEAR FOR APPEAL DECISION. THE HARM WOULD HAVE BEEN DONE REGARDLESS.

3E. WILLIAMS, AFTER ALMONTE, ACS ,THEIR LCSW JANIE GROFF AND OTHERS CLAIMED THE CRIMES OF ASSAULT AND BATTERY AND THAT MY DAUGHTER DOESNT WANT TO SEE ME WROTE AN ORDER REGARDING VISITATION THAT MY DAUGHTER HAS TO CONSENT TO VISITING WITH HER FATHER OF WHICH TERMINATED MY VISITATION WITH MY DAUGHTER. THE ENTIRE FOUNDATION AND NET EFFECT OF THE ORDER WAS SET IN PLACE BY THE CONSPIRATORS, AS NOTED ABOVE. WHILE MY DAUGHTER AT 6 DOES NOT HAVE THE RIGHT TO CONSENT OR NOT CONSENT, THAT IS NOT THE ISSUE SINCE MY DAUGHTER WANTS TO SEE HER FATHER. THE JUDGE, ALONG WITH ACS MADE UP A FALSE CONSENT ISSUE AND BACKED IT UP WITH PSYCHE REPORT FRAUDS. IN ADDITION, WHEN IT COMES TO VISITATION AND SEEING OR NOT SEEING YOUR CHILD, FOR ME TO APPEAL AN ORDER AS TO WHETHER OR NOT MY DAUGHTER CAN CONSENT OR CANNOT, TAKING AN ENTIRE YEAR OR SO FOR APPEAL DECISION ON AN ISSUE THAT IS A TOTAL

FRAUD IS ONCE AGAIN, NOT APPEALABLE. I AM NOT GOING TO BE WITHOUT SEEING MY DAUGHTER FOR AN ENTIRE YEAR TO FIGHT FOR THE RIGHT TO SEE HER AGAINST HER CONSENT WHEN THE LACK OF HER CONSENT IS 100% UNTRUE AND A FRAUD TO BEGIN WITH. IN OTHER WORDS, I AM NOT APPEALING A FRAUD NOR CAN I APPEAL THE FRAUD OF WHICH THE ORDER WAS PART OF.

3F. ACS AMONG OTHERS (TOWES, THAYER, RADIX) TOOK PART IN ATTEMPTING TO INVOKE A FELDMAN BAR ON FEDERAL CASE 21 CV 1230 REGARDING STATUS OF MY VISITATION WITH MY DAUGHTER AS PER FAMILY COURT ORDERS AS PER EVIDENCE....THAT ACS AND OTHERS KNEW CONSTITUTED CRIMINAL CONDUCT AND ATTEMPTED TO FURTHER THE MOTIVE AND INTENT OF SUCH CRIME IN FEDERAL COURT. ACS KNEW THAT THE ORDER WHICH RESULTED IN SUSPENSION WAS DEPENDENT UPON THEIR DOCUMENTS OF WHICH THEY KNEW CONTAINED FORGED SIGNATURES, AND WRITTEN BY OTHERS THAN THE PSYCHIATRIST OR LCSW THAT WAS CLAIMED. AUTHORS WERE ACS WORKERS, ACS THEMSELVES, PEOPLE WHO DONT WORK FOR ACS, HAVE NO LCSW CREDENTIALS AND DONT WORK FOR ANYONE ACS ASSOCIATES WITH, LCSW FORGING A PSYCHIATRISTS SIGNATURE AND FURTHERMORE, PRODUCING REPORTS CONSTITUTING CRIMINAL CLAIMS OF ASSAULT AND BATTERY OF WHICH INGOGLIA, ACS, ALMONTE, JOHNSON, WILLIAMS GROFF AND MANY OTHERS KNEW WERE FACTUALLY FALSE AND CONSTITUTED PERJURY. WHILE GROFF WAS NOT SERVED WITH THE 28 STATEMENTS OF IMPEACHMENT, SHE WAS CALLED AND LEFT MESSAGE TO SPEAK WITH HER REGARDING HER ALLEGATIONS. SHE DID NOT RETURN CORRESPONDENCE OF ATTEMPT TO OBTAIN EVIDENCE BEFORE STATING I COMMITTED ASSAULT AND BATTERY ON MY FAMILY.

EXHIBITS M AND N.

TO SHORTSTOP HERE, THE ISSUE AT HAND WITH 21 CV 1230 IS DOES THE STATE GOV HAVE THE RIGHT TO TERMINATE A PRE EXISTING RELIGIOUS RELATIONSHIP BETWEEN FATHER AND DAUGHTER, OF WHICH STATE COURT VISITATION IS A SEPARATE ISSUE SINCE I AM NOT ASKING FOR THE RIGHT TO VISIT, I AM ASKING FOR THE STATE NOT TO BE ABLE TO CLAIM AUTHORITY TO TERMINATE THE RELIGIOUS RELATIONSHIP AND INTERACTION.

THUS SAID, THE MATTER HERE THAT I AM RAISING WAS THE INTENT TO CLAIM ON STATE COURT CASE AND FEDERAL COURT CASE IS THAT BOTH AS STATED ABOVE IS ACTUALLY ONE IN THE SAME AND BOTH ARE..... VISITATION. HENCEFORTH, IN FEDERAL COURT WITH ACS, ETC CLAIM, SUCH VISITATION IS BARRED UNDER ROOKER FELDMAN OF WHICH IN STATE COURT VISITATION CESSATION WAS NOT JUST A FRAUD, BUT CRIMES OF WHICH WERE NOT APPEALABLE AND HAD NO ORDER TO APPEAL FROM REGARDING ITS SPECIFIC INTENT WHICH WAS TO TERMINATE VISITATION WITHOUT A CORRESPONDING ORDER TO APPEAL FROM AND THEN TRY TO BLEND SUCH ACT TO TERMINATE RELIGIOUS FREEDOM WITH A

FOUNDATIONAL ANTI-SEMITIC MOTIVE OF MALEK IS JEWISH AND NOT AMERICAN WHICH ALSO CROMPROMISES HIS DAUGHTERS STATUS AS PARTIALLY JEWISH AS WELL.

OR IN OTHER WORDS CLAIM A FELDMAN BAR WHEN THERE IS NONE BECAUSE THE ORDER WAS NOT APPEALABLE SINCE THE ORDER WAS ESSENTIALLY NOT THE PROBLEM (THOUGH MY DAUGHTER WAS 6 AND CANT CONSENT OR NOT THOUGH SHE CERTAINLY DID WANT TO VISIT WITH ME.)

ACS A + WILLIAMS B CREATED PROBLEM = C THAT WAS NOT AN APPEALABLE OUTCOME.

ME APPEALING THE ORDER WOULD BE LIKE TRYING TO BAN GASOLINE BECAUSE THE CAR WAS A GROSS POLLUTER. THE GAS REALLY WASNT THE PROBLEM. IT WAS THE CAR AND THE GAS THAT MADE THE PROBLEM.

GAS A + GROSS POLLUTER CAR B = EXCESSIVE POLLUTION.

THE PROBLEM IS NOT A IT IS A + B WITH OUTCOME OF C THAT COULD NOT BE APPEALED VIA YOUNGER OR HAVE FEDERAL COURT BAN VIA FELDMAN. IT IS A CLASSIC FEDERAL JURISDICTIONAL ISSUE THAT ARISES FROM A STATE COURT MATTER.

THE OTHER MATTER OF THE ELECTRONIC VISIT DOESNT MATTER SINCE IF YOU DONT HAVE ANY CONTACT WHATSOEVER, YOU HAVE ZERO. YOU CANT APPEAL ELECTRONIC OR IN PERSON IF YOU HAVE NOTHING TO BEGIN WITH.

3G. WHAT IS TRULY CRIMINAL HERE IS THAT ACS AND INGOGLIA , ETC. FILING AND REFERRING TO FALSE MEDICAL REPORTS THAT ARE CRIMES TO ACCUSE ROBERT MALEK OF CRIMES THAT THEY KNEW WERE NEVER COMMITTED BY ROBERT MALEK. NOTE 15 STATEMENTS BY INGOGLIA OF NO PHYSICAL VIOLENCE IN EXHIBIT I.

4. JACQUELINE WILLIAMS, JUDGE OF THE CASE ALSO CONSPIRED WITH ACS, INGOGLIA AND MANY OTHERS IN A CASE THAT WAS NOT FILED WITH THE CLERK, NOT SIGNED OR VERIFIED, NO SUMMONS AND DAVID HANSELLS TYPED NAME WAS RUBBER STAMPED AND PRE PRINTED VIOLATING THE ESRA ACT. THE ORIGINAL PETITION WAS SERVED BY ACS AND I WAS " SUMMONED " TO COURT WITH A TEXT MESSAGE.

5. RECORDS SHUT DOWN MY ABILITY TO OBTAIN RECORDS TO OBTAIN FURTHER EVIDENCE OF FRAUDULENT PSYCHE REPORTS , ETC. WHICH STARTED IMMEDIATELY AFTER KURLYUK STARTED REPRESENTING THEM. THIS MATTER IS BEING LITIGATED AS PART OF 22 CV 167. IF ANY PART OF THEIR NOT PROVIDING RECORDS IS AT PLAY IN THIS CASE OF WHICH IS NOT BEING RAISED THERE, I RAISE IT HERE AS IT CAUSING

PROBLEMS IN ANY CASE I WISH TO FILE. WITHHOLDING EVIDENCE IS A HINDRANCE WHEREAS IT IS NOT JUST A CAUSE OF ACTION IN 22 CV 167, IT IS A CAUSE OF ACTION ON THIS CASE AND EVERY CASE, INCLUDING 21 CV 1230 DUE TO THE EVIDENTIARY HARM IT CAUSES .

6. ACS AND THEIR ATTORNEYS IN CASE NUMBER 21 CV 1230 REQUESTS ABSOLUTE IMMUNITY FOR ROSMIL ALMONTE, KNOWING THAT SHE TOOK PART IN CRIMINAL CONDUCT AND ACS IS FURTHERMORE, ATTEMPTING TO FURTHER THE NET RESULT OF THEIR CRIME IN STATE COURT TO STRIP JUDGES OF JURISDICTION ON CASE NUMBER 21 CV 1230 IN FEDERAL COURT WITH A FELDMAN BAR OF WHICH THERE IS ACTUALLY NONE SINCE THE NET RESULT OF THE ORDER WAS NOT FROM THE ORDER, IT IS WHAT WAS CRAFTED TANGENTIAL TO THE ORDER THAT WAS CRIMINAL AND A VIOLATION OF A PLETHORA OF CRIMINAL AND CIVIL LAW. THE ORDER ITSELF WAS GENERALLY OK, EXCEPT THAT A 6 YEAR OLD CANNOT CONSENT OR NOT CONSENT AND THE MATTER OF IT BEING AN ELECTRONIC VISIT BUT I AM NOT ADDRESSING THAT SINCE THERE IS ZERO IN THE SITUATION OF WHICH WILLIAMS AND ACS CRAFTED.

SPECIAL NOTE HERE IS THAT IN JAN OF 2021 IS WHEN ACS FIRST FRAUDULENTLY ALLEGED THAT I WAS ARRESTED AND CONVICTED OF CRIMES TAKEN PLACE ON 1-2-2020 AND CONVICTED ON 4-19-2020 SO THEIR CRIMINAL ALLEGATION FRAUDS DIDNT JUST STOP WITH THIS MATTER. THEY MADE MANY FALSE CRIMINAL ACCUSATIONS...AS CAN BE FURTHER SEEN IN THE ORDER TO SHOW CAUSE, EXHIBIT, K. I AM NOT ADDRESSING ALL OF THEM IN THIS FILING. ONE FILING AT A TIME.

WITH MANY MORE TO COME AS I EXPOSE THE ACS CRIMINAL ENTERPRISE.

7. ACS EMPLOYS THEIR NEW HIRED GUN, A EX JUDGE WHOM IS LITIGATING AS A JUDGE. PLEASE VIEW

EXHIBIT N

WHICH IS IN REGARDS TO THIS.

7A. HINDS AS WELL KNEW WHAT ACS DID, WITH THE FALSE PSYCHE REPORTS AND WHAT SHE SIGNED UNTO SINCE I CONTACTED HER AND SHE COULD CARE LESS....

7B. WHILE THIS COULD APPEAR TO THE COURT AS NOT AN IMPORTANT ISSUE, OVERALL, FOR THE INTEGRITY OF OUR JUDICIAL SYSTEM, I FEEL THIS IS A SIGNIFICANT ISSUE. FOR THE GOVERNMENT TO LITIGATE AGAINST A PRO SE AND IMPLEMENT SEVERAL LAWYERS ALONG WITH A EX JUDGE STILL USING JUDGE TITLE, IN

COMBINATION WITH THE ENTIRE CITY WREATH UP TOP AND HOW THEY BOLD CERTAIN LETTERS AND WORDS OF THEIR TITLE.... THIS IS NOT BY ACCIDENT. THEY ARE TRYING TO PULL RANK, FAVOR AND INFLUENCE. TO MAKE THE MATTER EVEN MORE SEVERE WITH RADIX IS SHE KNOWINGLY STAYED SIGNED ON TO THE FURTHERANCE OF A STATE COURT CRIME IN FEDERAL COURT. TO BAR THE FEDERAL COURT OF JURISDICTION ON A RELIGIOUS RIGHTS ISSUE OF WHICH ACS CLAIMED I AM NOT AMERICAN BECAUSE I AM JEWISH.

(3,6) SO FIRST, ACS CLAIMS I AM NOT AMERICAN BECAUSE I AM JEWISH AND THEN USES SUCH ANTI-SEMITIC MOTIVE TO TAKE PART IN A CRIME WITH JACQUELINE WILLIAMS, ALMONTE, MARGARET INGOGLIA , RADIX, TOWES AND OTHERS TO PREVENT ROBERT MALEK FROM EXERCISING HIS RELIGIOUS RIGHTS WITH HIS DAUGHTER, TRYING TO INVOKE VIA A FELDMAN BAR VIA THE NET RESULT OF FRAUDULENT PSYCHE REPORTS AND ACCUSE ROBERT MALEK OF CRIMES OF ASSAULT AND BATTERY ON TOP OF IT. . THIS IS IN MY LEGAL OPINION AN EXTREMELY SERIOUS ISSUE THAT HAS TRANSCENDED WAY BEYOND 21 CV 1230 AND IS IN FACT A FURTHERANCE OF 21 CV 5532 AS WELL.

THE ADDITIONAL MOTIVE OF THEIR CRIME IS TO COUNTER ACS COMPLAINTS.COM CRIMES AGAINST MY DAUGHTER CLAIMING THAT I WAS A PHYSICAL ABUSER OF MY DAUGHTER WHEN MEANWHILE, THEY HAVE ZERO EVIDENCE, NOT ON THE PETITION OR AMENDED , WHILE I HAVE A MASSIVE AMOUNT OF EVIDENCE ON ACS COMPLAINTS.COM CRIMES AGAINST MY DAUGHTER OF WHICH ACS, MARGARET INGOGLIA, ROSMIL ALMONTE, TRAVIS JOHNSON, JOSEPH PALOMINO / INGOGLIA WILLIAMS AND MANY OTHERS ARE RESPONSIBLE FOR HER HARM. SO TO SUMMARIZE THIS, ACS COMMITTED CRIMES AGAINST ROBERT MALEK TO MALICIOUSLY COUNTER CRIMES COMMITTED AGAINST MY DAUGHTER, M.M.

SUCH CRIMES COMPRISED OF THE FOLLOWING :

1. PSYCH REPORT ANALYSIS OF ROBERT MALEK THAT WAS UNCORROBORATED / UNSUPPORTED BY OUTSIDE SOURCES.

1A. PSYCHE REPORT ANALYSIS OF ROBERT MALEK THAT FACTUALLY CONFLICTED WITH STATEMENTS MADE BY MARGARET INGOGLIA, HER SON, JOSEPH PALOMINO INGOGLIA AND ACS PARTICULARLY IN REGARDS TO PHYSICAL ABUSE WHICH IS ALL I WISH TO ADDRESS AT THIS TIME ON THESE BOGUS REPORTS. EXCEPT THE FACT THAT WHILE EVERYONE CONTENDS THAT MY DAUGHTER IS WONDERFUL, ACS, THE SCHOOL, HER FATHER. HOWEVER, HER MOTHER CONTENDS SHE IS BADLY BEHAVED TO EXCUSE HER HORRENDOUS CRIMINAL ABUSE OF MY DAUGHTER IN

VIOLATION OF 18 US 3283 AS SEEN ON ACSCOMPLAINTS.COM, CRIMES AGAINST MY DAUGHTER IN VIOLATION OF ONCE AGAIN, 18 US 3283

1B. ACS TOOK SUCH COUNTER ACTIONS, CLAIMING MY PHYSICAL ABUSE OF THE FAMILY PARTLY IN REPOSE TO WHAT IS ON ACS COMPLAINTS.COM, CRIMES AGAINST MY DAUGHTER OF WHICH ACS, INGOGLIA AND MANY OTHERS ARE RESPONSIBLE. WHILE THIS IS A CONCLUSIVE OPINION, THE TWO COINCIDE. ACS WROTE ABOUT ACS COMPLAINTS.COM IN A COURT REPORT. IT WAS APPROXIMATELY AT THAT TIME THAT THEY STARTED ALLEGING THAT I CRIMINALLY PHYSICALLY ABUSED MY FAMILY.

ALSO, AT THE TIME OF THEM CLAIMING THIS, THEY KNOW I WAS WORKING WITH THE POLICE WITH THE EVIDENCE I HAD OF MY DAUGHTERS ABUSE TO TRY TO HAVE INGOGLIA AND HER SON ARRESTED.

1C. " ORDER TO SHOW CAUSE " WHICH WAS ACTUALLY REFERRED TO AS AFFIRMATION IN OPPOSITION THAT CLAIMED PHYSICAL ABUSE OF MY DAUGHTER BY ACS ROSMIL ALMONTE.

1D. PSYCHE REPORT ANALYSIS THAT DID NOT CONSIST OF ANY INTERVIEW, ANALYSIS OR QUESTIONING OF ROBERT MALEK AS TO VALIDITY OF STATEMENTS THAT WERE CLAIMED. WHAT WAS PRODUCED WAS ONE SIDED PROPAGANDA AND BY NO MEANS AN UNBIASED EVALUATION. NEITHER SUN RIVER, BRIGHPOINT OR JANIE GROFF WERE EVER WILLING TO INTERVIEW ROBERT MALEK, EVEN UPON MY CONTACT OF THEM ON JULY 1, 2021.

1E. SUN RIVER CORPORATION WAS MADE AWARE OF THE FALSE REPORTING UPON LAST YEARS CASE 21 CV 5532. THEY TOOK NO STEPS TO REDACT OR CORRECT.

1F. IGNORANCE OF JANIE GROFF BY MY CALL TO HER OFFICE TO PLEASE MEET WITH HER ON 7-1-2021 SO THAT HER REPORTING CAN BE MADE UPON MY INPUT, EVALUATION AND EVIDENCE UPON THE SITUATION. MESSAGE LEFT. NOT RETURNED.

1G. SIGNATURE FORGERIES UPON PSYCHE DOCUMENTS.

1H. PSYCH DOCUMENTS THAT WERE NOT SIGNED.

1I. PSYCH DOCUMENTS THAT WERE WRITTEN BY OTHER THAN THE SIGNER.

1J. PSYCHE DOCUMENTS THAT WERE CREATED AND WRITTEN BY THE PETITIONER, ACS.

1K. PSYCHE DOCUMENTS THAT COMPRISED THE ASSERTION OF MY DAUGHTER NOT WANTING TO VISIT WITH ME AFTER JUDGE ORDER OF ME BEING ABLE TO VISIT WITH HER ONLY UPON HER CONSENT OF WHICH AT HER AGE OF ABOUT 6Y AT THE TIME, IS NOT A LAWFUL ORDER TO BEGIN WITH.

1L. ACS TOOK SUCH ACTION AGAINST ROBERT MALEK AFTER MAKING ANTI-SEMITIC STATEMENT AGAINST HIM THAT HE (ROBERT MALEK) WAS JEWISH AND NOT

AMERICAN.

1M. MANY DEFENDANTS WERE EVEN AWARE OF POSSIBLE MOTIVE OF SUCH ACTIONS AGAINST ROBERT MALEK BY ACS, DUE TO ANTI-SEMITIC STATEMENTS AND TOOK NO ACTION TO PREVENT OR SPEAK OUT AGAINST THIS.

2. DAVID HANSELL RUBBER STAMPING PETITIONS AS A TYPE NAME AND READY TO GO RUBBER STAMP FOR ANY ACS WORKER WHOM WANTS TO DROP A PETITION ON A RESPONDENT. THE TWO PETITIONS ON ROBERT MALEK HAVE DAVID HANSELLS NAME IN THE EXACT SAME PLACE, NOT TO MENTION THE SAME FOR OTHER PARENTS AS WELL THAT I HAVE SEEN.

3. ACS DOES NOT LEGALLY EXIST, NOR THEIR POLICE NOR DOES NYC CHILDREN AS PER EVIDENCE SHOWN.

EXHIBITS D AND E

MANY OF THE DEFENDANTS WERE AWARE AND IGNORED THE ISSUE.

JURISDICTION

1. THIS IS A CIVIL RIGHTS ACTION SEEKING RELIEF AND DAMAGES TO DEFEND AND PROTECT THE RIGHTS GUARANTEED BY THE CONSTITUTION OF THE UNITED STATES. THIS ACTION IS BROUGHT PURSUANT TO ; 42 USC 1983, 42 USC 1985, 42 USC 1986, 42 USC 2000 TITLE 6, TRUMP EXECUTIVE ORDER 13899, 1ST., 4TH, 8TH., 9TH, AND 14TH CONSTITUTIONAL AMENDMENTS. THE COURT HAS FURTHER JURISDICTION OVER THIS ACTION PURSUANT TO ; 28 USC 1331, 1343 , AND 2201 A.

42 US 1983

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

42 US 1985.

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

8. 42 US 1986

1986 : EVERY PERSON WHO, HAVING KNOWLEDGE THAT ANY OF THE WRONGS CONSPIRED TO BE DONE AND MENTIONED IN SECTION 1985 OF THIS TITLE, ARE ABOUT TO BE COMMITTED, AND HAVING POWER TO PREVENT OR AID IN PREVENTING THE COMMISSION OF THE SAME, NEGLECTS OR REFUSES TO DO, IF SUCH WRONGFUL ACT BE COMMITTED, SHALL BE LIABLE TO THE PARTYH INJURED OR HIS LEGAL REPRESENTTIVES, FOR ALL DAMAGES CAUSED BY SUCH WRONGFUL ACT, WHICH SUCH PERSON BY REASONABLE DILIGENCE COULD HAVE PREVENTED AND SUCH DAMAGES MAY BE RECOVERED IN AN ACTION ON THE CASE AND ANY NUMBER OF PERSONS GUILTY OF SUCH WRONGFUL NEGLECT OR REFUSAL MAY BE JOINED AS DEFENDANTS IN THE ACTION... "

42 USC 2000, TITLE 6

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

PRESIDENT DONALD TRUMP EXECUTIVE ORDER, 13899

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

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

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

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

prohibited by Title VI.

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

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

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

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

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

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

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

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

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

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

DONALD J. TRUMP

The White House,

December 11, 2019.

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

28 USC 1331

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

28 USC 1343

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

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

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

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

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

28 USC 2201

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

1ST AMENDMENT

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

NYS COUNTERPART :

N.Y.S. CONSTITUTION # 3.

Freedom of worship; religious liberty] §3. The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall forever be allowed in this state to all humankind; and no person shall be rendered incompetent to be a witness on account of his or her opinions on matters of religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state. (Amended by vote of the people November 6, 2001

4TH AMENDMENT

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

8TH AMENDMENT

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

NYS STATE COUNTERPART :

N.Y.S. CONSTITUTION : # 5 :

[Bail; fines; punishments; detention of witnesses] §5. Excessive bail shall not be required nor excessive fines imposed, nor shall cruel and unusual punishments be inflicted, nor shall witnesses be unreasonably detained.

9TH AMENDMENT

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

retained by the people.

14TH AMENDMENT

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

NYS STATE COUNTERPART :

N.Y.S. CONSTITUTION # 11 :

[Equal protection of laws; discrimination in civil rights prohibited] §11. No person shall be denied the equal protection of the laws of this state or any subdivision thereof. No person shall, because of race, color, creed or religion, be subjected to any discrimination in his or her civil rights by any other person or by any firm, corporation, or institution, or by the state or any agency or subdivision of the state. (New. Adopted by Constitutional Convention of 1938 and approved by vote of the people November 8, 1938; amended by vote of the people November 6, 2001.)

OTHER STATE LAWS VIOLATED

PENAL CODE 175., 175.10

A person is guilty of falsifying business records in the first degree when he commits the crime of falsifying business records in the second degree, and when his intent to defraud includes an intent to commit another crime or to aid or conceal the commission thereof. Class E Felony.

JUDICIARY LAW PART 100

FORGERY, COUNTERFEIT, FALSE INSTRUMENT FOR FILING, ETC. , PENAL CODE 170.
PENAL CODE 175.

NOTE : I AM NOT A U.S. ATTORNEY OR DISTRICT ATTORNEY TO PROSECUTE CRIMES AS

PART OF A FEDERAL COMPLAINT. I, IN THIS COMPLAINT I WILL ITEMIZE THE UNLAWFUL ACTIONS AND VIOLATIONS OF LAW BY THE DEFENDANTS. I AM REQUESTING THE JUDGES OF THIS CASE FOR A REFERRAL TO THE U.S. ATTORNEY FOR CONCURRENT CIVIL AND CRIMINAL ACTION UPON ANY FEDERAL LAWS VIOLATED.

VENUE

PURSUANT TO 28 USC 1391 ;

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

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

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

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

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

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

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

(c)Residency.—For all venue purposes—

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

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

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

A. THERE ARE ²⁸~~28~~ DEFENDANTS IN THIS ACTION, 6 ARE FROM THE NORTHERN

DISTRICT AND 1 IS FROM NEW JERSEY, 3RD CIRCUIT. IN THIS CASE WE ALSO HAVE DIVERSITY JURISDICTION AS WELL.

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

~~C. ONE IS UNKNOWN.~~

VENUE

TO BEGIN,

A. EXHIBIT D PAGE 72 B

IS WHERE THE STATE OFFICE OF CHILDREN AND FAMILY SERVICES STATES THAT THEY ARE RESPONSIBLE FOR OVERSEEING THE CHILD WELFARE SYSTEM IN NEW YORK.

THEY WERE CONTACTED REPEATEDLY VIA SHEILA POOLE WHO DID ABSOLUTELY NOTHING.

SHEILA POOLE LIVES IN THE NORTHERN DISTRICT AS WELL.

SO WE HAVE HERE THE " TOP " OF WHOM IS RESPONSIBLE FOR THE ACTIONS OF ACS HAVING TAKEN NO ACTION AND HAS POLICIES THAT ARE CLEARLY NEGLIGENT AND SINCE THEY UTTER NOT ONE WORD TO CORRECT, I TAKE THE FURTHER STEP OF STATING, MALICIOUS.

B. WE HAVE THE STATE OCFS WHOM HAS NO POLICY IN REGARDS TO AUTHENTICITY OF DOCUMENTS FILED UPON CHILDREN IN FAMLY COURT ARE AUTHENTIC NOR DO THEY EVEN KNOW WHETHER OR NOT ACS, NYC CHILDREN OR ACS POLICE EVEN LAWFULLY EXISTS.

NOTE EXHIBIT D PAGE 72 B THAT SAYS : " THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES IS RESPONSIBLE FOR OVERSEEING THE CHILD WELFARE SYSTEM IN NEW YORK.

THE INSPECTOR GENERALS OFFICE WAS CONTACTED AND DID NOT REPLY.

JANET DIFIORE / EXCELLENCE INITIATIVE / NEW YORK STATE UNIFIED COURT SYSTEM HAS BEEN CONTACTED REPEATEDLY WITH NO REPLY.

LETITIA JAMES WAS CONTACTED. SHE DID NOT REPLY.

EVEN THE AG OFFICE AT PUBLIC INTEGRITY WAS CONTACTED. NO REPLY.

ACS, ACS POLICE , NYC CHILDREN AND HANSELL RUBBER STAMPING PETITIONS, WELL SHEILA POOLE WAS CONTACTED THAT ACS DOES NOT LEGALLY EXIST, THE STATE OFFICE OF CHILDREN AND FAMLY SERVICES HAS NO DOCUMENTS THAT SUPPORT THEIR LEGAL EXISTENCE AND DID THE STATE OCFS NEVER SEE EVEN ONE PETITION TO KNOW HANSELL IS RUBBER STAMPING THEM ? WELL, THEY SAW MINE !

IF OCFS IS RESPONSIBLE, WELL WHERE IS THE RESPONSIBILITY BEING DISPLAYED IN THIS CASE ? NONE. THEY DONT EVEN KNOW IF DOCUMENTS ARE AUTHENTIC AND IF THEY DID, THEY WOULD KNOW HANSELL IS RUBBER STAMPING THESE PETITIONS. 4 YEARS WORTH OF PETITIONS AND OCFS HAS NO IDEA THIS IS HAPPENING ? EVER SEE HANSELLS NAME POSITION CHANGE ? EVERY PETITION I SAW FROM A PARENT HIS NAME WAS IN THE SAME PLACE AS MINE.

REGARDING THE FALSE PSYCHE DOCS AND ITS FURTHERANCE IN FEDERAL COURT, WELL, WE HAVE THE MISCONDUCT BEING ALLEGED BY PLANTIFF ROBERT MALEK REGARDING ACS, TOWES, THAYER, RADIX IN NORTHERN DISTRICT CASE 21 CV 1230, WITH THEM NOT RETRACTING THEIR STATEMENTS. WE HAVE JAMES, THE AG OFFICE, SHEILA POOLE / OCFS, JANET DIFIORE / EXCELLENCIE INITIATIVE / NEW YORK STATE UNIFIED COURT SYSTEM BEING INFORMED WITH NO RESPONSE, WE HAVE THE NEW YORK STATE INSPECTOR GENERAL BEING INFORMED WITH NO RESPONSE.

WE HAVE PEOPLE AND AGENCIES INFORMED THAT COULD STOP THIS COLD AND INVESTIGATE. INSTEAD, NOTHING IS DONE.. ALL IGNORED. THE FISH ROTS FROM THE HEAD DOWN. THOSE WHOM ARE IN CHARGE ARE ULTIMATELY RESPONSIBLE WHEN THEY ARE INFORMED AND THEY WERE INFORMED. IT IS CLEAR THAT FROM THE POLICIES AT THE STATE OCFS, NOT ONLY DO THEY IGNORE PROBLEMS, THEY HAVE LACK POLICY OR CONCERN TO ADDRESS PROBLEMS.

DR VARMA LIVES IN NEW JERSEY SO WE HAVE FEDERAL JURISDICTION UPON MULTI STATE DIVERSITY. THUS SAID, IT IS QUESTIONABLE WHETHER OR NOT DR VARMA SHOULD BE A DEFENDANT, OR..... A PLANTIFF !!!!!!! AS A VICTIM OF GROFF.

IN ADDITION, WE HAVE NORTHERN JURISDICTION UPON THOSE THAT TOOK UNLAWFUL ACTION UPON CASE NUMBER 21 CV 1230 IN THE NORTHERN DISTRICT. FOR EXAMPLE, THOUGH HINDS LIVES IN BROOKLYN , NY, AND TOWES IN MANHATTAN, THEY SIGNED UNTO A CASE, 21 CV 1230 ALONG WITH A LETTER ASSERTION / MOTION THAT INVOLVED FALSE MEDICAL REPORTS AGAINST A CHILD AND HER FATHER OF WHICH ALLEGED CRIMES AGAINST THE FATHER OF WHICH ATTEMPTED TO BE USED AS JURISDICTIONAL FELDMAN BAR WITHI INTENT TO DEPRIVE THE COURT OF ALL JURISDICTION REGARDING RELIGIOUS FREEDOM

DETERMINATION. THEY KNEW WHAT THEY DID AND RETRACTED NOTHING. SUCH FALSE MEDICAL REPORTS VICTIMIZED AND TRAUMATIZED MY CHILD AS WELL, BASICALLY CAUSING DEATH OF HER PARENT VIA 100 % REMOVAL. SO FIRST ACS CLAIMS I AM JEWISH AND NOT AMERICAN, AND THEN THEY COMMIT THE CRIME OF FALSE MEDICAL REPORTS TO ALLEGE FURTHER CRIMES UPON ROBERT MALEK AND THEN USE SUCH CRIME AS A FELDMAN BAR IN FEDERAL COURT.

PLEASE NOTE : OF THE 30 BILLION DOLLARS BEING SUED FOR, 26 BILLION OF THIS OR THE WHOLE AMOUNT REGARDING ACS NOT EXISTING LEGALLY IS TO GO BACK TO THE FEDERAL GOVERNMENT FROM WHICH ACS / THE CITY OF NEW YORK STOLE. IM NOT TAKING A PENNY FROM THIS CAUSE OF ACTION. ANY AMOUNT OF MONEY RECOVERED IN REGARDS TO ACS STEALING 26 BILLION FROM THE FEDERAL GOVERNMENT GOES BACK TO THE FEDERAL GOVERNMENT.

PARTIES :

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

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NY. 11554

ACS COMPLAINTS@YAHOO.COM

718 757 4473, 929 441 8429

DEFENDANTS :

A. NEW YORK STATE UNIFIED COURT SYSTEM

20 EAGLE STREET

ALBANY, NEW YORK 12207

(NORTHERN DISTRICT)

B. NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES

40 NORTH PEARL STREET

ALBANY, NY 12207

(NORTHERN DISTRICT)

C. NEW YORK STATE OFFICE OF THE INSPECTOR GENERAL

EMPIRE STATE PLAZA, AGENCY BUILDING 2, 16TH FLOOR

ALBANY NY 12203

(NORTHERN DISTRICT)

D. CITY OF NEW YORK

1 CENTRE STREET

NY NY 10007

E. ADMINISTRATION FOR CHILDRENS SERVICES

150 WILLIAM STREET

NY , NY 10038

F. NYC CHILDREN

150 WILLIAM STREET

NY NY 10038

(A BOGUS, UNLAWFUL ENTITIY CLAIMED BY ACS WITH NO FILING WITH THE US
PATENT AND TRADEMARK OFFICE)

G. SHEILA POOLE

56 STONY BROOK DRIVE

SELKIRK, NY 12158

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

((NORTHERN DISTRICT))

H. JANET DIFIORE / JANET DIFIORE GLAZER

15 KENSINGTON ROAD, PH1

BRONXVILLE, N.Y. 10708

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

I. JACQUELINE WILLIAMS

1000 SCHENCK AVE.

BROOKLYN, N. Y. 11207

(PERSONAL AND PROFESSIONAL CAPACITY)

J. MARGARET INGOGLIA

(ADDRESS CONFIDENTIAL NEW YORK STATE UNIFIED COURT SYSTEM)

20 EAGLE STREET

ALBANY, N.Y.

K. TRAVIS JOHNSON

8703 5TH AVE

BROOKLYN, NY 11209

(IN PERSONAL AND PROFESSIONAL CAPACITY)

L. ROSMIL ALMONTE

2416 PITKIN AVE.

BROOKLYN, NY 111208

(IN PERSONAL AND PROFESSIONAL CAPACITY)

M. EXCELLENCE INITIATIVE

20 EAGLE STREET

ALBANY, NY 12207

(NORTHERN DISTRICT)

N. SHILPIKA VARMA

50 DEY STREET

APT 261,

JERSEY CITY, N.J. 07306

(3RD DISTRICT)

✍

O. JANIE GROFF

8215 4TH AVE APT A1, BROOKLYN, NY 11209-4439 (KINGS COUNTY)

P. CHRISTOPHER ESCOBAR

50 COLUMBIA ST APT 9E, NEW YORK, NY 10002-2726

(IN PERS (IN PERSONAL + PROFESSIONAL CAPACITY))

Q. ROBERT RUSS LACHANSE

578 OVINGTON AVE # 2

BROOKLYN, NEW YORK

R. LETITIA JAMES

296 LAFAYETTE AVENUE

BROOKLYN, NY 11238

(IN PERSONAL + PROFESSIONAL CAPACITY)

S. LEGAL AID SOCIETY

199 WATER STREET

NY NY

T. PAULA GARCIA

2328 NEWKIRK AVE APT 3A,

BROOKLYN, NY 11226-7525

(IN PERSONAL + PROFESSIONAL CAPACITY)

U. ARDAISHA HUDSON

709 LAFAYETTE AVENUE

APT. 2D

BROOKLYN, NY 1122

(IN PERSONAL + PROFESSIONAL CAPACITY)

V. SUN RIVER HEALTH

1037 MAIN STREET, PEEKSKILL, NY, UNITED STATES, 10566

C/O REGISTERED RESIDENT AGENT:

BRUCE BOZEMAN, ESQ.

45 BELDING AVE., NEW YORK, NY

W. MARK GALEN TOWES

658 E 34TH ST, BROOKLYN, NY 11203

(IN PERSONAL + PROFESSIONAL CAPACITY)

X. SYLVIA O. HINDS RADIX

4901 AVENUE K

BROOKLYN, NY 11234

(IN PERSONAL + PROFESSIONAL CAPACITY)

Y. DAVID HANSELL

395 BROADWAY APT 15E

NEW YORK, NEW YORK

(IN PERSONAL + PROFESSIONAL CAPACITY)

Z. PATRICK SYNMOIE

243 CARLTON AVE,

BROOKLYN, NY 11205

(IN PERSONAL + PROFESSIONAL CAPACITY)

AA. DAVID THAYER

309 W 128TH ST APT 4B,

NEW YORK, NY 10027

(IN PERSONAL + PROFESSIONAL CAPACITY)

BB. JESS DANNHAUSER

209 MADISON AVE.

N.Y., N.Y. 10016

(IN PERSONAL + PROFESSIONAL CAPACITY)

~~FOIA~~

FACTS :

1. WHEN YOU GOOGLE SEARCH NEW YORK CITY FAMILY COURT, THE HOME PAGE CLEARLY STATES:

NEW YORK STATE UNIFIED COURT SYSTEM.

EXHIBIT A.

2. THIS UNDERLYING STATE COURT " CASE " (NN-19410-18, NN 19411-18) AS OUTLINED IN FEDERAL CASE NUMBER 21 CV 1230 WAS STARTED VIA TEXT MESSAGE SENT TO ROBERT MALEK. IT IS A UN FILED CASE WITH THE CLERK. THERE IS NO CLERK STAMP, NO SUMMONS AND SERVED BY ARDAISHA HUDSON, ACS UPON ME. IT WAS RUBBER STAMPED WITH HANSELLS NAME, IN VIOLATION OF THE ESRA ACT.

THE AMENDED OF 1-2-2020 ALSO WAS NOT FILED WITH THE CLERK, IT WAS NOT VERIFIED, NO SUMMONS, AND ALSO RUBBER STAMPED WITH HANSELLS NAME IN VIOLATION OF THE ESRA ACT. PETITIONS CANNOT BE PRE STAMPED " READY TO GO " PRE TYPED BOILERPLATE TEMPLATES WITH NO /S/. UPON MY ANSWER TO AMENDED PETITION WHICH WAS DULY SERVED AS SHOWN ON CASE 21 CV 1230.

IF YOU NOTICE, THIS CASE LIKE OTHER PARENTS CASES, DAVID HANSELL, IS TYPED IN EXACTLY THE SAME , IN THE SAME EXACT PLACE BETWEEN THESE TWO PETITIONS, THOUGH THEY ARE TWO YEARS APART.

PETITIONS CANNOT BE PRE SIGNED TO BE LEGALLY VALID.

I DID NOT RAISE VIOLATION OF THE FEDERAL ESRA ACT ON CASE NUMBER 21 CV 1230.

EXHIBIT B.

THERE WAS NO RESPONSE OR EFFORT TO RECTIFY BY SIGNING THE AMENDED PETITION, VIOLATING CPLR 3022 RENDERING THE AMENDED PETITION VOID.

EXHIBIT C

WHAT THIS MEANS IS THAT THERE WAS NO JURISDICTION IN THIS " CASE " TO PROCEED FROM DAY 1 AND NO ONE IS TO BE AFFORDED ANY IMMUNITY.

NOTE: THERE IS NO PHYSICAL VIOLENCE ALLEGED IN THESE PETITIONS THIS IS IMPORTANT TO ALWAYS KEEP IN MIND.

3. ACS (ADMINISTRATION FOR CHILDRENS SERVICES) DOES NOT LEGALLY EXIST AND HENCEFORTH HAS NO LEGAL STANDING IN DEFENSE ON THIS CASE. ANY CLAIM THAT THE CITY OF NEW YORK STATES THAT ACS IS AN AGENCY OF THE CITY OF NEW YORK IS FALSE. NYC CHILDREN DOES NOT LEGALLY EXIST, NOR ACS POLICE EITHER

NOTE EXHIBITS D AND E WHICH ARE 2 FILINGS DONE IN CASE NUMBER 21 CV 1230. REGARDING THE EXISTENCE OF ACS.

4. IN 2018, ACS STATES IN SUM AND SUBSTANCE THAT I AM JEWISH AND NOT AMERICAN, UNLIKE MY CHILDS MOTHER.

EXHIBIT F

5. JACQUELINE WILLIAMS WRITES AN ORDER IN 2018 OF WHICH ACS NEVER COMPLIES WITH SUCH ORDER... I HAVE REPEATEDLY NOTED THIS TO JACQUELINE WILLIAMS TO NO AVAIL.

EXHIBIT G.

5. ON 12-22-2019 MARISSA FRIEDBERG PSYCHE EVAL OF FINDINGS IS NEVER PRESENTED TO THE COURT BY ACS AS PART OF PSYCHE EVALUATION AND FOUND AS PART OF DISCOVERY UPON ACS NOTES. ITS CONTENT IS IN STARK CONTRAST TO FRAUDULENT PSYCH REPORTS... SUCH HARM TO MY DAUGHTER WAS WHILE SHE WAS RELEASED TO THE MOTHER AND THE MOTHERS SON. ACS WITHHOLDS SUCH DOCUMENT FROM ME UNTIL APPROX 11/2020. A YEAR LATER AND OF COURSE NEITHER ACS OR TRAVIS JOHNSON SAY A WORD ABOUT THIS TO THE COURT.

EXHIBIT H.

6. ON 3-13-2020 I FILE 28 STATEMENTS OF IMPEACHMENT....

EXHIBIT I

SPECIAL NOTE : EXHIBIT C1 WITHIN IS EXHIBITS " FCN "

SUCH FILING EXPOSES MARGARET INGOGLIA AND HER SON AS THE LIARS THEY ARE NOT JUST UPON ME BUT UPON THE SONS FATHER AS WELL... (NOTE THE ATTEMPTED MURDER IN THE FAMILY OFFENSE PETITION) FURTHERMORE, NOTE WHERE INGOGLIA STATES NOTHING PHYSICAL 15 TIMES ON THE ACS NOTES AND THEN STARTS CONTRADICTING HERSELF (7 TIMES) BACK AND FORTH.... SHE CANT GET HER LIES STRAIGHT. HOWEVER, WHAT IS CLEAR IS THAT ACS, ATTORNEY ALMONTE, WORKER CHRISTOPHER ESCOBAR, ROBERT RUSS LACHANSE, JANIE GROFF WERE ABOUT TO START DECLARING PHYSICAL ABUSE BY ROBERT MALEK / EXTENSIVE

PHYSICAL ABUSE WHEN ACS AND TRAVIS JOHNSON ALONG WITH ALMONTE AND THE JUDGE HAD THIS FILING IN THEIR POSSESSION.

ALSO WITHIN THIS FILING OF WHICH IS IMPORTANT IS MARGARET INGOGLIA LYING SIMILARLY UPON JUAN PALOMINO, HER SONS FATHER. TO WHO ??????????????

JUDGE MARIA ARIAS. NOTE HER FAMILY OFFENSE PETITION AND MY INVESTIGATION WITH ADAM DORMFIELD. A LIE. WITH JUDGE ARIAS THIS NONSENSE WENT ABSOLUTELY NOWHERE.....

AS I HAVE EXPLAINED IN CASE NUMBER 21 CV 1230, THIS CASE WAS TAKEN FROM JUDGE ARIAS BY ACS INTO THEIR COURT OF EXECUTION. ARIAS ALWAYS RULED ON BEHALF OF JUAN AND I.

EXHIBIT I

7. APPROX 7/2020, ACS WRITES ABOUT ACS COMPLAINTS.COM IN COURT REPORT. THEN, BRIGHTPOINT HEALTH WHICH DID NOT LEGALLY EXIST, WRITES A LETTER, 10-15-2020, THEIR FIRST LETTER, OF WHICH WAS IN FACT I BELIEVE WRITTEN BY JANIE GROFF..... CLAIMING EXTENSIVE PHYSICAL ABUSE AND HER (MY DAUGHTERS) " PROGRESS " IS BEING THREATENED BY HER CONTINUED INTERACTION WITH HER FATHER..... OF WHICH ALMONTE FILES WITH HER PROPAGANDA OSC / AFFIRMATION IN OPPOSITION FILING, AS NOTED BELOW.

IN ADDITION, BRIGHTPOINT HEALTH HAS NOT LEGALLY EXISTED FOR 2 YEARS AT THIS POINT.

EXHIBIT J

8. ROSMIL ALMONTE THEN FILES A " AFFIRMATION IN OPPOSITION " THAT SHE ALSO CALLED AN ORDER TO SHOW CAUSE ! LOL.

IT IS DATED 07-06-2020. HOWEVER, IT WAS ACTUALLY CREATED ON 10/19/2020 WHICH CORRESPONDS TO ITS FILING.

ROSMIL ALMONTE BACKDATES THE " OSC " / " AFFIRMATION FOR 3 MONTHS TO LESSEN THE FACT THAT SHE HASNT RESPONDED TO THESE MOTIONS I FILED FOR..... 10 MONTHS.

WHAT IS PARTICULARLY CONSPICUOUS ABOUT THIS FILING IS HERE WE HAVE JUDGE ORDER OF IF MY DAUGHTER WANTS TO SEE ME, COINCIDING WITH ALMONTE AND THIS

NEW LCSW GROFF CLAIMING FOR THE FIRST TIME, TWO YEARS LATER, PHYSICAL ABUSE / EXTENSIVE PHYSICAL ABUSE !

EXHIBIT K

6. ON 11-18-2020 JACQUELINE WILLIAMS WRITES AN ORDER THAT DISALLOWS ME FROM SEEING MY CHILD WHOM JUST TURNED 6 IF SHE CONSENTS TO THE VISIT. SHE IS NOT OF LEGAL AGE TO CONSENT OR NOT CONSENT (FOR HER OWN PROTECTION FROM HER MOTHER, STEP BROTHER, ACS, TRAVIS JOHNSON, ETC.)

EXHIBIT L

7. ON APRIL 13, 2021,

EXHIBIT M , SUB EXHIBIT D, PAGE 35A IS WHERE ACS THEN PRODUCES A BOGUS PSYCH REPORT CLAIMING PHYSICAL ABUSE AND THAT MY DAUGHTER IN SUM AND SUBSTANCE DOES NOT WANT TO HAVE AND SHOULD NOT HAVE CONTACT WITH HER FATHER, ETC.AMONG MANY OTHER ABSURDITIES. IT IS NOT SIGNED. IT WAS WRITTEN BY RUSS LA CHANSE !!!! WHO IS NOT A LCSW AND DID NOT WORK FOR BRIGHTPOINT AT THAT TIME AND OF COURSE, HE IS NOT JANIE GROFF. NOTE, NOT SIGNED.

FURTHERMORE, BRIGHTPOINT HEALTH DID NOT LEGALLY EXIST FOR 3 YEARS AT THIS POINT.

EXHIBIT M PAGE 35 A - 39 A, 66A - 71A.

8. THE NEXT FRAUDULENT DOCUMENT WAS FILED ON 7-22-2021

ACS WROTE THIS DOCUMENT.

BRIGHTPOINT WAS CHANGED TO SUN RIVER DUE TO ME NOTING THIS ISSUE OF DEFUNCT BRIGHTPOINT IN FILING 21 CV 5532/

NOTE THE JAGGED LINES ON THE SIGNATURE. THIS SIGNATURE DOES NOT MATCH EXHIBIT H, AUTHENTIC SIGNATURE.(I BELIEVE)

EXHIBIT M, 41 A - 52 A

9. THE NEXT STORYBOOK PSYCHE DOC WAS FILED ON 11/12/2021.

THIS FILING WAS WRITTEN BY CHRISTOPHER C. ESCOBAR WHO WORKS FOR ACS..

IT WAS NOT SIGNED.

EXHIBIT M, PAGES : 54A - 58 A, 73A, 74A.

10. THE NEXT FRAUDULENT PSYCHE REPORT WAS FILED ON 2/18/2022. IT AS WELL WAS WRITTEN BY CHRISTOPHER C ESCOBAR WHO WORKS FOR ACS. NOTE THE JAGGED LINES ON JANIE GROFFS SIGNATURE AND THAT THE SIGNATURE DOES NOT MATCH

EXHIBIT M, PAGES 60A - 64A.

WHEN COMPARED TO EXHIBIT J SIGNATURE OF JANIE GROFF WHICH IS CORRECT. THE TWO ARE COMPLETELY DIFFERENT. ONCE AGAIN, NOTE THE JAGGED LINE EXTRACTION.

11. THIS NEXT FRAUDULENT PSYCHE REPORT WAS DATED 02/18/2020. IT WAS ACTUALLY WRITTEN BY JANIE GROFF ON 11-10-2021 WITH ATTEMPT TO CONCEAL THAT SHE HAD WRITTEN IT. THE UN REDACTED COPY WAS SENT TO ME BY ACCIDENT OF WHICH IS WHY THEY SENT ME TWO COPIES. THE UN REDACTED AND REDACTED. WHAT IS CRITICAL HERE IS THAT THEY KNEW THEY COMMITTED THE CRIME AND TRIED TO REDACT THE EVIDENCE OF THEIR CRIME. THIS WAS DONE, KNOWINGLY . ACS AND JANIE GROFF ATTEMPTED TO COVER HER / THEIR TRACKS THAT SHE / THEY TOOK PART IN A PSYCHE REPORT THAT SHE WROTE, CLAIMING DR VARMA DID, FORGING HER NAME. NOTE THE JAGGED LINES OF HER SIGNATURE.

EXHIBIT M, 6A - 33 A.

OF NOTE HERE IS JANIE GROFF ONLY PUT HERSELF OUT TO LIE FOR ACS THIS ONE LAST TIME. THE LAST TIME, ON 11-10-2021 LIED FOR ACS (THOUGH SECRETLY) AND ATTEMPTED TO COVER HER TRACKS IN DOING SO, FORGING A DOCTORS SIGNATURE. HER INTENT WAS TO HELP ACS SECRETLY BY FORGING THE DOCTORS SIGNATURE. (NOTE THE JAGGED LINES) ONE OF THE PROBLEMS WITH THIS BEFORE AND AFTER, LET ME COVER MY TRACKS MISTAKE IS THE DAY THIS REPORT WAS ASSERTED TO HAVE

BEEN WRITTEN BY THE DOCTOR DID NOT MATCH THE DAY OF WHEN GROFF CREATED AND AUTHORED IT. THERE IS A YEAR AND A HALF GAP IN TIME. NOT EVEN CLOSE. HOW CAN DR VARMA AGREE WITH ASSESSMENT BY GROFF IF GROFF ASSESSMENT WAS OF A DIFFERENT YEAR IN THE FUTURE ? THE ELECTRONIC SIGNATURE WAS A FRAUD.

IF GROFFS FIRST REPORT WAS EXHIBIT J, 10-15-2020, HOW COULD DR VARMA AGREE WITH ASSESSMENT FROM GROFF ON 2-18-2020, EXHIBIT M, 12 A ? NOT TO MENTION GROFF IS WRITING THIS REPORT ALMOST 2 YEARS LATER AND FORGING THE DOCTORS NAME.

13. ON DECEMBER 20, 2021 I SENT A FOIL REQUEST TO ACS IF ANY DOCUMENTS HAVE BEEN PROVIDED TO ACS EMPLOYEES THAT PERTAIN TO HONESTY AND TRUTHFULNESS.... REGARDING THE PERFORMANCE OF THEIR DUTIES ? SUCH REQUEST IS BEING EXTENDED ALL THE WAY TO **SEPTEMBER 9, 2022.**

EXHIBIT D PAGES 56 B- 57 B

14. ON **FEB. 13, 2022** I SEND ANOTHER FOIL TO ACS REGARDING WHAT STEPS DOES ACS TAKE TO ENSURE DOCUMENTS FILED IN COURT ARE AUTHENTIC ?

THIS IS BEING EXTENDED TO ABOUT **AUGUST 19, 2022**

EXHIBIT D , PAGES 59B - 60B

15. ON **FEB. 13, 2022** I SEND ANOTHER FOIL TO ACS REGARDING ALL RECORDS OF DISCIPLINARY ACTION UPON ACS WORKERS 4 DISHONESTY IN REPORTING UPON PARENTS...

NOT PROVIDED BY ACS.

EXHIBIT D PAGES 62 B - 65 B

16. ON **FEB. 16, 2022** I SEND ACS ANOTHER FOIL WITH TITLE : ALL DOCUMENTS AND RECORDS THAT PERTAIN TO STEPS TAKEN BY ACS TO ENSURE AUTHENTICITY...

EXTENDED UNTIL **AUGUST 19, 2022**

EXHIBIT D 67 B - 68 B

17. ON APRIL 15, 2022 I SEND AN EMAIL TO JANET SABEL, DANNHAUSER, JANET DIFIORÉ, INSPECTOR GENERAL, JAMES, HEVESI AND POOLE " WHAT STEPS DOES LEGAL AID AND ACS TAKE TO ENSURE DOCUMENTS FILED TO CASES FOR CHILDREN ARE AUTHENTIC ?

NO REPLY.

EXHIBIT D 84 B

18. ON 4/18/2022 I SEND A REQUEST TO THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES AND NEW YORK STATE COUNCIL ON CHILDREN AND FAMILIES THE FOLLOWING FOIL REQUEST; " PLEASE PROVIDE ALL DOCUMENTS/EVIDENCE IN REGARDS TO HOW YOU ENSURE AUTHENTICITY OF DOCUMENTS FILED UPON CHILDREN IN FAMILY COURT ARE AUTHENTIC. "

THEY HAVE NO SUCH DOCUMENTS OR RECORDS.

EXHIBIT D PAGES 70 B - 79 B

19. ON 5-2-2022 I SEND AN EMAIL TO ALL PARTIES OF CASE 21 CV 1230. (1 DUTY TO PRESERVE PSYCHE DOCUMENTS AND SUBPOENA ALERT)

EXHIBIT M, PAGES 81 A - 89 A

20. FALSE PSYCHE REPORTS REGARDING A CHILD EMAIL WAS SENT OUT ON MAY 18 , 2022 TO JANET SABEL, JANET DIFIORÉ, LETITIA JAMES, SHELIA POOLE, ANDREW HEVESI AND JESS DANNHAUSER. NO REPLY

EXHIBIT MC.

20. ON 5-19-2022 I REQUESTED PSYCHE REPORTS FROM SUN RIVER HEALTH / BRIGHPOINT HEALTH FROM THE RECORDS DEPT (KINGS FAMILY COURT @NEW YORK COURTS .GOV) ON STATE COURT CASE NN 19410-18, NN 19411-18. THEY WOULD NOT PROVIDE ME WITH RECODRDS.

EXHIBIT D, PAGE 78 B

21. 6-6-2022 ACS FILES A MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION TO DISMISS AND ATTEMPTS TO CLAIM ROOKER FELDMAN BAR IN REGARDS TO VISITATION WITH

MY DAUGHTER... NOW IMPLEMENTING THE FALSE PSYCHE REPORTS CRIME UPON STATE COURT AS A JURISDICTIONAL BAR IN FEDERAL COURT.

EXHIBIT N

22. ON JULY 11, 2022 I FILED FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT ON FEDERAL CASE 21 CV 1230

EXHIBIT M

22. ON JULY 14, 2022, ACS, MARK TOWES, THE CITY OF NEW YORK LAW DEPARTMENT AND HONORABLE SYLVIA O HINDS RADIX FILE A LETTER WITH ATTEMPT TO INVOKE A FELDMAN BAR, STATING " THE COMPLAINT ACKNOWLEDGES THAT THE STATUS OF PLANTIFFS SUPERVISED VISITATION WAS PURSUANT TO FAMILY COURT ORDERS BASED ON EVIDENCE PRESENTED AT THE MULTIPLE HEARING DATES.... "

NOTE THE HONORABLE NEXT TO SYLVIA HINDS NAME WHICH IS MISCONDUCT ACCORDING TO THE ABA WITH INTEND TO BE PREJUDICIAL UPON THE COURT. THE CITY OF NEW YORK USES A FANCY SEAL WITH THE T BEING BOLD, THE C BEING BOLD, THE N BEING BOLD, THE Y BEING BOLD, THE LAW DEPARTMENT IN BOLD.

EXHIBIT N

I EMAIL HINDS REGARDING THIS MATTER AND WHAT HAPPENS ? AGAIN SHE USES HER TITLE IN THE NEXT FILING AS WELL.

EXHIBITS N AND O, M 94 A.

NOTE : FALSE MEDICAL REPORTS IS NOT JUST A CRIME , IT IS A CRIME UPON MY DAUGHTER. 18 US 3283 ? THE FILING OF THEM IS A CRIME AS WELL. FURTHERMORE, THEY ALLEGE CRIMES OF ASSAULT AND BATTERY AGAINST BY THE FATHER WHICH IS FALSE CRIMINAL ACCUSATIONS, KNOWINGLY BEING FALSELY ALLEGED BY THE GOVERNMENT BEING USED IN A FEDERAL CASE.

FEDERAL JURISDICTION AND VIOLATIONS OF LAW PER DEFENDANT

1. NEW YORK STATE UNIFIED COURT SYSTEM / JANET DIFIORE / EXCELLENCE INITIATIVE

NOTE : WHEN I WRITE NEW YORK STATE UNIFIED COURT SYSTEM, I AM ALSO INCLUDING THE EXCELLENCE INITIATIVE AND JANET DIFIORE.

THE NEW YORK STATE UNIFIED COURT SYSTEM IS RUN BY CEO JANET DIFIORE AND COMES UP IN BIG BOLD LETTERS RIGHT ON THE HOME PAGE OF THE NEW YORK CITY FAMILY COURTS,

EXHIBIT A.

NYS UNIFIED COURT SYSTEM IS RESPONSIBLE FOR HOSTING HANSELLS RUBBER STAMP PETITIONS. THOUGH THEY WERE NOT INFORMED BY ME OF HIM DOING SO. DID THEY NEVER NOTICE EVERY PETITION IS SIGNED THE SAME ?!?!?!?!

HOLD ON THOUGH. DIDNT LT. HOLLON TELL ME NOT TO CONTACT DIFIORE ANY FURTHER AS A CAUSE OF ACTION ON CASE NUMBER 21 CV 1230 !!! AND I EMAILED DIFIORE REGARDING THIS ISSUE ALONG WITH THE RECORDED CONVERSATION AND SHE DID NOT RESPOND ?

OOPS ! SHE IS BACK ON THE HOOK. IF DIFIORE HAS AN EXCELLENCE INITIATIVE AND " SHE DOESNT WANT TO HEAR FROM ME " OK. CONSIDER YOURSELF AND THE NYS UNIFIED COURT SYSTEM AND YOUR EXCELLENCE INITIATIVE AND YOURSELF ! INFORMED REGARDING EVERYTHING.

THESE ACS PETITIONS ARE NOT VALID AND VIOLATE THE ESRA ACT.

NOTE : I AM STATING FILING AND FILED. HOWEVER, AS WE KNOW FROM 21 CV 1230, THESE PETITIONS WERENT EVEN FILED TO BEING WITH. SINCE I AM NOT LITIGATING THAT ISSUE WITH THIS CASE I AM SIMPLY, FOR SIMPLICITY WRITING FILED, FOCUSING ON HANSELLS RUBBER STAMP SIGNATURE, LEAVING THE OTHER ISSUES OF NO FILING, ETC. TO 21 CV 1230.

NYS UNIFIED COURT SYSTEM IS IN VIOLATION OF THE SAME LAWS AS OUTLINED BELOW REGARDING ACS NOT LEGALLY EXISTING, NYC CHILDREN NOT LEGALLY EXISTING, ACS POLICE NOT LEGALLY EXISTING ALONG WITH THE HANSELL BOGUS RUBBER STAMPS.

NOT ONLY DID NYS UCS HOST A PETITIONER THAT DOES NOT LEGALLY EXIST, THEIR FILINGS ARENT EVEN LEGALLY BINDING DUE TO HANSELLS RUBBER STAMPS.

NYS UCS IS THE HOST OF ALL EVIL THAT TAKES PLACE IN THE NEW YORK STATE COURTS WHEN THE GOVERNMENT IS INVOLVED AS A PETITIONER !!!!

THE NYS UNIFIED COURT SYSTEM WAS INFORMED REGARDING ACS NOT LEGALLY EXISTING AS WELL AS NYC CHILDREN NOT LEGALLY EXISTING AND THE FALSE PSYCHE REPORTS. JANET DIFIORE WAS EMAILED AS WELL AS JANET DIFIORE ALONG WITH THE NYS UNIFIED COURT SYSTEM BEING AWARE OF MY ASSERTION ON CASE NUMBER 21 CV 1230 THAT ACS AND NYC CHILDREN DO NOT LEGALLY EXIST.

NYS UNIFIED COURT SYSTEM IS RESPONSIBLE FOR HOSTING HANSELLS RUBBER STAMP PETITIONS. THOUGH THEY WERE NOT INFORMED BY ME OF HIM DOING SO EXCEPT THE JANET DIFIORE, CEO POSITION AND SHE DOESNT WANT TO HEAR FROM ME / HOLLON ISSUE.

THE NYS UNIFIED COURT SYSTEM IN REGARDS TO ACS / NYC CHILDREN NOT EXISTING LEGALLY ALONG WITH ACS PETITIONS NOT LEGALLY VALID OR BINDING DUE TO HANSELLS RUBBER STAMPS SINCE 2018, VIOLATED THE 4TH AMENDMENT RIGHTS OF MY DAUGHTER AND I SINCE ACS HAD NO RIGHT TO TAKE ACTION TO REMOVE HER FROM HER HOME.

VIOLATED 1ST AMENDMENT RIGHTS SINCE ACS HAD NO RIGHT TO PREVENT MY DAUGHTER AND I FROM COMMUNICATING WITH EACH OTHER AND GOING TO CHURCH IF THEY DONT LEGALLY EXIST AND IF THEIR PETITIONS WERENT VALID WITH THE BOGUS RUBBER STAMPS, THEY HAD NO RIGHT TO FILE A CASE AND DICTATE ANYTHING.

VIOLATED THE 8TH AMENDMENT RIGHTS OF MY DAUGHTER AND I, DUE TO HER AND I BEING PREVENTED FROM SEEING EACH OTHER FOR MORE THAN 2 YEARS !!!!! THE NYS UNIFIED COURT SYSTEM HOSTED A PETITIONER THAT DOES NOT LEGALLY EXIST, FILING INVALID DOCUMENTS

VIOLATED THE 9TH AMENDMENT RIGHTS OF MY DAUGHTER AND I SINCE, WELL IF ACS DOES NOT LEGALLY EXIST, THEN THERE IS NO GOVERNMENTAL AGENCY AND THEN, THE POWER IS OBVIOUSLY DELEGATED TO THE PEOPLE SINCE ACS AND NYC CHILDREN HAVE NO POWER WHATSOEVER.

VIOLATED THE 14TH AMENDMENT OF EQUAL PROTECTION OF LAW, DUE PROCESS AND SUBSTANTITIVE.

THERE IS NO EQUAL PROTECTION OF LAW WHEN ACS / NYC CHILDREN IS ACTING OUTSIDE THE LAW IN THEIR EXISTENCE AND THEIR BOGUS FILINGS, THERE IS NO LAWFUL DUE PROCESS WHEN THE PETITIONER DOES NOT LEGALLY EXIST, FILING BOGUS PETITIONS AND FURTHERMORE, SUBSTANTITIVE IS VIOLATED WHEN YOU ARE PREVENTED FROM HAVING A RELATIONSHIP WITH YOUR CHILD, VIA A PETITIONER

WHOM DOES NOT LAWFULLY EXIST FILING BOGUS DOCUMENTS.

ON TOP OF ALL THIS, WITH ROBERT MALEK, WE HAVE AN ANTI - SEMITIC MOTIVE AS WELL THAT THE PETITIONER, ACS HAD, CLAIMING I WAS JEWISH AND NOT AMERICAN LIKE MY CHILDS MOTHER.

42 US 1983 BY THIS TRIO. 42 US 1985 BY THIS TRIO ALONG WITH ACS, HANSELL AND EVERYONE ELSE I INFORMED ACS DIDNT EXIST WHICH WAS ABOUT 50 GOVERNMENT OFFICIALS PLUS MY FILINGS ON CASE NUMBER 21 CV 1230.

42 US 1986 WASNT PART OF THE 1985 BUT KNEW OF WHICH THEY CERTAINLY KNEW.... AND DID NOT TAKE ACTION.

42 US 2000 TITLE 6 AND TRUMP EXECUTIVE ORDER 13899. DID THIS TRIO ALSO HAVE MALICE ?

WELL, THEY KNEW OF THE ACS STATEMENT AND DIDNT TAKE ANY ACTION.

REGARDING THE FALSE PSYCHE REPORTS, JANET DIFIORE, THE TRIO, WAS INFORMED ON TOP OF THE DE FACTO BEING INFORMED BECAUSE OF THE HOLLON / DIFIORE DONT CONTACT ME ANYMORE SITUATION WHICH WAS NOT CONFIRMED OR DENIED BY DIFIORE.

THE FALSE PSYCHE REPORTS VIOLATED THE 1ST AMENDMENT OF MY DAUGHTER AND I FROM BEING ABLE TO GO TO CHURCH TOGETHER DUE TO A FRAUDULENT EXECUTION OF SUSPENSION OF VISITATION.

8TH AMENDMENT SINCE ACS IS TRYING TO PUT ME IN JAIL FOR CRIMES THEY KNOW I DID NOT COMMIT, JAIL MY DAUGHTERS FATHER AND WRITE REPORTS THAT WERE FALSE, CLAIMING UPON MY DAUGHTER THAT SHE DOES NOT WISH TO SEE ME WHICH VICTIMIZES HER AS WELL. SUCH FRAUDULENT REPORTS TERMINATED MY VISITATION WITH MY DAUGHTER WHOM I HAVE NOT SEEN HER AND VICE VERSA FOR MORE THAN 2 YEARS. CAN YOU IMAGINE LYING UPON A CHILD IN THIS MANNER, AND TAKING AWAY HER PARENT AS FAR AS SHE KNOWS COULD BE PERMANENT.... OF WHICH UNTIL SHE IS 18, EXACTLY WHAT ACS AND MANY OF THE DEFENDANTS ARE TRYING TO DO.

9TH AMENDMENT SINCE PARENTS AND CHILDREN SHOULD CERTAINLY NOT BE LIED UPON TO SEPARATE THEM AND PLACE THEM IN JAIL VIA FALSE ALLEGATIONS.

14TH AMENDMENT VIOLATION OF EQUAL PROTECTION OF LAW SINCE THERE IS NONE UPON KNOWN PERJURY TO TERMINATE MY FREEDOM AND THE RELATIONSHIP BETWEEN MY DAUGHTER AND I, VIOLATION OF SUBSTANTITIVE DUE TO TERMINATION OF RELATIONSHIP BETWEEN MY DAUGHTER AND I FRAUDULENTLY AND FURTHERMORE A DUE PROCESS VIOLATION,

EXHIBIT P

WE HAVE HERE A VIOLATION OF 42 US 1983, 1985 AND IF NOT 1985, CERTAINLY 1986 AS THE TRIO WAS MADE AWARE OF THE SITUATION AND DID ABSOLUTELY NOTHING.

ANTI-SEMITIC MOTIVE ? WELL, THEY CERTAINLY COULD CARE LESS ABOUT THE ANTI-SEMITIC MOTIVE OF ACS !

42 US 2000 TITLE 6 AND TRUMP EXECUTIVE ORDER 13899.

NYS OFFICE OF CHILDREN AND FAMILY SERVICES / SHEILA POOLE

THIS DUO WAS MADE AWARE THAT ACS / NYC CHILDREN DO NOT LEGALLY EXIST. FURTHERMORE, OCFS HAS NO DOCUMENTS TO SUPPORT ACS, NYC CHILDREN NOR THE ACS POLICE LEGALLY EXIST AS PER MY FOIL REQUESTS.

THEY WERE NOT MADE AWARE OF THE HANSELL RUBBER STAMPING.

HOWEVER, OCFS / SHEILA POOLE ARE RESPONSIBLE FOR CHILD WELFARE IN THIS STATE.

VIOLATION OF 1ST AMENDMENT RIGHTS SINCE A AGENCY THAT DOES NOT LEGALLY EXIST " FILED " PETITIONS THAT ARE NOT VALID. SUCH VIOLATED THE 1ST AMENDMENT RIGHTS OF MY DAUGHTER AND I, PREVENTING US FROM COMMUNICATING AND GOING TO CHURCH TOGETHER.

4TH AMENDMENT WAS VIOLATED SINCE MY DAUGHTER WAS REMOVED FROM HER HOME BY A PETITIONER THAT DOES NOT LEGALLY EXIST WITH FILINGS THAT ARE NOT VALID DUE TO RUBBER STAMPING.

8TH AMENDMENT FOR THE UNLAWFUL REMOVAL OF MY DAUGHTER FROM HER HOME, AND PREVENTING HER FROM SEEING HER FATHER WHOM SHE LOVES, AND LIKEWISE FOR MORE THAN 2 YEARS BY A PETITIONER WHOM DOES NOT LEGALLY EXIST ALONG WITH NYC CHILDREN, VIA BOGUS PETITIONS THAT WERE NOT LEGALLY FILED. SHE WAS STRIPPED OF NOT JUST HER HOME BUT ALL HER TOYS.

9TH AMENDMENT SINCE IF THE GOVERNMENT PETITIONER DOES NOT LEGALLY EXIST ALONG WITH THEIR FILINGS THAT ARE NOT VALID, THE RIGHTS BELONG TO THE PEOPLE.

14TH AMENDMENT EQUAL PROTECTION OF LAW SINCE THERE IS NO EQUAL PROTECTION OF LAW WHEN THE PEITTIONER DOES NOT LEGALLY EXIST.

14TH AMENDMENT SUBSTANTATIVE VIOLATION WHEN A PETITIONER WHOM DOES NOT EXIST LAWFULLY, FILING BOGUS PETITIONS, TERMINATES THE RELATIONSHIP

BETWEEN PARENT AND CHILD.

14TH AMENDMENT DUE PROCESS SINCE THERE IS NO DUE PROCESS WHEN THE PETITIONER DOES NOT LEGALLY EXIST ALONG WITH THEIR RUBBER STAMP FILINGS.

42 US 1983, 42 US 1985, 42 US 1986 AT THE VERY LEAST SINCE THEY KNEW OF THE 1985.

RELIGIOUS MOTIVE OF 42 US 2000 TITLE 6 AND TRUMP 13899 DUE TO THE DUO BEING AWARE AND HAVING TAKEN NO ACTION.

REGARDING THE FALSE PSYCHE REPORTS, THE STATE OCFS WAS INFORMED VIA SHEILA POOLE. NO ACTION WAS TAKEN !!!! THE STATE OCFS SUPERVISES CHILD WELFARE IN NEW YORK STATE AS THEY STATED IN FOIL REQUESTS. FURTHERMORE, THEIR POLICIES OF NOT KNOWING WHETHER OR NOT DOCUMENTS FILED UPON CHILDREN IN FAMILY COURT ARE AUTHENTIC AS FOUND OUT VIA FOIL IS ANOTHER ISSUE.

THE DUO VIOLATED 42 US 1983, 1985 AND AT THE VERY LEAST 1986.

THEY KNEW ABOUT THE ANTI - SEMITIC STATEMENT BY ACS THAT I AM NOT AMERICAN UNLIKE MY CHILDS MOTHER AND HAD NOTHING TO SAY ABOUT IT.

IT IS CLEAR TO ME THAT THEY ARE ANTI-SEMITIES AS WELL IN VIOLATION OF 42 US 2000 TITLE 6 AND TRUMP EXECUTIVE ORDER 13899.

1ST AMENDMENT IN THAT SUCH PSYCHE REPORTS WERE USED TO TERMINATE VISITATION WITH MY DAUGHTER AND I, INCLUDING US GOING TO CHURCH.

8 TH AMENDMENT IN THAT SUCH FRAUDULENT PSYCHE REPORTS NOT ONLY TRIED TO PUT MY DAUGHTERS DADDY IN JAIL VIA KNOWN FALSE STATEMENTS BUT SUCH REPORTS ALSO LIED UPON MY DAUGHTER TO EVER BE ABLE TO SEE HER DADDY AGAIN WITH REALITY BEING 13 YEARS !!!!!

9 TH AMENDMENT IN THAT SUCH FRADULENT REPORTS STRIP FATHER AND DAUGHTER OF OUR RIGHTS UNLLAWFULLY BY THE GOVERNMENT VIA FRAUD.

14TH AMENDMENT EQUAL PROTECTION SINCE THERE IS NO EQUAL PROTECTION WHEN YOU FILE UPON FATHER AND DAUGHTER FALSE MEDICAL REPORTS TO TERMINATE A RELATIONSHIP AND PLACE A FATHER IN JAIL.

14TH AMENDMENT SUBSTANTITIVE IN THAT PARENT AND CHILD SUBSTANTITIVE RIGHT IS THE HIGHEST SUBSTANTITIVE RIGHT IN EXISTENCE THAT WAS VIOLATED.

14TH AMENDMENT DUE PROCESS IN THAT HOW IS THERE DUE PROCESS UPON A GOVERNMENT PETITIONER AND THEIR WITNESS WHOM THEY BOTH KNOW THEY ARE LYING UPON THE RESPONDENT....

EXHIBIT P.

ACS, NYC CHILDREN, THE CITY OF NEW YORK, ROSMIL ALMONTE, DAVID THAYER, MARK TOWES, RADIX, CHRISTOPHER ESCOBAR. JESS DANNHAUSER, DAVID HANSELL, MARGARET INGOGLIA, ROBERT RUSS LACHANSE, ARDAISHA HUDSON, PAULA GARCIA.

THIS GROUP OF 10 WERE RESPONSIBLE FOR IN WHOLE OR PART.....

1. ACS DOES NOT LEGALLY EXIST. (HANSELL, DANNHAUSER, THE CITY OF NEW YORK, ACS, NYC CHILDREN)

2. NYC CHILDREN DOES NOT LEGALLY EXIST. (DANNHAUSER, HANSELL, THE CITY OF NEW YORK, ACS, NYC CHILDREN)

3. ACS POLICE DO NOT LEGALLY EXIST (DANNHAUSER, HANSELL, THE CITY OF NEW YORK, ACS, NYC CHILDREN)

4. THEIR COMMISSIONER, HANSELL WAS RUBBER STAMPING THE PETITIONS. (THE CITY OF NEW YORK, HANSELL, ACS, NYC CHILDREN)

5. THEY, ACS, NYC CHILDREN, THE CITY OF NEW YORK, ROSMIL ALMONTE, DAVID THAYER, MARK TOWES, RADIX, CHRISTOPHER ESCOBAR, ROBERT RUSS LA CHANSE, MARGARET INGOGLIA, JESS DANNHAUSER, ARDAISHA HUDSON, PAULA GARCIA TOOK PART IN THE FALSE PSYCHE REPORTS FRAUD AND USED SUCH FALSE PSYCHE REPORTS TO TRY TO PUT RESPONDENT IN JAIL VIA KNOWINGLY ASSERTING FALSE ALLEGATIONS OF ASSAULT AND BATTERY ON HIS FAMILY, FURTHERMORE CAUSING VISITATION TERMINATION WITH HIS DAUGHTER IN A MANNER THAT IS UN APPEALABLE. LIE ON A YOUNG CHILD AND TAKE AWAY HER DADDY. HOW DISGUSTING AND DISPICABLE OF THESE CRIMINALS. CLAIM SUCH STATE OF SUSPENDED VISITATION IN FEDERAL COURT CASE 21CV 1230 TO TRY AND INVOKE A FELDMAN BAR ON ROBERT AND HIS DAUGHTER TO GO TO CHURCH TOGETHER AFTER MAKING ANTI-SEMITIC STATEMENTS.

ACS / NYC CHILDREN, WHOM DO NOT LEGALLY EXIST, " FILED " PETITIONS AGAINST ROBERT MALEK THAT WERE RUBBER STAMPED BY HANSELL, THEIR COMMISSIONER, RENDERING THEM IN VALID, VIOLATIONG THE FEDERAL ESRA ACT.

TO BREAK THIS DOWN,

ACS DOES NOT LEGALLY EXIST ,
NYC CHILDREN DOES NOT LEGALLY EXIST
ACS POLICE DO NOT LEGALLY EXIST.
THEY KNOW THEY DONT.

I HAVE INFORMED THEM BY EMAIL, CHALLENGED THEM VIA FOIL AND STATED ON
CASE NUMBER 21 CV 1230 THAT THEY DONT.

THEY SIMPLY CANNOT PRODUCE THE 5 STEPS UP TO THE VOTE TO SUBSTANTIATE THE
VOTE TO BEGIN WITH. THAT IS FOR ACS.

AS FOR NYC CHILDREN, THE USPTO HAS NO RECORD AND NEITHER DOES ACS.

ACS HAS NO RECORD OF THEIR POLICE HAVING BEEN FORMED LEGALLY EITHER.

THE STATE OCFS HAS NO RECORDS.

ACS CANT RESPOND TO THE FOIL MATTERS OF AUTHENTICITY OF DOCUMENTS FILED
UPON CHILDREN IN THEIR COURTS. NOR DISCIPLINARY ACTION ON THEIR WORKERS
FOR DISHONESTY, NOR EDUCATIONAL MATERIALS ON TRUTH IN REPORTING ON
PARENTS FOR THEIR WORKERS.

THEY NOT ONLY IGNORED THE PROBLEM WHEN INFORMED OF THE FALSE PSYCHE
REPORTS, THEY WENT ON TO TRY TO USE IT AS A FELDMAN BAR IN FEDERAL COURT IN
CASE NUMBER 21CV 1230, CLAIMING TO THE COURT SUSPENSION OF VISITATION, ETC.
WHEN THEY KNEW WHAT CAUSED THE SUSPENSION. IT WAS THEM, ALONG WITH THE
CON JOB WITH WILLIAMS OF HIS DAUGHTER DOESNT WANT TO SEE HIM, HE
COMMITTED ASSAULT AND BATTERY AGAINST HIS OWN FAMILY AND THEN.....
WILLIAMS WRITES THE ORDER IF HIS DAUGHTER CONSENTS TO THE VISIT..... AS IF AT 6
YEARS OLD SHE CAN OR CANT ANYWAY....

ROSMIL ALMONTE WAS THE ONE WHO WROTE THE ORDER TO SHOW CAUSE,
BACKDATING IT, CLAIMING PHYSICAL ABUSE WHEN SHE KNEW, ACCORDING TO THE 28
STATEMENTS OF IMPEACHMENT, FILED 7 MONTHS PRIOR, THAT SUCH STATEMENTS
WERE FALSE.

SHE THEN WENT AHEAD ALONG WITH ACS AND GROFF / SUN RIVER HEALTH, ETC. TO
FABRICATE FALSE PSYCHE REPORTS TO COUNTER WHAT WAS ON ACS
COMPLAINTS.COM, CLAIMING MORE ASSAULT AND BATTERY CRIMES I COMMITTED
AGAINST MY FAMILY.... AND THAT MY DAUGHTER DOESNT WANT TO SEE ME,
ATTEMPTING TO DESTROY THE RELIATIONSHIP I HAVE WITH MY DAUGHTER. WHAT IF I
BELIEVED THAT ?! I AM SURE MY DAUGHTER IS BEING TOLD LIKEWISE.

SHE WAS WELL AWARE OF THE RUBBER STAMPING FROM HANSELL AS WELL.

THEN, TOWES, RADIX AND THAYER, CARRIED THE FRAUD FROM THERE UNTO FEDERAL COURT CASE 21 CV 1230, TRYING TO INVOKE A FELDMAN BAR FOR MY DAUGHTER AND I TO BE ABLE TO GO TO CHURCH, CLAIMING SUSPENSION OF VISITATION AS PER COURT ORDER AND EVIDENCE. THE COURT ORDER AND EVIDENCE WAS IF MY DAUGHTER WANTS TO SEE ME AND EVIDENCE WAS THE FRAUDS THAT ACS , ALMONTE, THE CITY OF NEW YORK, GROFF, SUN RIVER, INGOGLIA , ESCOBAR , LA CHANSE AND POSSIBLY DR VARMA (THOUGH DOUBTFUL) CONCOCTED.

FRAUDS THAT LIED UPON MY OWN DEFENSELESS DAUGHTER, TRYING TO PUT HER DADDY IN JAIL WITH FALSE ALLEGATIONS .

FRAUDS, THAT ALMONTE KNEW WERE FALSE AS PER 28 STATEMENTS OF IMPEACHMENT. FRAUDS THAT GROFF KNEW BECAUSE I CALLED AND LEFT MESSAGE FOR HER AND TOLD HER REEPRESENTATIVE SO. FRAUDS THAT SUN RIVER KNEW UPON 21 CV 5532 FILING LAST YEAR.

FRAUDS THAT GROFF NEVER BOTHERED TO OBTAIN EVIDENCE OF SUCH CRIMINAL ALLEGATIONS TO SUBSTANTIATE THEM BEFORE STATING THEM. GROFF SHOULD HAVE AT LEAST ATTEMPTED TO MEET WITH ME, SPEAK WITH ME, NOTHING. MAYBE EVERYONE SHOULD HAVE LOOKED AT THE PETITIONS THEMSELVES WHICH HAD NO SUCH ALLEGATIONS, NOT TO MENTION THE 28 STATEMENTS OF IMPEACHMENT.

ACS, ALMONTE, HUDSON, NYC CHILDREN, THE CITY OF NEW YORK , ETC. TOOK PART IN FIRST CLAIMING THAT I AM JEWISH AND NOT AMERICAN, THEN TRIED TO PUT ME IN JAIL BY MAKING FALSE CRIMINAL ALLEGATIONS ON THESE REPORTS AND OSC,, THEN SHUT DOWN VISITATION BETWEEN MY DAUGHTER AND I VIA PSYCHE REPORT FRAUDS AND FURTHER, TRIED TO PERPETUATE THE CRIME RIGHT INTO FEDERAL COURT CASE 21 CV 1230.

ON TOP OF ALL THIS, RADIX, TOWES AND THAYER KNEW ABOUT THESE FALSE PSYCHE REPORTS, TOOK PART IN THIS AND RADIX EVEN USED HER JUDGE TITLE TO TRY TO CONVINCED THE JUDGES OF 21 CV 1230 OF FELDMAN BAR VIA CRIMINAL CONDUCT OF WHICH SHE TOOK PART IN PERPETUATING.

WHAT TOOK PLACE WAS A STATE AND FEDERAL CRIME.

18 US 241, 242, ETC.

1ST AMENDMENT VIOLATION TO STOP MY DAUGHTER AND I TO GO TO CHURCH TOGETHER AND EVEN SPEAKING WITH EACH OTHER BY A PETITION THAT WAS NOT VALID VIA HANSELLS RUBBER STAMPS OF WHICH EVERYONE AT ACS KNOWS.

THEN ACS DOESNT EVEN LEGALLY EXIST NOR NYC CHILDREN TO STOP ANYTHING.

THEN WE HAVE A 4TH AMENDMENT VIOLATION WHEN MY DAUGHTER IS TAKEN OUT OF HER HOME AND TOYS BASICALLY STOLEN BY AN ILLEGAL AGENCY VIA INVALID

DOCUMENTS.

THEN THE 8TH AMENDMENT FOR THE TAKING AWAY OF HER DADDY AND LYING ON A CHILD AND FATHER TO TAKE AWAY HER DADDY BY AN ILLEGAL AGENCY WITH INVALID DOCUMENTS.

WHAT IF I BELIEVED THAT MY DAUGHTER DIDNT WANT TO SEE ME ANYMORE AND MY DAUGHTER LOST HER FATHER DUE TO ACS LIES ?

TO LIE ON A CHILD TO TRY TO DESTROY THE RELATIONSHIP BETWEEN PARENT AND CHILD !?!?!?!?!?

TO COMMIT LIBEL AND SLANDER UPON A DEFENSELESS CHILD TO DESTROY HER RELATIONSHIP WITH HER FATHER !!!!!!!!!!!!!!!

THIS IS ABOSLUTELY HORRRENDOUS.

9TH AMENDMENT SINCE WHATEVER IS LEFT OF AN AMERICAN CITIZEN AFTER ACS AND ITS CRONIES DESTROYS THEM PHYSICALLY, EMOTIONALLY, FINANCIALLY, EVERYTHING, BELONGS TO THE DESTROYED CITIZEN,

14TH AMENDMENT VIOLATION ?

IF THERE EVER WAS ONE , THIS IS IT.

EQUAL PROTECTION OF LAW ? WHAT PROTECTION ?

VIOLATION OF SUBTANTITIVE RIGHTS ?

THE SUBTANTITIVE RIGHTS OF MY DAUGHTER AND I WERE DESTROYED .

DUE PROCESS ? WELL WHEN THE PETITIONER LIES, OR THEIR WITNESS WHOM THEY KNOW IS LYING.... VIOLATES DUE PROCESS,

EXHIBIT P

HOWEVER, THIS IS " 10X WORSE " THAN THAT, EXHIBIT P. THE PETITIONER IS LYING, THE WITNESS IS LYING, THEY KNOW THE WITNESS IS LYING SINCE THE WITNESS CANT GET HER STORY STRAIGHT 22 + TIMES !!!!!!!!!!!THEY HAVE CONSPIRED WITH OTHERS TO LIE, THEY HAVED FORGED NAMES AND PRODUCED FRAUDULENT DOCUMENTS CLAIMING TO BE A THERAPIST WHEN WRITTEN BY THE PETITIONER, THEY HAVE USED CIVIL PROCEEDINGS TO CRIMINALLY VICTIMIZE RESPONDENT, THEY HAVE TAKEN THE CRIME OF WHAT THEY COMMITTED UPON MY DAUGHTER AND I IN STATE COURT AND TRIED TO FURTHER ITS COMMISSION IN FEDERAL COURT. THEY HAVE CLAIMED I AM NOT

AMERICAN BECAUSE I AM JEWISH AND TERMINATED THE RELIGIOUS AND ENTIRE RELATIONSHIP I HAD WITH MY DAUGHTER.

CHRISTOPHER ESCOBAR, ACS AND LA CHANSE, WRITING PSYCHE REPORTS AS IF HE WAS LCSW GROFF !!!!!? GROFF FORGING UPON DR VARMA !!!!!

THESE LIFE FORMS VIOLATED 42 US 1983, 42 US 1985, 42 US 1986 THOUGH I CANT SEE HOW 1986 APPLIES SINCE I BELIEVE 1985 APPLIES TO ALL OF THEM OF COURSE.

42 US 2000 TITLE 6 AND TRUMP EXECUTIVE ORDER 13899.

MAYBE AFTER ALL THIS, THERE CAN BE A NEW LAW OR LAWS CALLED THE MALEK OR ACS COMPLAINTS.COM LAW SINCE REALLY, THE PRESENT LAWS CANT EVEN DESCRIBE THE EVIL OF THIS.

I WOULD SINCERELY APPRECIATE IF THE JUDGES OF THIS CASE WOULD ADD ON SOME FEDERAL CRIMES TO THIS LIST AND REFER FOR PROSECUTION.

AND DEAR LORD GOD, PSALM 35, PLEASE DEAL WITH THEM AS WELL....

A NOTE ABOUT THAYER, RADIX AND TOWES IS THEY HAD EVERY OPPORTUNITY TO RETRACT. THEY RETRACTED ZERO. I GAVE THEM MORE THAN A MONTH TO. I GAVE THEM HEADS UP FOR MONTHS. WHAT THAYER, TOWES AND RADIX DID WAS INTENTIONAL. I EVEN EMAILED RADIX DIRECTLY. STILL SHE CHOSE TO USE HER JUDGE TITLE AGAINST ETHICS TO PERPETUATE A STATE COURT CRIME IN FEDERAL COURT.

TOWES, THAYER AND RADIX SHOULD BE DISBARRED AND I AM ALSO ASKING THE COURT TO RESCIND THEIR LAW LICENSES IF THAT IS POSSIBLE.

THE REASON I DID NOT PUT THIS IN AS A CAUSE OF ACTION ON 21 CV 1230 FROM THE BEGINNING IS BECAUSE WHEN I FILED 21 CV 1230 I DIDNT KNOW ABOUT THIS. MY VARIOUS FOILS AND MY EMAILS HAD TO MATURE TO HAVE SOLID LEGAL WEIGHT. EVEN SO, MY GOAL WITH THE AMENDED TO MAINTAIN FAIRNESS UPON THE DEFENDANTS WAS NOT DEVIATE FAR FROM THE ORIGINAL.

HOWEVER, THIS ISSUE GREW. THE FACT IS, NOW THAT ACS HAS BEEN EXPOSED ON THIS IN 21 CV 1230 THEY AND THOSE ASSOCIATED WITH THEM ON THEIR DEFENSIVE FILINGS HAD A MONTH TO MAKE A STATEMENT, TO WITHDRAW OR RETRACT THE CAUSATION

FOR THE STATE OF VISITATION WITH MY DAUGHTER.

POLICY ? MONELL ? WELL WHEN YOU DO SOMETHING ILLEGAL AND HAVE POLICIES THAT CONTRIBUTE TO SUCH ILLEGALITY, WHEN YOU FURTHER YOUR ILLEGALITY IN FEDERAL COURT AND ARE GIVEN A MONTH + TO RETRACT OR COMMENT AND DO NOT DO SO, WHEN THE DEFENDANTS WERE GIVEN A HEADS UP WITH EMAILS ON THIS ISSUE MONTHS AGO AND AND IGNORED IT, WE HAVE MALICE HERE. WE HAVE EMAILS I HAVE SENT OUT REGARDING WHAT ACS DID TO DANNHAUSER, ETC. WHAT WAS DONE TO MY DAUGHTER AND I WAS ILLEGAL, PLANNED AND INTENTIONAL OVER THE COURSE OF A TWO YEAR PERIOD, ACTUALLY A 4 YEAR PERIOD WHEN YOU CONSIDER ACS DOESNT NOT LEGALLY EXIST AND HANSELL RUBBER STAMPING PETTIITONS, FURTHERING THEIR ILLEGALITY, PARTICULARLY REGARDING THE FALSE PSYCHE DOCS AND OSC IN STATE COURT, CONTINUING INTO FEDERAL COURT.

TO MAKE SURE WE HAVE THIS DOWN PAT...

1.

ACS, NYC CHILDREN, THE CITY OF NEW YORK ARE RESPONSIBLE FOR ACS, NYC CHILDREN AND ACS POLICE NOT LEGALLY EXISTING AND HAD NO RIGHT TO " FILE " ANYTHING.

(NOTE : NOTHING WAS ACTUALLY LEGALLY " FILED " AS BROUGHT OUT IN CASE NUMBER 21 CV 1230)

AND IN DOING SO, VIOLATED THE 1ST AMENDMENT RIGHTS OF MY DAUGHTER TO TERMINATE OUR FREEDOM OF SPEECH AMONGST EACH OTHER, OUR GOING TO CHURCH TOGETHER, EXERCISING OUR FREEDOM OF RELIGION, VIOLATE MY DAUGHTER AND I, 4TH AMENDMENT RIGHTS TO BE SAFE AND SECURE IN OUR HOMES, KIDNAPPED MY DAUGHTER FROM HER HOME, AND ALL HER TOYS IN VIOLATION OF 18US 1201, AS PART OF 4TH AMENDMENT VIOLATION, 8TH AMENDMENT VIOLATION AS TO CRUEL AND USUAL PUNISHMENT FOR THE TERMINATION OF CONTACT AND RELATIONSHIP BETWEEN MY DAUGHTER AND I, REMOVAL FROM HER HOME AND POSSESSIONS, UNLAWFUL REMOVAL OF HER FATHER FROM HER LIFE AND VICE VERSA, REMOVAL OF CHURCH FROM OUR LIFE, TRY TO PUT THE FATHER IN JAIL, 14TH AMENDMENT VIOLATION OF EQUAL PROTECTION OF LAW SINCE ACS DOES NOT EXIST LEGALLY AS AN AGENCY TO BEGIN TO INVOKE ANY AUTHORITY UPON MY DAUGHTER AND I, SUBSTANTITIVE DUE PROCESS VIOLATION FOR THE TERMINATION OF RELATIONSHIP BETWEEN MY DAUGHTER AND I AND FURTHERMORE, VIOLATION OF DUE PROCESS BECAUSE THEY DO NOT LEGALLY EXIST AND THEIR VILINGS WERE NOT VALID..

THEY VIOLATED 42 US 1983, 1985 WITH ACS ALMONTE " FILING " THE PETITION, WITH ACS WORKER HUDSON AND ALONG WITH THEIR ANTI SEMITIC STATEMENTS, 42 US 2000

TITLE 6 AND TRUMP EXECUTIVE ORDER 13899.

FURTHERMORE, HANSELLS PETITIONS WERE RUBBER STAMPED IN VIOLATION OF THE ESRA ACT. THEY WERE NOTHING MORE THAN A PRE TYPED WRITTEN NAME, ON A FORM, READY TO GO AT ANY TIME.

ACS, NYC CHILDREN, THE CITY OF NEW YORK AS WELL AS HANSELL OF COURSE WERE RESPONSIBLE AND VIOLATED THE SAME LAWS AS OUTLINED ABOVE. THE PETITIONER DIDNT LEGALLY EXIST , THE PETITIONS DIDNT LEGALLY HAVE VALIDITY. EITHER WAY ACS, NYC CHILDREN , THE CITY OF NEW YORK HAD NO AUTHORITY TO ACT SINCE WHAT THEY WERE ACTING WITH AND/OR UPON DID NOT LEGALLY EXIST TO BEGIN WITH.

WHEN WE MOVE FORWARD TO THE PSYCHE REPORT FRAUDS, ACS WAS INFORMED, ROSMIL ALMONTE, DAVID THAYER, MARK TOWES, RADIX, JESS DANNHAUSER, , WERE ALL INFORMED, FURTHERED THEIR STATE COURT CRIME INTO FEDERAL COURT FOR A FELDMAN BAR, HAD POLICIES THAT CONTRIBUTED TO THE FRAUD AS WELL WITH NO RECORD OF DISCIPLINARY ACTION FOR THEIR WORKERS LYING UPON PARENTS, NO DOCUMENTS OR EDUCATIONAL MATERIALS FOR HONESTY IN REPORTING, NO POLICY TO ENSURE AUTHENTICITY OF DOCUMENTS FILED IN COURT, AND AS A MATTER OF FACT NOT ONLY DID ACS, THE CITY OF NEW YORK AND NYC CHILDREN PRODUCE PSYCHE REPORT FRAUDS ALLEGING KNOWINGLY AND FALSELY THAT ROBERT MALEK COMMITTED CRIMES OF ASSAULT AND BATTERY, THEY EVEN ATTEMPTED TO GET ABSOLUTE IMMUNITY FOR ROSMIL ALMONTE AS WELL TO SHIELD HER FROM THESE CRIMES UPON ROBERT MALEK.

PAULA GARCIA WAS CONTACTED ABOUT THE FALSE PSYCHE REPORTS. IN ADDITON, CASE NUMBER 21 CV 5532. SHE KNEW THERE WAS NO PHYSICAL VIOLENCE AND THAT MY DAUGHTER DID WANT TO SEE ME, HOW MUCH SHE LOVED ME. PAULA GARCIA, ACS WORKER WAS WELL AWARE OF WHAT HAD OCCURRED AND DID NOTHING IN VIOLATION OF 42 US 1986.

ALMONTE, GROFF, INGOGLIA, LA CHANSE, ESCOBAR, PAULA GARCIA CLEARLY AND KNOWINGLY TOOK PART IN THIS PSYCHE REPORT FRAUD. SUN RIVER KNEW UPON 21 CV 5532 LAST YEAR BEING INFORMED THAT GROFF WAS LYING ON HER REPORTS AGAINST ROBERT MALEK, CLAIMING VIOLATION OF ORDER OF PROTECTION WHEN I WAS NEVER SERVED WITH THE ORDER OF PROTECTION OF 3-26-2021 OR INFORMED OF IT. I HAD MADE THIS CLEAR TO ALL DEFENDANTS OF SUCH CASE.

IN DOING SO, THEY AS A CONSPIRED GROUP VIOLATED THE 1ST AMENDMENT TO COMPLETELY ERADICATE THE RELATIONSHIP BETWEEN MY DAUGHTER AND I, AS WELL AS OUR RELIGIOUS RELATIONSHIP, 8TH AMENDMENT STRIPPING THE RELATIONSHIP SHE HAD WITH HER FATHER AND VICE VERSA, MAKING FALSE STATEMENTS UPON HER THAT SHE DOESNT WANT TO SEE HER FATHER TO TERMINATE /

HARM OUR RELATIONSHIP PERMANENTLY,

UNDOUBTEDLY MAKING FALSE STATEMENTS TO HER THAT HER DADDY DOESNT LOVE HER OR WANT TO SEE HER..... OF WHICH WE WILL FIND OUT WONT WE ?!

WE ALREADY KNOW THAT ACS HAS ALLEGED I WAS PROSECUTED AND CONVICTED OF SEVERAL CRIMES IN CASE NUMBER 21 CV 5532 OF WHICH WILL BE REFILED. IM SURE SHE WAS TOLD ABOUT THAT GARBAGE.

TRY TO PUT HER FATHER IN JAIL VIA FALSE CRIMINAL ALLEGATIONS, LIBEL AND SLANDER UPON HER FATHER AND HER AS WELL, FILE FALSE MEDICAL / PSYCHE REPORTS AGAINST A CHILD, TRY TO MAKE A PARENT BELIEVE HIS OWN CHILD DOESNT CARE IF HE IS DEAD OR ALIVE !!!! 14TH AMENDMENT VIOLATION OF EQUAL PROTECTION OF LAW SINCE THERE IS NO EQUAL PROTECTION OF LAW, THERE IS UNEQUAL VICTIMIZATION !!!! WHEN THERE ARE CRIMES BEING COMMITTED IN THIS MANNER AGAINST MY DAUGHTER AND I, THERE IS NOT PROTECTION. THERE IS HARM. THERE IS SUBSTANTITITVE VIOLATION OF DESTRUCTION OF OUR RELATIONSHIP AND FURTHERMORE, 14TH AMENDMENT DUE PROCESS VIOLATION IN THE WORST POSSIBLE WAY. WE ARENT JUST TALKING ABOUT PERJURY HERE. WE ARE TALKING ABOUT PERJURY HERE WE ARE TALKING ABOUT PERJURY TO PUT SOMEONE IN JAIL FOR CRIMES THEY DIDNT COMMIT AGAINST THEIR OWN CHILD.

EVEN MORE DISTURBING IS THAT CHILD ABUSERS IN RIKERS ISLAND OR PRETTY MUCH IN ANY OTHER JAIL, STATE , FEDERAL OR OTHERWISE ARE BASICALLY..... DEAD MEN WALKING. SO THE FACTUAL AND REALISTIC TRUTH IS, THESE PEOPLE HAVE KNOWINGLY CONSPIRED TO KILL ROBERT MALEK.

NEW YORK STATE INSPECTOR GENERAL.

THE NYS INSPECTOR GENERALS OFFICE WAS CONTACTED ABOUT THE FALSE PSYCHE DOCS AND TOOK NO ACTION, VIOLATING 42 US 1986.

THEIR NO ACTION CONTRIBUTED TO THE VIOLATION OF 1ST AMENDMENT TO TRY TO STOP ALL CONTACT WITH MY DAUGHTER VIA FELDMAN BAR,

8TH AMENDMENT UPON MY DAUGHTER AND I TO TERMINATE THE RELATIONSHIP BETWEEN MY DAUGHTER AND I NOT JUST TEMPORARILY BUT INTENT WAS

PERMANENT. TO TRY TO MAKE MY DAUGHTERS FATHER THINK SHE DOESNT LOVE ME ANYMORE, MUCH LESS EVEN WANT TO KNOW ME ?!?! TO CAUSE A MORE THAN 2 YEAR SEPARATION WITH INTENT TO MAKE IT AT LEAST A 12 YEAR SEPARATION. IS JUST SIMPLY HORRENDOUS.

14TH AMENDMENT IN THAT THERE IS NO EQUAL PROTECTION OF LAW, NO DUE PROCESS AND ERADICATION OF SUBSTANTITIVE RIGHTS UNDER THESE CIRCUMSTANCES. THE NYS INSPECTOR GENERALS OFFICE CONTRIBUTED TO VIOLATIONS OF THE 1ST, 8TH AND 14TH AMENDMENTS IN ADDITION TO 42 US 1986.

MARGARET INGOGLIA

INGOGLIA TOOK PART IN CONCERT WITH STATE ACTORS ACS, ALMONTE, NYC CHILDREN, THE CITY OF NEW YORK, JANIE GROFF, SUN RIVER, LA CHANSE, ESCOBAR ETC TO MAKE FALSE CLAIMS AGAINST ROBERT MALEK. FALSE CALL TO THE SCR WHICH IS A MISDEMEANOR, FALSE STATEMENTS OF PHYSICAL ABUSE OF WHICH SHE CONTRADICTED APPROXIMATELY 15 TIMES.

MARGARET INGOGLIA IS IN VIOLATION OF THE 8 TH AMENDMENT FOR CRUEL AND UNUSUAL PUNISHMENT OF OUR DAUGHTER AS DESCRIBED ABOVE, 14TH AMENDMENT VIOLATION OF MY DAUGHTER AND I FOR DESTRUCTION OF OUR EQUAL PROTECTION OF LAW, SUBSTANTITIVE AND DUE PROCESS RIGHTS.

42 US 1983, 42 US 1985...AS WELL.

I DONT HAVE TO DESCRIBE EVERY TIME HOW THE FALSE PSYCHE REPORTS VIOLATED THE FIRST, FOURTH, EIGHTH AND 14TH AMENDMENTS. IT IS MORE THAN CLEAR ALREADY. INGOGLIA VIOLATED THE 1ST IN THAT ALL COMMUNICATION BETWEEN MY DAUGHTER AND I WAS TERMINATED AS WELL AS RELIGIOUS RELATIONSHIP, 4TH IN THAT OUR DAUGHTER WAS TAKEN FROM HER HOME AND TOYS, TOOK AWAY HER DADDY, ETC. WHAT INGOGLIA DID WAS DISGUSTING UPON BOTH ME AND OUR DAUGHTER.

JACQUELINE WILLIAMS

JW IS THE JUDGE WHOM APPLIED TO BE THE JUDGE FOR THE CITY OF NEW YORK, TO HEAR ONLY ACS CASES....

BRIAN PERSKIN..... YOU HAVE AN ACS CASE ? QUICKSAND

JENNNIFER GEISS.... YOU CANT PREVIAL AGAINST ACS IN ACS COURT.

MILCHAEAL CARLIN..... IF THE JUDGE DOESNT GO AGAINST ACS SHE LOSES HER JOB.

LALIT JAIN. JUST ASK THEM WHAT THEY WANT. ITS ALL CORRUPT. YOU HAVE NO CHANCE.

PETER LOMTEVAS. YOU HAVE NO CHANCE IN FEDERAL COURT. AFTER A COUPLE OF YEARS, IF THE MOTHER DOES EVERYTHING WRONG AND YOU DO EVERYTHING RIGHT, I CAN GET YOU YOUR CHILD BACK. UNTIL PARENTS UNITE THEY WILL BE SHEEP FOR THE PLUNDERING. THERE NEEDS TO BE A POLITICAL CHANGE.

STUART LEVINSON... IF YOU GO UP AGAINST ACS YOU WILL HAVE TO FIGHT LIKE HELL. I WISH YOU LUCK. IM GLAD SOMEONE IS DOING SOMETHING.

VIVAN THOMPSEN, LCSW... I CANT DEAL WITH THOSE AFFLICTED WITH ACS CASES. IT TAKES TOO MUCH OUT OF ME. I CANT HANDLE IT EMOTIONALLY.

MERNY SCHWARTZ, PHD. THEY ARE CORRUPT...

AND THIS, PERSON, WILLIAMS IS THE " JUDGE " OR THE CO EXECUTIONER TO BE MORE APTLY NAMED.

WILLIAMS IS THE ONE WHO KNOWS ABOUT THE RUBBER STAMPING, AND SHE CERTAINLY TOOK PART IN THE VISITATION FRAUD OF MY DAUGHTER DOESNT WANT TO SEE ME, WRITING AN ORDER THAT IS UN APPEALABLE.

WHY ? SIMPLE. FOR ONE, I AM NOT GOING TO APPEAL THE FRAUD THAT MY DAUGHTER DOES NOT WANT TO SEE ME, TO ASK APPELLATE JUDGES TO FORCE MY DAUGHTER TO VISIT WITH ME. SUCH IS A TOTAL FRAUD.

IN ADDITION, IT WOULD TAKE ABOUT A YEAR FOR THE APPEAL DECISION.

FURTHERMORE, OF COURSE MY DAUGHTER WISHES TO SEE ME. THIS IS THE FRAUDULENT REPORTS COMING FROM ACS THAT IS DOING THIS. IN ADDITION HOW IS AN ORDER VALID WHERE MY DAUGHTER AT 6 HAS THE RIGHT TO CONSENT OR NOT CONSENT TO BEING WITH. THE REASON WHY YOU NEVER DO THAT IS BECAUSE THIS PLACES A CHILD IN A TERRIBLE POSITION IN CASES OF PARENTAL ALIENATION SUCH AS THIS ONE.

ALL THIS SAID, THE ORDER OF IF MY DAUGHTER IS CONSENTING TO THE VISIT IS PART OF THE FRAUD. ONCE AGAIN, I AM NOT APPEALING AN ORDER FOR A YEAR TO CONVINCING JUDGES TO FORCE MY DAUGHTER TO VISIT WITH HER FATHER AGAINST HER WILL WHEN SUCH IS A TOTAL FRAUD MANUFACTURED BY ACS AND WILLIAMS KNOWS THIS.

WILLIAMS HAD MORE THAN ENOUGH NOTES FROM GORRASI , CFS AND STATEMENTS

FROM AMY SERLIN, LEGAL AID THAT MY DAUGHTER LOVES ME. THIS WAS TIMED PERFECTLY TO COINCIDE WITH THE ACS CON JOB.

SIIMULTANEOUSLY, THEY WERE ALSO PULLING THE YOU CANT SEE YOUR DAUGHTER UNLESS YOU AND HER AND EVERYONE AT THE VISITATION GETS A COVID TEST (THE OLD STYLE WITH THE SWAB UP THE NOSE AND DOWN THE THROAT, SUBJECTING MY DAUGHTER TO THIS WHEN MEANWHILE, THE CHILDS MOTHER AND HER SON WERE NEVER TESTED NOR VACCINATED SUCH AS MYSELF. THIS WILL BE FED COURT FILING NUMBER 4 AS THE NEXT FRAUD THEY ALSO PULLED TOGETHER. EVEN THOUGH I GOT TESTED REPEATEDLY, WILLIAMS AND INGOGLIA WOULDNT LET ME SEE MY DAUGHTER.....

EXHIBIT Q.

NOT TO MENTION THE FALSE CRIMINAL CLAIMS AS PART OF 21 CV 5532.

WILLIAMS VIOLATED THE FIRST, AMENDMENT RIGHTS OF MY DAUGHTER AND I MOVING FORWARD ON A CASE THAT WAS RUBBER STAMPED AND NOT VALID. TERMINATING ALL CONTACT WITH MY DAUGHTER AND I ON A RUBBER STAMPED CASE, VIOLATING OUR FREEDOM OF SPEECH BETWEEN EACH OTHER, VIOLATING OUR FREEDOM OF RELIGION BETWEEN EACH OTHER, 4TH AMENDMENT IN REMOVING MY DAUGHTER FROM HER HOME AND STRIPPING FROM HER ALL HER TOYS AND HER FATHER, 8TH AMENDNEMT BY ONCE AGAIN KIDNAPPING HER FROM HER FATHER, HOME AND POSSESSIONS IN TOTAL AND 14TH IN THAT MY DAUGHTER AND I HAD NO EQUAL PROTECTION OF LAW WHATSOEVER SINCE THE CASE WAS NOT VALID WITH HANSELLS RUBBER STAMPING AND ACS NOT LEGALLY EXISTING, THERE WAS TOTAL DESTRUCTION OF SUBSTANTITIVE DUE PROCESS RIGHTS BETWEEN MY DAUGHTER AND I AND FINALLY PROCEDURAL DUE PROCESS ON AN INVALID RUBBER STAMPED CASE THAT WASNT EVEN..... FILED AS ALLEGED IN CASE NUMBER 21 CV 1230.

THEN, WILLIAMS TOOK PART IN THE FRAUDULENT PSYCHE REPORT FRAUD IN VIOLATION OF 42 US 1983, 1985, 1986 IF NOT 1985 THOUGH I DONT SEE HOW NOT 1985, HAD NO CONCERN WHATSOEVER FOR THE ANTI-SEMITIC STATEMENT OF ME BEING JEWISH AND NOT AMERICAN IN VIOLATION OF 42 US 2000 TITLE 6 AND TRUMP EXECUTIVE ORDER 13899.

AND EXECUTED ALONG WITH ACS TERMINATION OF MY VISITATION WITHOUT A CORRESPONDING ORDER OF VISITATION TERMINATION.

WILLIAMS SAID NOT A WORD ABOUT ACS CRIMINAL ALLEGATIONS THAT SHE KNEW WAS FALSE AS PER PETITION AND THE 28 STATEMENTS OF IMPEACHMENT FILING. SHE KNEW ACS, WITH THEIR OSC / AFFIRMATION IN OPPOSITION CLAIMED I COMMITTED ASSAULT AND BATTERY AGAINST MY FAMILY AND KNEW WHAT THE PSYCHE REPORTS WERE STATING IN REFERENCE TO ME COMMITTING THESE CRIMES, **WHEN MEANWHILE**

SHE ALSO KNEW THAT MARGARET INGOGLIA CONTRDICTED HERSELF TO ACS 15 TIMES !!!!!!!

NOTE : THIS FILING IS NOT ADDRESSING EVERY FALSE STATEMENT IN EVERY REPORT. SO JUST BECAUSE I AM NOT REFUTING THE MOUNT RUSHMORE OF LIES WRITTEN BY ACS WORKERS, ETC., IT DOES NOT MEAN I AM IN AGREEMENT. I AM FOCUSING ON ALLEGATIONS OF CRIMINAL CHILD ABUSE AND THAT MY DAUGHTER DOES NOT WISH TO SEE ME AS WELL TO A CERTAIN EXTENT THAT MY CHILDS MOTHER STATES HOW WELL MY CHILD IS WELL BEHAVED WITH EVERYONE EXCEPT AT HOME WHERE SHE SPITS, CURSES, ETC ETC AT HER MOTHER TO SUBSTANTIATE HER PHYSICAL ABUSE OF MY DAUGHTER AS CAN BE SEEN ON ACS COMPLAINTS.COM CRIMES AGAINST MY DAUGHTER. I ASK THE JUDGES ON THIS CASE TO PLEASE DO SOMETHING IF YOU CAN TO PROTECT MY DAUGHTER IN REGARDS TO FEDERAL STATUTE 18 US 3283... PLEASE VIEW EXHIBIT H AND PLEASE HELP MY DAUGHTER IF AT ALL POSSIBLE.

TRAVIS JOHNSON / LEGAL AID

TRAVIS JOHNSON / LEGAL AID ARE RESPONSIBLE FOR TAKING PART IN A RUBBER STAMPED CASE.

SUCH INVALID CASE CREATED A SLEW OF VIOLATION OF LAW, NOT TO MENTION WITHIN THE CASE THE ANTI-SEMITIC STATEMENT OF WHICH TRAVIS JOHNSON HAD NO CONCERN.

WHEN WE HAVE AN INVALID CASE, AND MY DAUGHTER IS REMOVED FROM HER HOME, AND HER POSSESSIONS, COMMUNICATOIN BETWEEN HER AND HER FATHER IS TERMINATED, WE HAVE SERIOUS VIOLATIONS OF LAW TANTAMOUNT TO KIDNAPPING WHICH IS VIOLATION OF 18 US 1201.

WHILE IT IS DOUBTFUL THAT TRAVIS JOHNSON KNOWS ABOUT WHETHER OR NOT ACS LEGALLY EXISTS , I AM SURE HE REALIZED THAT DAVID HANSELLS NAME WAS IN EXACTLY THE SAME PLACE, EVERY TIME, TIME AFTER TIME.

IN ADDITION, HE KNEW THE PSYCHE REPORTS WERE FRAUDS. HE WAS PART OF THE " CASE " WHERE I FILED 28 STATEMENTS OF IMPEACHMENT IN MARCH OF 2020. HE KNEW THERE WERE NO ALLEGATIONS OF PHYSICAL ABUSE IN THE PETITIONS. HE KNEW THAT ACS FABRICATED A FALSE CRIMINAL BACKGROUND AGAINST ME IN 21 CV 5532. HE KNEW THERE WERE UNSIGNED PSYCHE REPORTS. HE KNEW THERE WAS NO EVIDENCE OF PHYSICAL ABUSE. AND THERE WERE EMAILS THAT WENT OUT TO HIM AND JANET

SABEL AS WELL.

HE APPARENTLY NEVER SPOKE TO DR VARMA OR FRIEDBERG AND IN ADDITION COULD CARE LESS ABOUT THE MARISSA FRIEDBERG REPORT THAT WAS VASTLY DIFFERENT.....

TRAVIS JOHNSON KNEW VERY WELL WHAT WAS GOING ON AND IN REGARDS TO THE FRIEDBERG REPORT, AND THE 28 STATEMENTS OF IMPEACHMENT, PAULA GARCIA AND ARDAISHA HUDSON KNEW AS WELL. HE KNEW ABOUT THE YOU CANT SEE YOUR DAUGHTER UNLESS YOU AND HER AND THE ACS WORKER TESTS NEGATIVE FOR COVID, HE KNEW I TOOK SUCH TESTS AND DIDNT SEE MY DAUGHTER, HE KNEW MARGARET AND JOE DIDNT NOR DID THEY GET VACCINATED EITHER. HE TOOK NO ACTION FOR MY DAUGHTER DURING ALL THIS LUNANCY OF ABUSE BY ACS.

EXHIBIT Q

THE COVID FRAUD WILL BE IN THE NEXT FEDERAL FILING.... SO THEIR VISITAITON FRAUD DIDNT END WITH THIS !!!!!!!

AS A MATTER OF FACT, HE SUPPORTED THE ORDER VERBALLY IN COURT REGARDING IF MY DAUGHTER WISHES TO SEE ME, KNOWING THAT THE PSYCHE REPORTS THAT ALLEGED SHE DIDNT CONTAINED CRIMINAL ALLEGATIONS OF ASSAULT AND BATTERY AGAINST MY FAMILY OF WHICH NOT ONLY WAS THERE ZERO EVIDENCE AND NOT IN THE PETITION BUT MARGARET INGOGLIA CONTRADICTED HERSELF TO ACS A WHOPPING..... 15 TIMES IN THE 28 STATEMENTS OF IMPEACHMENT.

TRAVIS JOHNSON TOOK PART IN A INVALID CASE THAT VIOLATED THE 1ST AMENDMENT FREEDOM OF SPEECH BETWEEN MY DAUGHTER AND I AND OUR RELIGION, TERMINATING BOTH. HE TOOK PART IN A CASE THAT STRIPPED MY DAUGHTER OF HER HOME AND HER POSSESIONS IN VIOLATION OF THE 4TH, HE TOOK PART IN A RUBBER STAMPED CASE THAT VIOLATED HER 8TH AMENDMENT IN HER LOSING HER FATHER, HER POSSESSIONS AND HER HOME AND FURTHERMORE, HE TOOK PART IN A RUBBER STAMPED CASE THAT VIOLATED THE 14TH AMENDMENT EQUAL PROTECTION OF LAW SINCE THERE IS NO EQUAL ANYTHING IF THE GOVERNMENT PETITIONER HAS NO LEGAL STANDING, TOOK PART IN SUBSTANTITIVE VIOLATION OF OF LAW WITH THE TERMINATION OF RELATIONSHIP BETWEEN MY DAUGHTER AND I AND EVEN STRIPPING MY DAUGHTER OF HER TOYS AND HOME, AND TOOK PART IN PROCEDURAL DUE PROCESS VIOLATION WHEN HE PROCEEDED ON A INVALID RUBBER STAMPED CASE.

HE VIOLATED 42 US 1983, AND 42 US 1985 IN DOING SO AND AT THE VERY LEAST 42 US 1986.

HE WAS ALSO AWARE OF THE ANTI-SEMITIC STATEMENT BY ACS AND COULD CARE

LESS ABOUT IT. IF I AM NOT AMERICAN BECAUSE I AM JEWISH, WHAT DOES THAT MAKE MY DAUGHTER ? HALF AMERICAN ? HALF BREED ? HALF A CITIZEN ?

REGARDING THE PSYCHE REPORTS JOHNSON TOOK PART IN THIS FRAUD VIOLATING 42 US 1983 AND 42 US 1985. I DONT SEE 1986 BUT ILL STATE THAT IF IT APPLIES.

HE KNEW OF THE ANTI-SEMITIC ROBERT MALEK NOT BEING AN AMERICAN ISSUE.

AS FAR AS TRAVIS JOHNSON NOT BEING A STATE ACTOR, WELL AS I HAVE STATED ON CASE NUMBER 21 CV 1230 JANET SABEL WAS WORKING FOR THE AG OFFICE AND LEGAL AID AT THE SAME TIME. FURTHERMORE HE PIGGYBACKED OFF OF ACS CASE RIGHT FROM THE START, KNOWINGLY TAKNIG PART IN THIS CRIME. HE NEVER MADE ANY EFFORT TO MAKE ANY INDEPENDENT DETERMINATION. AS A MATTER OF FACT, HE WAS HELPING AMY SERLIN AGAINST MY LAWYER AND I, HE HAD STATED IN COURT !!!! BEFORE HE TOOK OVER THE CASE AS HER SUPERVISOR AFTER I STATED I AM SUIING HER OF WHICH IS CERTAINLY COMING.

TRAVIS JOHNSON SHOULD NOT BE AFFORDED ANY IMMUNITY ON A INVALID RUBBER STAMPED CASE.

I WOULD LIKE TO STOP HERE AND ALLEGE THAT ANY DEFENDANTS THAT TOOK PART IN THIS CASE, TOOK PART IN THE HARM UPON FATHER AND DAUGHTER VIA KIDNAPPING, 18 US 1201. AIDING OR ABETTING OR ACTING WITHIN CONCERT OF.

ACS DOES NOT LEGALLY EXIST AND THE CASE WAS RUBBER STAMPED. WHAT TOOK PLACE WAS A CRIME IN VIOLATION OF 18 US 1201.

LEGAL AID WAS CONTACTED VIA JANET SABEL AS TO THE MATTER OF THE FALSE PSYCHE REPORTS AND HOW DOCUMENTS FILED UPON CHILDREN ARE DETERMINED TO BE AUTHENITC BUT NO REPLY IN VIOLATION OF 42 US 1986 AND BEING RESPONSIBLE FOR THE ACTIONS OF JOHNSON, EVERYTHING HE VIOLATED AS WELL, LEGAL AID DID TOO.

DAVID THAYER / TOWES / RADIX

KNOWINGLY TOOK PART IN THE FURTHERANCE OF THE STATE COURT FRAUD OF THE PSYCHE REPORTS IN FEDERAL COURT TO ATTEMPT TO INVOKE A FELDMAN BAR ON VISITATION IN FEDERAL COURT. NOW, OF COURSE VISITATION IS DIFFERENT FROM THE STATE TERMINATING RELIGIOUS RELATIONSHIP BETWEEN PARENT AND CHILD. THUS

SAID, THE ATTEMPT WAS REAL AND PURPOSEFUL RADIX EVEN USED HER JUDGE TITLE TO GAIN FAVOR WHICH IS FROWNED UPON BY THE ADA.

EXHIBIT O

THE PURPOSE OF BECOMING A JUDGE SHOULD NOT BE TO GO BACK TO THE PRIVATE SECTOR AS SUPER LAWYER WHICH IS EXACTLY WHAT IS HAPPENING.....

PLEASE VIEW EXHIBIT O

DOES A POLICE OFFICER WHOM BECOMES A LAWYER, LITIGATE AS A CRIMINAL DEFENSE ATTORNEY AS A POLICE OFFICER ??????????????????????????????

WOULD THAT BE ACCEPTABLE TO THE COURT ? NO.

THAYER, RADIX AND TOWES VIOLATED 42 US 1983, 1985, 1986 (DONT SEE HOW 1986 BUT IF NOT 1985, 1986) AS PART OF THE MUCH LARGER CONSPIRACY THAT HAD OCCURRED WITH ACS, SUN RIVER, LA CHANSE, ETC.

THEIR ACTIONS ALSO VIOLATED THE 14TH AMENDMENT DUE PROCESS RIGHTS OF MY DAUGHTER AND I AND ALSO VIOLATED THE 14TH EQUAL PROTECTION OF LAW, NOT TO MENTION SUBSTANTITIVE BETWEEN MY DAUGHTER AND I TO TERMINATE ALL CONTACT BETWEEN MY DAUGHTER AND I EVEN LONGER THAN 2 + YEARS BUT ATTEMPT AT , IN REALITY TILL MY DAUGHTER IS 18 FOR A 12 YEAR TOTAL SPAN.

LA CHANSE AND ESCOBAR

VIOLATED 42 US 1983, 1985 AS PART OF THE LARGER GROUP OF STATE COURT ACTORS WHOM FABRICATED FALSE PSYCHE REPORTS.

JANIE GROFF

JANIE AS BEING A MAJOR PLAYER IN THE CONSPIRACY AND TOOK PART IN FORGING DR VARMAS NAME AND WRITING REPORTS THAT WERE FALSE THAT ALLEGED CRIMES COMMITTED BY ROBERT MALEK.

JANIE VIOLATED 42 US 1985, 1983.

ALSO JUST LIKE LA CHANSE AND ESCOBAR, VIOLATED THE 1ST AMENDMENT RIGHTS OF MY DAUGHTER AND I TO TAKE ACTION TO PREVENT OUR COMMUNICATION WITH EACH OTHER AND OUR FREEDOM OF RELIGION....VIOLATED THE 8TH AMENDMENT RIGHTS OF MY DAUGHTER AND I BY TAKING ACTION TO TERMINATE OUR RELATIONSHIP IN WHOLE, LIE UPON MY DAUGHTER TO DESTROY HER RELATIONSHIP WITH HER FATHER AND TRY TO PUT HER FATHER IN JAIL FOR CRIMES THEY KNEW

ROBERT MALEK DID NOT COMMIT.

14TH AMENDMENT SINCE SUCH PSYCHE REPORT CRIMES VIOLATED 14TH AMENDMENT DUE PROCESS, EQUAL PROTECTION OF LAW AND SUBSTANTITITVE IN ITS NEXT EFFECT TO TERMINATE ALL CONTACT BETWEEN MY DAUGHTER AND I.

SUN RIVER

VIOLATED 42 US 1986, 1985, AND 1983. THE EMPLOYER OF JANIE GROFF AND DR VARMA. SUN RIVER HAS BEEN AWARE OF JANIE GROFF WRITING FALSE COURT REPORTS (IF IT WAS JANIE GROFF TO BEGIN WITH !) SINCE THE 21 CV 5532 FILING WHICH ALLEGED THEIR PSYCHE REPORT WAS FALSE. WAS PART OF THE CONSPIRACY.

PATRICK SYNMOIE

PATRICK WAS CONTACTED TWICE REGARDING TURNING OVER DOCUMENTS AS TO THE LEGAL EXISTENCE OF ACS. HE DID NOT DO SO.

HE TOOK PART IN THAT FRAUD IN VIOLATION OF 42 US 1985 AND 1983 ALONG WITH THE CITY OF NEW YORK, ACS, DANNHAUSER AND HANSELL...

DR VARMA.

TOOK PART IN THE FRAUDULENT PSYCHE REPORT OF 2 /2020, OR DID SHE NOT ? IT APPEARS HER SIGNATURE WAS FORGED BY GROFF.

VARMA VIOLATED 42 US 1985 AND 1983 AS PART OF THE CONSPIRATORS TO PRODUCE FALSE PSYCHE REPORTS ON ROBERT MALEK, ALLEGING CRIMES AS WELL.

ONCE AGAIN DR VARMA MAY BE TOTALLY INNOCENT HERE. I ASK THAT SHE AND OR HER LAWYER CALL ME IF SO, SO SHE CAN POSSIBLY BE REMOVED AS A DEFENDANT.

DAVID HANSELL / DANNHAUSER

DAVID TOOK PART IN THE ACS DOES NOT LEGALLY EXIST FRAUD ALONG WITH DANNHAUSER.

HANSELL TOOK PART IN THE RUBBER STAMPING OF PETITIONS.

DANNHAUSER IS PROBABLY DOING THIS AS WELL....

INVALID DOCS BY AN INVALID AGENCY.

IN DOING SO, THEY VIOLATED THE 1ST AMENDMENT RIGHTS OF MY DAUGHTER AND I, TERMINATING OUR FREEDOM OF SPEECH AND RELIGION WITH EACH OTHER, 4TH AMENDMENT BY KIDNAPPING MY DAUGHTER FROM HER HOME AND STRIPPING HER FROM HER TOYS AND BELONGINGS, 8TH AMENDMENT BY INFLECTING THE ACTS OF VIOLATING THE 1ST AND 4TH, THE 14TH AMENDMENT AS WELL DUE TO THERE BEING NO EQUAL PROTECTION OF LAW WHEN ACS DOES NOT LEGALLY EXIST AND THE PETITIONS ARE INVALID, SUBSTANTITIVE BETWEEN MY DAUGHTER AND I DESTROYED WITH NO CONTACT OR RELATINSHIP AND FURTHERMORE DUE PROCESS IS ALSO VIOLATED DUE TO THE PETITIONS BEING INVALID AND ACS NOT LEGALLY EXISTING.

SUCH VIOLATED 42 US 1983 AND 1985.

HANSELL WAS ALSO CONTACTED ABOUT THE ANTI SEMITIC STATEMENTS WHOM DID NOTHING.

BOTH MEN WERE CONTACTED ABOUT ACS NOT LEGALLY EXISTING... NO REPLY...

REGARDING THE FALSE PSYCHE REPORTS, DANNHAUSER WAS AWARE AND DID NOTHING REGARDING THE FALSE PSYCHE REPORTS AND HE ALONG WITH ACS AND EVEN HANSELLL HAVING NO POLICY FOR EDUCATIONAL MATERIALS REGARDING HONESTY ON REPORTING ON PARENTS, NO DISCIPLINARY RECORDS AND ACS DANNHAUSER NOT PROVIDING FOIL ON HOW THEY DETERMINE AUTHENTICITY OF DOCUMENTS FILED ON CHILDREN.. IN ADDITION EVEN THE STATE HAS NO RECORDS OF ACS LEGALLY EXISTING.

SO TO RECAP THIS, HANSELL AND DANNHAUSER ALONG WITH ACS AND THE CITY OF NEW YORK DONT HAVE THE RECORDS OF THEM LEGALLY EXISTING NOR NYC CHILDREN NOR ACS POLICE. THEY FILE RUBBER STAMPED PETITIONS..... SUCH AS THE ONE FILED ON MY DAUGHTER AND I.

HAVE NO POLICIES FOR TRAINING ACS WORKERS ON BEING HONEST NOR HAVE THEY PRODUCED ANY DISCIPLINARY RECORDS, NO RECORDS ON HOW THEY DETERMINE AUTHENTICITY OF DOCUMENTS FILED UPON CHILDREN IN THEIR COURTS. WHEN DANNHAUSER WAS CONTACTED ABOUT THE FALSE PSYCHE REPORTS, HE DID NOTHING. IN WHOLE THEY DESTROYED THE RELATIONSHIP BETWEEN MY DAUGHTER AND I, LEAVING US WITH NO CONTACT IN VIOLATION OF THE FIRST AMENDMENT. NO RELIGIOUS NO COMMUNICATION. ZERO. STRIPPED MY DAUGHTER OF HER HOME AND TOYS IN VIOLATION OF THE 4TH, COMBINE THOSE AND YOU HAVE THE 8TH, THE PSYCHE REPORTS WERE NOT JUST FALSE BUT THEY ALSO CONTAINED CRIMINAL ALLEGATIONS AGAINST ROBERT MALEK FOR CRIMINAL ASSALT OF HIS FAMILY, LIE ON MY DAUGHTER THAT SHE WANTS NO FURTHER CONTACT WITH HER FATHER.SUCH FALSE PSYCHE REPORTS NOT JUST STRIP \FATHER AND DAUGHTER OF THEIR 1ST

AMENDMENT RIGHTS OF COMMUNICATION ALONG WITH THE WILLIAMS ORDER CON
JOB OF VISITATION WITH MY DAUGHTER IF SHE WISHES TO CONSENT TO VISIT WITH
ME... BUT 8TH AMENDMENT AS WELL TO ATTEMPT TO TOTALLY DESTROY THE
RELATIONSHIP BETWEEN PARENT AND CHILD AND PUT MY DAUGHTERS DADDY IN JAIL.
14TH AMENDMENT OF DUE PROCESS FOR THE INTENTIONAL GOVERNMENT LYING
AND FABRICATING FALSE EVIDENCE ON RESPONDENT, 14TH AMENDMENT
SUBSTANTIVE IN DESTROYING ALL PARENTAL RIGHTS WITH CHILD IN THE PROCESS
AND 14TH AMENDMENT EQUAL PROTECTION OF LAW SINCE THERE IS NO EQUAL
PROTECTION WHEN YOU ARE A CRIME VICTIM IN THIS MATTER. FURTHERMORE, WE
HAVE 42 US 1983 AND 1985 ON THE FALSE PSYCHE REPORTS FOR DANNHAUSER, MAYBE
1986 FOR HIM NOT ACTING THOUGH HE IS THE COMMISSIONER OF ACS THAT KNOWINGLY
DID THIS AND 1986 FOR HANSELL. REGARDING ACS NOT LEGALLY EXISTING AND THE
RUBBER STAMPING, BOTH MEN ARE LIABLE UNDER 42 US 1983 AND 42 US 1985 WITH
HANSELL WHO KNEW ABOUT THE ANTI SEMITIC STATEMENT BY ACS AS WELL AS ACS
OF COURSE AND SAID NOTHING.

ARDAISHA HUDSON / PAULA GARCIA

WAS AWARE OF THE FALSE PSYCHE REPORTS AND DID ATTEMPT TO STOP, IN
VIOLATION OF 42 US 1986.

FURTHERMORE,

ARDAISHA TOOK PART IN THE ANTI SEMITIC STATEMENT.

PAULA GARCIA WORKING WITH JANIE GROFF DID MORE HARM THAN HUDSON. GARCIA
HAD A MORE ACTIVE ROLE IN KNOWING AND PRESENTING THE FRAUDS TO ALMONTE
FOR ACS.

HUDSON I BELIEVE WAS MORE IN VIOLATION OF 1986 ALONG WITH 42 US 2000 TITLE 6
AND TRUMP EXECUTIVE ORDER 13899 WHEREAS GARCIA VIOLATED 1985 AS TAKING
PART IN THIS SCAM WITH AT VERY LEAST, CULPABLE 1986 KNOWLEDGE AND DID
NOTHING.

GARCIA'S ACTIONS ALSO VIOLATED THE 1ST, 8TH AND 14TH AMENDMENTS OF MY
DAUGHTER AND I BY HER ACTIONS, WORKING WITH GROFF AND SUN RIVER, ACS AND
ALMONTE IN THE PRESENTATION OF THESE FRAUDS ALONG WITH THE OSC THE
ALMONTE FILED.

LETTIA JAMES

JAMES WAS MADE AWARE THAT ACS DOES NOT LEGALLY EXIST AND TOOK NO ACTION.

IN DOING SO SHE VIOLATED THE 1ST AND 4TH AMENDMENTS OF MY DAUGHTER AND I.
OUR COMMUNICATION HAS BEEN TERMINATED AS WELL AS RELIGIOUS, MY

DAUGHTER LOST HER HOME AND HER TOYS AND HER FATHER.. OF WHICH VIOLATED THE 8TH... 14TH AMENDMENT DUE PROCESS SINCE ACS DOES NOT LEGALLY EXIST, EQUAL PROTECTION OF LAW VIOLAED SINCE ACS DOES NOT LEGALLY EXIST AND FURTHERMORE SUBSTANTITIVE RIGHTS UNDER THE 14TH BETWEEN MY DAUGHTER AND I WHICH ARE ZERO AT THIS POINT. DUE PROCESS SINCE IF ACS DOES NOT LEGALLY EXIST, THERE IS NO DUE PROCESS. SHE WAS INFORMED ACS DOES NOT LEGALLY EXIST.

JAMES VIOLATED 1ST, 4TH, 8TH AND 14TH AMENDMENTS INCLUDING 42 US 1983, 1985 OR 1986.

JAMES WAS ALSO INFORMED ABOUT THE FALSE PSYCHE REPORTS AND DID NOTHING VIOLATING 42 US 1986 AND 42 US 1983.

SUCH FALSE PSYCHE REPORTS VIOLATED THE 1ST , AMENDMENT RIGHTS OF MY DAUGHTER AND I TERMINATING THE ELATIONSHIP BETWEEN MY DAUGHTER AND I, THE 14TH AMENDMENT DUE PROCESS FOR PETITOINER FRAUD

EXHIBITS M AND P.

SUCH REPORTS VIOLATED OUR EQUAL PROTECTION OF LAW SINCE THEY VIOLATED LAW AND WERE CRIMINAL FRAUDS MEANT TO DESTROY THE RELATIONSHIP BETWEEN MY DAUGHTER AND I AND PUT THE FATHER IN JAIL...

AND SUBSTANTITIVE IN THAT IT TERMINATED THE CONTACT BETWEEN MY DAUGHTER AND I IN FULL.

THE FALSE PSYCHE REPORTS ALLEGED ROBERT MALEK COMMITTED THE CRIMES OF ASSAULT AND BATTERY UPON HIS FAMILY AND THAT HIS DAUGHTER WISHES TO HAVE NO FURTHER CONTACT OF WHICH BOTH ARE TOTALLY UNTRUE.

OF NOTE IS THAT THE ATTORNEY GENERALS OFFICE WAS CONTACTED ABOUT THE FALSE PSYCHE REPORTS WITH NO REPLY.

IN CONCLUSION, NO ONE IS TO HAVE ANY IMMUNITY UPON A " CASE WHERE THE PETITIONER DOES NOT LEGALLY EXIST, THE PETITIONS ARE NOT VALID BEING RUBBER STAMPED.

TRO REQUESTED :

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

RELIEF :

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

ACS CASE DISMISSED.

26 BILLION TO GO TO BACK TO THE FEDERAL GOVERNMENT.

THE REST TO MY DAUGHTER AND I.

Robert Malek, Robert Malek c/o M.M.

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

1936 HEMPSTEAD TURNPIKE # 109

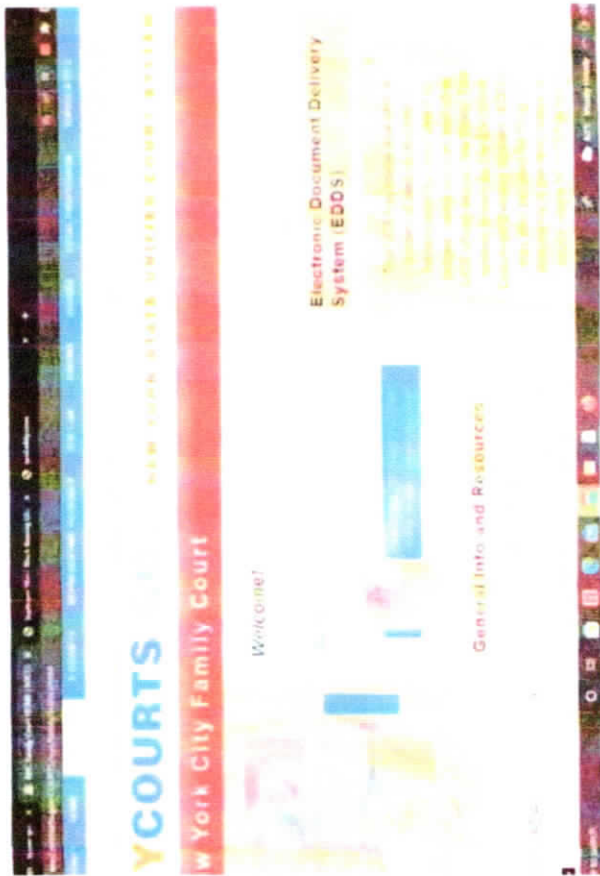
EAST MEADOW, NEW YORK 11554

718 757 4473 , 929-441-8429

ACSCOMPLAINTS@YAHOO.COM

8-15-2022

EXHIBIT A



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EXHIBIT B

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

Attorney: ALMONTE, R

Judge:

-----X

In the Matter of :

Docket No: NN-19411-18

~~JOE PALOMINO~~ JOE PALOMINO :

: 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 #: 292-1

: 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 ~~03/18/78~~.

JOE IS NOW 18

2
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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: 07/31/2018

105 IS NOV 18

David A. Hansell

Petitioner

Zachary W. Carter
Corporation Counsel

Alan W. Sputz
Special Assistant Corp Counsel



Signature of Attorney

DIANE SHEA of Counsel

Name

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

4 ~~83~~

45

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
31st day of July 2018



Notary Public

IVAN NG
Notary Public, State of New York
No. 02NG3361059
Qualified in BROOKLYN County
Commission Expires Jul 03, 2021

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ADDENDUM I

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

THE CHILDREN:

~~MARGARET MALEK~~ (DOB: ~~01/15/2015~~)
JOE PALOMINO (DOB: ~~02/13/2005~~)

THE RESPONDENT:

ROBERT MALEK

JOE PALOMINO (DOB: ~~02/13/2005~~) and ~~MARGARET MALEK~~ (DOB: ~~01/15/2015~~) 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: ~~02/13/2005~~), 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."

c. 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." *18' MRS*

MYSMAY ???

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.

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

48 7

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

Attorney: ALMONTE, R

Judge:

-----x
In the Matter of :
: ~~XXXXXXXXXX~~ :
: :
: PETITION NRGLECT CASE :
: :
A Child Under Eighteen Years :
of Age Alleged to be Neglected by :
: :
ROBERT MALEK :
: :
: Child Protective Specialist: :
: ARDAISEA HUDSON :
: ACS #: 5236894 :
: Unit #: 292-1 :
: Telephone: 718-245-5975 :
: :
: :
-----x

Docket No: NN-19410-18

PETITION NRGLECT CASE

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

ROBERT MALEK

Child Protective Specialist:
ARDAISEA HUDSON
ACS #: 5236894
Unit #: 292-1
Telephone: 718-245-5975

Respondent (s)

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 ~~XXXXXX~~.

J
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3. Said child resides at [REDACTED]
NY, 11236.

4. The father of said child is
or is alleged to be ROBERT MALEK who resides at [REDACTED]
STREET GROUND FLOOR, BROOKLYN, NY, 11236.
The father's date of birth is [REDACTED].
The mother of said child is MARGARET INGOGLIA who resides at [REDACTED]
[REDACTED]
The mother's date of birth is [REDACTED].

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 is 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.

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WHEREFORE, Petitioner prays that an order be made determining the said ~~M. 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: 07/31/2018

David A. Hansell

Petitioner

Zachary W. Carter
Corporation Counsel
Alan W. Sputz,
Special Assistant Corp Counsel

Signature of Attorney

DIANE SHEA of Counsel

Name

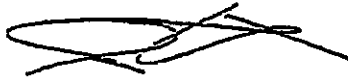
Administration for Children Services
330 JAY STREET
12TH FLOOR
BROOKLYN NY 11201
718-802-2790

~~51~~ 10

VERIFICATION

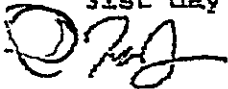
STATE OF NEW YORK)
COUNTY OF KINGS) SS.:

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
31st day of July 2018



Notary Public
IVAN NG
Notary Public, State of New York
No. 02NG8181083
Qualified in BROOKLYN County
Commission Expires Jul 03, 2021

~~50~~

52 ~~7~~

ADDENDUM I

CASE NAME: MARGARET INGOGLIA
CHILD NAME: M[REDACTED] M[REDACTED]
CASE NUMBER: 5236894
DATE PET FILED: 07/31/2018

THE CHILDREN:

M[REDACTED] M[REDACTED] (DOB [REDACTED])
JOE PALOMINO (DOB [REDACTED])

THE RESPONDENT:
ROBERT MALEK

JOE PALOMINO (DOB: [REDACTED] and M[REDACTED] (DOB: [REDACTED]) 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: [REDACTED]), to exercise a minimum degree of care, in that:

1. Respondent PLR ROBERT MALEK holds himself out as the father of the subject child M[REDACTED] M[REDACTED], 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 M[REDACTED] M[REDACTED] have resided with the respondent PLR in his family home since the child M[REDACTED] M[REDACTED] 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 M[REDACTED] M[REDACTED] 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 M[REDACTED] M[REDACTED], 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 M[REDACTED] M[REDACTED], 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."

c. 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."

MY STATE ↓ ???

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.

Secs. 1012, 1031 F.C.A.

(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 :
JOE PALOMINO *18 yrs now* :
A Child Under Eighteen Years :
of Age Alleged to be Neglected by :
ROBERT MALEK :
Respondent (s) :
-----X

Docket No: NN-19411-18
AMENDED PETITION NEGLECT CASE
Child Protective Specialist:
ARDAISHA HUDSON
ACS #: 5236894
Unit #: 273-1
Telephone: 718-245-5975

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.

Handwritten initials and marks

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

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

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: [REDACTED])~~
JOE PALOMINO (DOB: [REDACTED])

ROBERT MALEK

18
YES

JOE PALOMINO (DOB: [REDACTED]) and ~~MARGARET MALEK~~ (DOB: [REDACTED]) 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: [REDACTED]), 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.

18 YES

18

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

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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.

Secs. 1012, 1031 F.C.A.

(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-19410-18

~~MINOR~~ ~~MINOR~~

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. ~~MINOR~~ ~~MINOR~~ is a female child under the age of eighteen years, having been born on ~~12/15/1978~~

- 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 ~~03/23/1950~~. The mother of said child is MARGARET INGOGLIA whose address is CONFIDENTIAL. The mother's date of birth is ~~12/23/1920~~.
- 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.

WHEREFORE, Petitioner prays that an order be made determining the said ~~M~~ ~~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

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

CASE NAME: MARGARET INGOGLIA
CHILD NAME: M[REDACTED] M[REDACTED]
CASE NUMBER: 5236894
DATE PET FILED: 07/31/2018
DATE PET AMENDED 01/02/2020

THE CHILDREN:

M[REDACTED] M[REDACTED] (DOB: [REDACTED])
JOE PALOMINO (DOB: [REDACTED])

THE RESPONDENT:

ROBERT MALEK

JOE PALOMINO (DOB: [REDACTED]) and M[REDACTED] M[REDACTED] (DOB: [REDACTED]) 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: [REDACTED]), to exercise a minimum degree of care, in that:

1. Respondent PLR ROBERT MALEK holds himself out as the father of the subject child M[REDACTED] M[REDACTED], 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 M[REDACTED] M[REDACTED] have resided with the respondent PLR in his family home since the child M[REDACTED] M[REDACTED] 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 M[REDACTED] M[REDACTED] 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 M[REDACTED] M[REDACTED], 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 M[REDACTED] M[REDACTED], 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."

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."

Mystical ???

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.

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EXHIBIT C

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, ~~MARGARET MALEK~~.

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

C) I ADMIT PAST ROMANTIC INVOLVEMENT WITH MARGARET INGOGLIA.

D) ADMIT MARGARET INGOGLIA AND ~~MARGARET MALEK~~ M. ~~MALEK~~ 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 M ~~MALEK~~ M ~~MALEK~~

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 M ~~MALEK~~ M ~~MALEK~~'S FATHER.

B) DENY THAT MY ADDRESS IS CONFIDENTIAL. IT WAS ~~304 EAST 14TH STREET 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 M ~~MALEK~~ M ~~MALEK~~ 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 DR DINESHA HUDSON, it is A PART OF THE ACTION, IN VIOLATION OF CPLR 2013 A, FEDERAL RULE 4. *(Signature)*

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

(Signature)
NOTARY PUBLIC

(Signature)

ROBERT MALEK

EMAN MASARE POWELL
Notary Public, State of New York
Qualified in Nassau County
No. 01FOB428583
Commission Expires January 24, 2028

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EXHIBIT D



robert malek <abc75abc@gmail.com>

SERVING FROM ROBERT MALEK


1 message

robert malek <abc75abc@gmail.com>

Fri, Aug 5, 2022 at 11:49 AM

To: "Kuryluk, Amanda" <amanda.kuryluk@ag.ny.gov>, Joseph Muscarella <j.muscarella@vbpnlaw.com>, "Toews, Mark (Law)" <MTOEWS@law.nyc.gov>

1 MOTION FOR LEAVE TO SUPPLEMENT OPPOSITION TO ACS AND KURYUK MOTIONS TO DISMISS-

 Copy.pdf
1742K

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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

VS.

CASE NUMBER : 21CV1230

VERIFICATION

NEW YORK STATE UNIFIED COURT SYSTEM, et al.

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

ANY OPINIONS STATED ARE HONESTLY MY OPINIONS.

ANY STATEMENTS MADE I HONESTLY BELIEVE TO BE CORRECT.

ANY RHETORICAL STATEMENTS I MAY HAVE MADE WERE INTENDED AS RHETORICAL

THIS MOTION FOR LEAVE TO SUPPLEMENT OPPOSITION TO ACS MOTION TO DISMISSIS
AND OPPOSITION FOR KURLYUK MOTION TO DISMISS IN MY OPINION NOT FRIVOLOUS
AND DEFINITELY NOT INTENDED TO DELAY PROCEEDINGS BUT RATHER FILED IN THE
INTEREST OF JUSTICE.

EXECUTED ON : 08-04-2022

NAME OF DECLARANT :

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

ROBERT MALEK

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NY 11554

ACSCOMPLAINTS@YAHOO.COM

929 441 8429, 718 757 4473

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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

VS.

CASE NUMBER : 21CV1230

NOTICE OF MOTION FOR LEAVE TO SUPPLEMENT
OPPOSITION TO ACS MOTION TO DISMISS
OPPOSITION TO KURYLUK MOTION TO DISMISS

NEW YORK STATE UNIFIED COURT SYSTEM, ET. AL...

PLEASE TAKE NOTICE, THAT UPON ACCOMPANYING MEMORANDUM OF FACTS AND LAW, PLAINTIFF, ROBERT MALEK, ROBERT MALEK C/O MM WILL MOVE THIS COURT, BEFORE THE HONORABLE BRENDA K SANNES, HONORABLE JUDGE DANIEL STEWART OF THE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF NEW YORK AT THE US COURTHOUSE 445 BROADWAY, ALBANY, NY 12207, ON A DATE AND TIME DETERMINED BY THE COURT, FOR AN ORDER ALLOWING SUPPLEMENT OF OPPOSITION OF ACS MOTION TO DISMISS., PURSUANT TO FRCP 15D.

PLEASE TAKE FURTHER NOTICE THAT RESPONDING PAPERS,, IF ANY AND REPLY PAPERS ARE TO BE SERVED AS PER THE FEDERAL RULES OF CIVIL PROCEDURE..

DATED :

08/04/2022

RESPECTFULLY SUBMITTED,

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

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

ACSCOMPLAINTS@YAHOO.COM

929 441 8429, 718 757 4473

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NY 11554

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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

VS.

CASE NUMBER : 21CV1230

MOTION FOR LEAVE TO SUPPLEMENT

OPPOSITION TO ACS MOTION TO DISMISS

OPPOSITION TO KURYLUK MOTION TO DISMISS

NEW YORK STATE UNIFIED COURT SYSTEM, ET. AL...

MOTION FOR LEAVE TO SUPPLEMENT

OPPOSITION TO ACS AND KURYLUK MOTION TO DISMISS

I WISH TO REMIND THE COURT THAT MY INVESTIGATION WORK DOES NOT STOP JUST BECAUSE ACS AND THE DEFENDANTS UNLAWFULLY CONCEAL AND HIDE EVIDENCE. THIS MOTION IS IN SUPPORT OF MY ONGOING WORK AS A PRIVATE INVESTIGATOR, REVEALING THEIR ACTIONS FOR THE COURT IN THE INTEREST OF JUSTICE.

1. THE COURT IS AWARE THAT KURYLUK AND THE NEW YORK STATE UNIFIED COURT SYSTEM, SHUT DOWN RECORDS TO ME UPON HER REPRESENTATION OF THEM, GIVING RISE TO CASE 22 CV 167. SO THEIR METHOD TO HINDER PLANTIFF FROM PROCEEDING AND LITIGATING IS TO PREVENT ME FROM PRESENTING EVIDENCE VIA RECORDS.
2. ACS AND THE CITY OF NEW YORK HAVE A SIMILAR UNLAWFUL TECHNIQUE AND THAT IS TO NOT PROVIDE RECORDS VIA FOIL AND IGNORE EMAILS.
3. THE RECORDS ACS ARE WITHHOLDING VIA FOIL ARE IN REFERENCE TO THEIR LEGAL EXISTENCE, FALSE PSYCH REPORTS AND THEIR OVERALL HONESTY AND INTEGRITY AS AN AGENCY, IF IN FACT THEY LEGALLY EXIST TO BEGIN WITH.

4. ACS ALMONTE SHOULD NOT BE AFFORDED ABSOLUTE IMMUNITY WHEN ACS AS A POLICY IS SECRETIVE AND VIOLATES FOIL, EVEN TO THE POINT OF THEIR VERY LEGAL EXISTENCE !!!!!!!!!!!!!

5. THERE ARE MANY OTHER ISSUES IN REGARDS TO THE INTEGRITY OF ACS, THEIR LEGAL EXISTENCE, AND THE FALSE PSYCH REPORTS AS OUTLINED UPON EACH EXHIBIT DESCRIBED WITH NARRATIVE.

6. ACS IS PICKING AND CHOOSING WHOM THEY WISH TO BE ON THE CITIZENS REVIEW PANEL AND HAVE DELAYED FOIL FOR 8 MONTHS AS TO THE EXISTENCE OF THE PANEL THEY AND I KNOW EXISTS. OF NOTE IS I STATED I WISHTO BE ON THIS PANEL. HENCEFORTH, ACS IS NOT PROVIDING DOCUMENTARY EVIDENCE THAT THEY EVEN EXIST. THE SPIRIT OF THE LAW WAS FOR PUBLIC REVIEW, NOT FOR THE GOVERNMENT TO PICK AND CHOOSE WHOM THEY WISH TO BE THEIR REVIEWER. SUCH PRACTICE CIRCUMVENTS DEMOCRATIC PROCESS AND THE LAW OF THE FORMATION OF THE CITIZENS REVIEW PANELS. THE NET RESULT IS A REVIEW PANEL THAT IS NOT A REVIEW PANEL AND IS A " RUBBER STAMP " REVIEW.

ACS FROM THEIR FOUNDATIONAL FRAUDULENT LEGAL EXISTENCE AND THAT OF NYC CHILDREN UPWARD UPON EVERYTHING THEY DO AND SAY ARE NOT CREDIBLE. AS JOHNNY COCHRAN SAID, " IF YOU CANT TRUST THE MESSENGER, YOU CANT TRUST THE MESSAGE. "

THE RECORDS VIA EXHIBITS

A-N

A. EXHIBIT A IS IN REFERENCE TO TWO RECENT EMAILS TO THE DEFENDANTS, INCLUDING PATRICK SYNMOIE, LAWYER TO THE HEAD CLERK OF NYC. I WAS PROVIDED HIS CARD BY ONE OF THE EMPLOYEES AT THE CLERKS OFFICE IN NYC WHEN I WENT TO VIEW NUMBERS 1-5 OF EXHIBIT A. SYNMOIE AND THE DEFENDANTS OF THIS CASE DID NOT RESPOND TO REQUEST OF SUCH INFORMATION FOR THE 5 STEPS LEADING UP TO THE VOTE THAT TOOK PLACE IN 2001. NOT PROVIDED.

B. EXHIBIT B IS FOIL FROM JAN 30, 2022.

THIS IS WHERE I AM REQUESTING ALL EXECUTIVE ORDERS UPON ACS BY THE MAYORS SINCE 1996 SINCE ACS FORMATION BY GULIANIS EXECUTIVE ORDER IS VALID FOR ONLY 30 DAYS AND HAS TO BE RENEWED EVERY 30. NOTHING PROVIDED EXCEPT THE 1996 ORDER WHICH I HAVE ALREADY PROVIDED TO THE COURT. AN EXECUTIVE ORDER

LASTS 30 DAYS, NOT 26 YEARS. NOTE : TITLE PRIVATE

C. EXHIBIT C IS ALL DOCUMENTS THAT SUPPORT THE FORMATION OF ACS. ONLY THE EXECUTIVE ORDER WAS PROVIDED OF WHICH ONCE AGAIN IS VALID FOR ONLY 30 DAYS. NOTE TITLE PRIVATE. THEY ARE CONCEALING THIS ISSUE FROM THE PUBLIC.

D. EXHIBIT D IS ALL DOCUMENTS THAT SUPPORT THE TRADEMARK CLAIM OF NYC CHILDREN WHICH DOES NOT EXIST AT THE USPTO WEBSITE. ACS DOES NOT UNDERSTAND MY REQUEST... LOL.

E. EXHIBIT E IS IN REFERENCE TO THE FORMATION OF ACS POLICE. ACS HAS NO RECORDS TO SUPPORT THE DOCUMENT HISTORY OF THEIR FORMATION.

F. EXHIBIT F IS IN REFERENCE TO THE LEGISLATIVE DOCUMENT HISTORY TO SUPPORT FORMATION OF ACS. ALL ACS PROVIDES IS THE GULIANI ORDER WHICH EXPIRED WITHIN 30 DAYS, 26 YEARS AGO.

G. EXHIBIT G " HAVE ANY DOCUMENTS BEEN PROVIDED TO ACS EMPLOYEES THAT PERTAIN TO HONESTY AND TRUTHFULNESS. "

8 MONTHS LATER, ACS STILL CANNOT FIGURE OUT THE ANSWER TO THAT " QUESTION " OR FOIL FOR DOCUMENTS. THE COURT CAN CONSIDER THIS IN REGARDS TO THE FALSE PSYCHE DOCUMENTS AND UPON ANYTHING ELSE THAT COMES OUT OF THE ACS MAGICIANS MOUTHS,

H. EXHIBIT H " WHAT STEPS DOES ACS TAKE TO ENSURE DOCUMENTS FILED IN COURT ARE AUTHENTIC ? "

6 MONTHS LATER, ACS STILL CANT FIGURE OUT HOW TO ANSWER THIS SIMPLY QUESTION.

I. EXHIBIT I ALL RECORDS OF DISCIPLINARY ACTIONS UPON ACS WORKERS FOR

DISHONESTY FOR REPORTING UPON PARENTS

ACS IS UNABLE TO ANSWER. SIMPLY EITHER TOO MANY INSTANCES OR ACS HAS NEVER DISCIPLINED ANY WORKER EVER FOR SUCH CONDUCT. MOST PROBABLY THE LATTER WHEN YOU VIEW EXHIBIT G. ONCE AGAIN, THE COURT CAN KEEP THIS IN MIND REGARDING THE FALSE PSYCH DOCUMENTS AND ANYTHING ELSE THAT SPEWS FROM THE ACS MAGICIANS MOUTHS.

J. EXHIBIT J "ALL DOCUMENTS AND RECORDS THAT PERTAIN TO STEPS TAKEN BY ACS TO ENSURE AUTHENTICITY " (NOTE MORE DETAILED REQUEST DESCRIPTION)

6 MONTHS LATER, ACS CANNOT FIGURE OUT AN ANSWER....

K. EXHIBIT K IS FOIL UPON OFFICE OF CHILDREN AND FAMILY SERVICES AND THE COUNCIL ON CHILDREN AND FAMILIES REGARDING " PLEASE PROVIDE ALL DOCUMENTS / EVIDENCE AS TO HOW YOU ENSURE AUTHENTICITY OF DOCUMENTS FILED UPON CHILDREN IN FAMILY COURT ARE AUTHENTIC. "

WHILE THIS WAS NOT THE REQUEST BUT IN REFERENCE TO THE TITLE ONLY, CLOSE ENOUGH. OCFS AND THE COUNCIL DO NOT ENSURE AUTHENTICITY AND LETTER STATES THAT THE NEW YORK STATE OFFICE OF CHILDREN AND FAMILY SERVICES IS RESPONSIBLE FOR OVERSEEING THE CHILD WELFARE SYSTEM IN NEW YORK. DOWNRIGHT SCARY AND TRULY, AS USUAL, SHOCKING BUT NEVER SURPRISING...

L EXHIBIT L AND M EXHIBIT M, WERE DOCUMENTS ALREADY FILED TO THIS CASE.

M EXHIBIT M_c " WHAT STEPS DOES LEGAL AID TAKE TO ENSURE ALL DOCUMENTS FILED TO CASES FOR CHILDREN ARE AUTHENTIC....

I ALSO ADDRESSED THIS TO DANNHAUSER, DIFIORE, INSPECTOR GENERAL, LETITIA JAMES SHEILA POOLE AND ANDREW HEVESI.

NO REPLY AS USUAL.

N EXHIBIT N

**THIS EXHIBIT IS IN REFERENCE TO THE EXISTENCE OF
" CITIZENS REVIEW PANELS "
FOR SOCIAL SERVICES AND THAT I WANT TO JOIN.**

8 MONTHS LATER, NO REPLY.

WHAT IS SO DIFFERENT ABOUT THIS FOIL REQUEST IS THAT I ACTUALLY KNOW IT EXISTS AND KNOW ACS HAS THE RECORDS THEY ARE WITHHOLDING. ACS PROBLEM OR ISSUE IS HERE, I AM PART OF THE PUBLIC AND THEY KNOW THE NEXT STEP AS I CLEARLY STATED IS I WANT TO BE ON THAT PANEL. SO AS FAR AS THE PUBLIC, ACS IS PICKING AND CHOOSING WHOM THEY DO AND DO NOT WANT ON THIS PANEL FOR THEIR OWN BENEFIT, CIRCUMVENTING THE DEMOCRATIC PROCESS OF LAW OF WHICH WAS THE FOUNDATION OF ITS EXISTENCE TO BEING WITH. THERE IS NO CITIZENS REVIEW WHEN THE GOVERNMENT PICKS WHOM IS DOING THE REVIEWING.

1. ACS DOES NOT LEGALLY EXIST.
2. ACS POLICE DO NOT LEGALLY EXIST.
3. NYC CHILDREN DOES NOT LEGALLY EXIST.
4. THEIR REVIEW PANEL IS A PICK AND CHOOSE AFFAIR.
5. THEIR ARE NO CHECKS FOR AUTHENTICITY OF WHAT IS BEING FILED AGAINST PARENTS AND CHILDREN, NOR CONCERN.
6. THERE ARE DISCIPLINARY PROBLEMS (HONESTY IN REPORTING)THAT EXIST OF WHICH ACS LACK OF POLICY IS THE ROOT CAUSE OF... MONELL
7. ACS WANTS TO BE GRANTED IMMUNITY FOR THEIR CORRUPT, LAWLESS AND CRIMINAL ACTIONS. AND IF NOT IMMUNITY, THAT NO ONE HAS JURISDICTION OVER THEM. . NOT EVEN THE ACS JUDGE. I HAVE FILED EVIDENCE OF THIS UPON THIS CASE.
8. THE STATE OCFS OVERSEES ACS AND THEY AS WELL ARE AN ABYSMAL FAILURE WHOM HAS NO POLICY TO ENSURE WHAT IS FILED UPON PARENTS IS AUTHENTIC.
9. OCFS IS PRESENTLY NOT PROVIDING FOIL ON SEVERAL ISSUES AND ISSUING NUMBERS TO THEIR DENIAL OF WHICH THERE IS NO ASSOCATED TITLE. I AM IN THE PROCESS OF TRYING TO WORK OUT THIS ISSUE WITH THEM AND WILL ADVISE BY NEXT WEEK. OCFS IS AN EQUAL PROBLEM TO ACS AND IS THE ROOT CAUSE OF ACS

ILLEGALITY AND IMMORALITY.

10. UNDER THE CIRCUMSTANCES, ONCE AGAIN, ROSMIL ALMONTE SHOULD NOT BE GRANTED ABSOLUTE IMMUNITY NOR ANYONE ELSE WHOM IS ASSOCIATED WITH ACS, INCLUDING THE JUDGE WHOM IS APPOINTED TO SOLELY HEAR ACS CASES.

I DEEMED THIS EVIDENTIARY SUBMISSION SO IMPORTANT THAT I HAD A PROCESS SERVER BRING IT TO YOUR COURTHOUSE SAME DAY...

DATED :

08/04/2022

RESPECTFULLY SUBMITTED,

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

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

ACSCOMPLAINTS@YAHOO.COM

929 441 8429, 718 757 4473

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NY 11554

EXHIBIT A

Re: 5 steps before acs was voted on before Nov 6 2001

From: ROBERT MALEK (acscomplaints@yahoo.com)

To: psynmoie@cityclerk.nyc.gov; legal@nyls.org; jess.dannhauser@acs.nyc.gov; sheila.poole@ocfs.ny.gov; letitia.james@ag.ny.gov; jdifiore@nycourts.gov

Date: Friday, July 15, 2022 at 03:31 PM EDT

Sent from Yahoo Mail on Android

On Wed, Jul 13, 2022 at 3:19 PM, ROBERT MALEK <acscomplaints@yahoo.com> wrote:

Mr Synmoie,

Hello.

Before the vote on November 6 2001 to make acs an agency of the city of new york, the following had to happen:

1. Approx 30,000 people have to sign a petition.....qualified electors file it in office of city clerk

or 5% of the vote for the previous gubernatorial race or 15,000, whichever is less

2. The petition and proposed charter changes are filed with the city clerk....

3. City clerk determines legal sufficiency of petition

4. Judicial review

5. Proposal is submitted to legislative body.

Do you have these records that I can make a copy of or you can make me a copy of or I could view ?
If not, who has them so I can access ?

Thank you

Robert Malek
Acs complaints.com
Acs worker complaints.com
929 441 8429

Sent from Yahoo Mail on Android

12B
0102_{1/1}

FOIL-2022-067-00068 - Appeal

From: ROBERT MALEK (acscomplaints@yahoo.com)

To: foilappeal@acs.nyc.gov

Date: Thursday, August 4, 2022 at 02:15 AM EDT

**SOMEONE MUST PROVIDE THESE DOCUMENTS.... SO FAR. NO ONE HAS.
PRODUCE THE DOCUMENTS THAT PROVE YOU LEGALLY EXIST AS NOTED BELOW.**

ROBERT MALEK

ROBERT MALEK <acscomplaints@yahoo.com>

To:psynmoie@cityclerk.nyc.gov,legal@nyls.org,jess.dannhauser@acs.nyc.gov,sheila.poole@ocfs.ny.gov,letitia.james@ag.ny.gov

Wed, Jul 13 at 3:19 PM

Mr Synmoie,

Hello.

Before the vote on November 6 2001 to make acs an agency of the city of new york, the following had to happen:

1. Approx 30,000 people have to sign a petition.....qualified electors file it in office of city clerk

or 5% of the vote for the previous gubernatorial race or 15,000, whichever is less

2. The petition and proposed charter changes are filed with the city clerk....

3. City clerk determines legal sufficiency of petition

4. Judicial review

5. Proposal is submitted to legislative body.

Do you have these records that I can make a copy of or you can make me a copy of or I could view ?
If not, who has them so I can access ?

Thank you

Robert Malek
Acs complaints.com
Acs worker complaints.com
929 441 8429

EXHIBIT B

[OpenRecords] Request FOIL-2022-067-00014 Submitted to Administration for Children's Services (ACS) *

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Sunday, January 30, 2022, 09:20 PM EST

Your request FOIL-2022-067-00014 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: ACS COMPLAINTS.COM, ROBERT MALEK IS REQUESTING ALL EXECUTIVE ORDER DOCUMENTS UPON ACS

Request Description: EXECUTIVE ORDERS: PLEASE PROVIDE ME WITH ANY AND ALL DOCUMENTS REGARDING OR PURSUANT TO EXECUTIVE ORDERS ISSUED BY ANY MAYOR SINCE 1996 UPON ADMINISTRATION FOR CHILDRENS SERVICES, INCLUDING ITS FORMATION IN 1996. THANK YOU, ROBERT MALEK

Requester's Contact Information

Name:

Robert Malek

Title:

JOURNALIST

Organization:

ACS COMPLAINTS.COM

Email:

ACSCOMPLAINTS@YAHOO.COM

Phone Number:

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 HEMPSTEAD TURNPIKE,

Street Address (line 2):

109

City:

EAST MEADOW

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00014>.

[OpenRecords] Request FOIL-2022-067-00014 Extended

From: donotreply@records.nyc.gov

To: ACSCOMPLAINTS@YAHOO.COM

Date: Tuesday, May 31, 2022, 04:36 PM EDT

The Administration for Children's Services (ACS) has **extended** the time to respond to your FOIL request FOIL-2022-067-00014 for the following reasons:

You can expect a response on or about Thursday, July 28, 2022.

Additional Information:

Based on other complicated FOIL requests currently being handled, ACS needs additional time to respond to your request. ACS anticipates responding to your request on or about July 28, 2022.

Please visit FOIL-2022-067-00014 to view additional information and take any necessary action.

Directory of City Agencies (<http://www1.nyc.gov/nyc-resources/agencies.page>)

Contact NYC Government (<http://www1.nyc.gov/home/contact-us.page>)

City Employees (<https://a127-ess.nyc.gov>)

Notify NYC (<http://www.nyc.gov/notifynyc>)

CityStore (<http://a856-citystore.nyc.gov/>)

Stay Connected (<http://www1.nyc.gov/connect/social-media.page>)

NYC Mobile Apps (<http://www1.nyc.gov/connect/applications.page>)

Maps (<http://www1.nyc.gov/nyc-resources/nyc-maps.page>)

Resident Toolkit (<http://www1.nyc.gov/nyc-resources/resident-toolkit.page>)

Search

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Terms of Use (<http://www1.nyc.gov/home/terms-of-use.page>).

Vertical text stamp

Vertical text stamp

17B

Open RECORDS

FOIL-2022-067-00014 ⓘ

Title:

Private

Open

Administration for Children's Services (ACS)

Due Date:

07/28/2022

Contact the Agency

Responses ⓘ

18B

[OpenRecords] Request FOIL-2022-067-00014 Closed

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Wednesday, July 27, 2022 at 06:41 PM EDT

The Administration for Children's Services (ACS) has closed your FOIL request FOIL-2022-067-00014 for the following reasons:

- Your request under the Freedom of Information Law (FOIL) has been reviewed and the documents you requested have been posted on the OpenRecords portal.

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EXHIBIT C

[OpenRecords] Request FOIL-2022-067-00015 Submitted to Administration for Children's Services (ACS)

From: donotreply@records.nyc.gov

To: ACSCOMPLAINTS@YAHOO.COM

Date: Sunday, January 30, 2022, 10:02 PM EST

Your request FOIL-2022-067-00015 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: ACS COMPLAINTS.COM, IS REQUESTING THE LEGAL DOCUMENTS IN SUPPORT OF FORMATION OF ACS NYC

Request Description: REQUESTING ANY AND ALL DOCUMENTS THAT SUPPORT THE FORMATION OF ACS VIA NYC CHARTER 24B SECTION 615. IF BY EXECUTIVE ORDER PLEASE PROVIDE THE DETAILS OF THE ORDER OR ORDERS . IF BY VOTE, PLEASE PROVIDE DETAILS OF BY WHOM AND THE DOCUMENTS IN SUPPORT OF THAT VOTE. IF BY ANY OTHER MEANS, PLEASE PROVIDE THE DOCUMENTS THAT SUPPORT ITS FORMATION. THANK YOU, ROBERT MALEK ACS COMPLAINTS.COM

Attached File: Screenshot_20220130-200438_Chrome_1.jpg; Screenshot_20220130-200438_Chrome_1.jpg

Requester's Contact Information

Name:
Robert Malek
Title:
JOURNALIST
Organization:
ACS COMPLAINTS.COM
Email:
ACSCOMPLAINTS@YAHOO.COM
Phone Number:
(718) 757-4473
Fax Number:
Not provided
Street Address (line 1):
1936 HEMPSTEAD TURNPIKE
Street Address (line 2):
109
City:
EAST MEADOW
State:
NY
Zip Code:
11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00015>.

21B

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Open RECORDS

(/)

FOIL-2022-067-00015

Title:

Private

Open

Administration for Children's Services (ACS)

Due Date:
07/28/2022

Contact the Agency

Responses

23B

Directory of City Agencies (<http://www1.nyc.gov/nyc-resources/agencies.page>)

Contact NYC Government (<http://www1.nyc.gov/home/contact-us.page>)

City Employees (<https://a127-ess.nyc.gov>)

Notify NYC (<http://www.nyc.gov/notifynyc>)

CityStore (<http://a856-citystore.nyc.gov/>)

Stay Connected (<http://www1.nyc.gov/connect/social-media.page>)

NYC Mobile Apps (<http://www1.nyc.gov/connect/applications.page>)

Maps (<http://www1.nyc.gov/nyc-resources/nyc-maps.page>)

Resident Toolkit (<http://www1.nyc.gov/nyc-resources/resident-toolkit.page>)

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[OpenRecords] Response Added to FOIL-2022-067-00015 - File

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

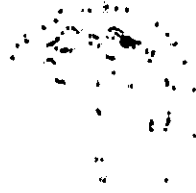
Date: Wednesday, July 27, 2022 at 06:38 PM EDT

The Administration for Children's Services (ACS) has responded to your FOIL request FOIL-2022-067-00015 with the following file(s).

The file(s) listed below will not be publicly available on the OpenRecords portal.

Executive Order: 1996EO026 Executive_Order.pdf

Please visit FOIL-2022-067-00015 to view additional information and take any necessary action.



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 26

January 11, 1996

**ESTABLISHMENT OF THE POSITIONS OF
COMMISSIONER OF CHILDREN'S SERVICES
AND SPECIAL ADVISER TO THE MAYOR;
AMENDMENT OF EXECUTIVE ORDER NO. 82 DATED APRIL 26, 1985**

WHEREAS, the Child Welfare Administration ("CWA") is charged with protecting children from abuse and neglect, investigating allegations of child abuse and neglect, providing preventive services to families to maintain the safety of children, and placing children in foster care or adoptive homes when necessary;

WHEREAS, the operations of CWA currently are supervised and coordinated by the City's Human Resources Administration ("HRA") under the jurisdiction of the City's HRA Administrator/Department of Social Services Commissioner;

WHEREAS, the Mayor is committed to continuing and supplementing the improvements which are being made to the operations and management of CWA by HRA;

WHEREAS, the Mayor has established an inter-agency group (the "Inter-Agency Group") chaired by the Commissioner of the Department of Investigation to make recommendations to improve the operations of CWA;

WHEREAS, the Inter-Agency Group has made a number of recommendations which are designed to substantially improve CWA's operations;

WHEREAS, the Mayor has directed the Inter-Agency Group to immediately implement its recommendations, and further has directed CWA to engage in an in-depth management review of its functions and operations;

WHEREAS, the Mayor has determined that, by virtue of the importance of its mission and the magnitude of its budget, CWA should immediately begin to operate separately from HRA to the maximum extent possible, and should be headed by its own Commissioner;

WHEREAS, the Mayor further believes that the mission of CWA will be enhanced if the City's Office of Child Support Enforcement ("OCSE") and the City's Head Start program are supervised and coordinated by the CWA Commissioner, and that these programs will benefit from direct supervision by the CWA Commissioner;

WHEREAS, the Mayor wishes to rename CWA as the Administration for Children's Services;

WHEREAS, the Mayor further anticipates proposing appropriate local legislation as may be necessary to create the Administration for Children's Services as a new agency whose primary function will be to protect and serve the City's children;

WHEREAS, the Mayor wishes to appoint a Special Adviser on Children's Services to coordinate the provision of youth and social services to children by the Mayoral agencies;

NOW, THEREFORE, by the power vested in me as the Mayor of the City

of New York, it hereby is ordered:

Section 1. Commissioner of the Administration for Children's Services.

The functions of CWA hereby are continued, and CWA hereafter shall be referred to as the Administration for Children's Services ("AFCS"). The head of the AFCS shall be a Commissioner, who shall report directly to the Mayor with regard to all matters relating to this Order, and also shall serve as Special Adviser to the Mayor on Children's Services. The Commissioner further shall possess the qualifications of, and serve as, a Deputy Commissioner of the City Department of Social Services for the purposes of the state social services law.

Section 2. Powers and Duties of Commissioner. The AFCS

Commissioner/Special Adviser to the Mayor on Children's Services, to the maximum extent consistent with existing law, shall be responsible for:

1. Directing and supervising the management, operations, budget and funding of the AFCS in all respects;
2. Directing and supervising the management, operations, budget and funding of the OCSE and the Head Start Program;
3. Directing and supervising the implementation of the recommendations of the Inter-Agency Group within the AFCS, and supervising and directing the in-depth analysis of the AFCS' operations and procedures directed by the Mayor;
4. Advising and assisting the Mayor in planning for increased coordination and cooperation among Mayoral agencies that are

involved in providing youth and social services to children:

- 5. Working with OMB to review the budget requests of all Mayoral agencies for programs related to youth and social services for children and recommending to the Mayor budget priorities among such programs; and
- 6. Performing such other duties as the Mayor may assign.

Section 3. Office of Child Support Enforcement and Head Start Program.

The City's OCSE and the Head Start Program shall be continued, and shall hereafter be maintained under the supervision and direction of the AFCS Commissioner.

Section 4. Transition to Agency Status. The AFCS Commissioner further shall be responsible for supervising, directing and managing the transition of the AFCS to the status of a new agency, and for the development of any appropriate plans as may be directed by the Mayor for the integration of other functions relating to children within such agency.

Section 5. Budgeting. The AFCS Commissioner, subject to the supervision of the Mayor, shall work directly with the City's Office of Management and Budget with regard to the funding and administration of the City's budgets for the AFCS, the OCSE, and for the Head Start Program.

Section 6. Cooperation of City Departments and Agencies. The Mayor's Office of Management and Budget, the Mayor's Office of Operations, the Mayor's Office of Labor Relations, the Police Department, the Department of Investigation, the Human Resources Administration, and the Law Department shall form a Management Working

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Group to assist the AFCS Commissioner in the implementation of this Order. All other departments and agencies of the City shall cooperate with the Commissioner to effectuate the terms of this Order.

Section 7. Coordinated Administration with HRA. The AFCS, OCSE and the Head Start Program, to the extent that the AFCS Commissioner determines is appropriate, shall continue to have the benefit of, and access to, all legal, administrative and support services currently provided to them by HRA, and HRA shall continue to provide such services to the AFCS, the OCSE and the Head Start Program.

Section 8. Prior Order Amended. Section 1 of Executive Order No. 82, dated April 26, 1985, is amended to read as follows:

Section 1. Human Resources Administration. There is in the Executive Office of the Mayor a Human Resources Administration ("Administration") with the responsibility to establish, coordinate and implement city policies with regard to social service, human resources and community development programs currently supervised by the Administration. The Administration will not be responsible for the Administration for Children's Services ("AFCS"), the Office of Child Support Enforcement ("OCSE"), and the Head Start Program. The Administration shall, however, provide legal, administrative and support services to the AFCS, the OCSE and the Head Start Program upon request of the AFCS Commissioner.

Section 9. Effective Date. This Order shall take effect February 12, 1996.


Rudolph W. Giuliani
Mayor

[OpenRecords] Request FOIL-2022-067-00015 Closed

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Wednesday, July 27, 2022 at 06:38 PM EDT

The Administration for Children's Services (ACS) has closed your FOIL request FOIL-2022-067-00015 for the following reasons:

- Your request under the Freedom of Information Law (FOIL) has been reviewed and the documents you requested have been posted on the OpenRecords portal.

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EXHIBIT D

[OpenRecords] Request FOIL-2022-067-00018 Submitted to Administration for Children's Services (ACS)

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Friday, February 4, 2022, 02:59 AM EST

Your request FOIL-2022-067-00018 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: all documents that support trademark claim of nyc children

Request Description: all documents that support trademark claim of nyc children

Requester's Contact Information

Name:

Robert Malek

Title:

journalist

Organization:

acs complaints.com

Email:

acscomplaints@yahoo.com

Phone Number:

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 hempstead turnpike # 109

Street Address (line 2):

Not provided

City:

east meadow

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00018>.

33B

[OpenRecords] Request FOIL-2022-067-00018 Closed

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Monday, February 7, 2022, 02:32 PM EST

The Administration for Children's Services (ACS) has denied your FOIL request [FOIL-2022-067-00018](#) for the following reasons:

- Your request under the Freedom of Information Law (FOIL) cannot be processed because it does not provide enough information to identify the records you would like to receive.

Please visit [FOIL-2022-067-00018](#) to view additional information and take any necessary action. You may appeal the decision to deny access to material that was redacted in part or withheld in entirety by contacting the agency's FOIL Appeals Officer: FOILAppeal@acs.nyc.gov within 30 days.

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FOIL-2022-067-00018 - Appeal

From: ROBERT MALEK (acscomplaints@yahoo.com)

To: FOILAppeal@acs.nyc.gov

Date: Monday, February 7, 2022, 04:44 PM EST

Hello.
I am appealing this decision.

Sincerely,
Robert Malek

Sent from Yahoo Mail on Android

35B

[OpenRecords] Request FOIL-2022-067-00018 Re-Opened

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Monday, February 7, 2022, 05:11 PM EST

The Administration for Children's Services (ACS) has re-opened your FOIL request [FOIL-2022-067-00018](#) for the following reason:

This request has been re-opened in response to an appeal.

You can also submit a new foil with more detailed information as the foil was denied as we do not understand what documents you are seeking from the limited informaiton provided.

You can expect a response on or about Tuesday, February 22, 2022.

Please visit [FOIL-2022-067-00018](#) to view additional information and take any necessary action.

2/8
XB

[OpenRecords] FOIL-2022-067-00018: Response Edited

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Tuesday, February 22, 2022, 04:26 PM EST

The Administration for Children's Services (ACS) has provided additional information about your Freedom of Information Law (FOIL) ID number FOIL-2022-067-00018.

A file in request FOIL-2022-067-00018 is available for you to view.

Link to file: Robert Malek Trademark of Children-signed.pdf

Please visit <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00018> to view additional information and take any necessary action.

37B



February 22, 2022

Robert Malek
acscomplaints@yahoo.com

Jess Dannhauser
Commissioner

Re :FOIL Appeal, OpenRecords Request FOIL-2022-067-00018

Joseph V. Cardieri, Esq.
General Counsel/
Deputy Commissioner


Dear Mr. Malek:

150 William Street
18th FL
New York, NY 10038
212-341-0903 tel.
212-341-0916 fax.

I write in response to your Freedom of Information Law (FOIL) appeals, received on February 7, 2022, regarding the New York City Administration for Children's Services' ("ACS") denial of your FOIL Request for "all documents that support trademark claim of nyc children." Your appeal is denied for the reasons below.

The FOIL Officer denied the request as it did not reasonably describe the records you sought. Public Officers Law ("POL") § 89(3)(a) places the burden on a FOIL requester to "reasonably describe" the documents requested so that a search can be made by the agency by supplying the information required to retrieve the requested documents. *See Matter of Urban Justice Ctr. v. N.Y. Police Dept.*, 2010 NY Slip Op 32400(U), 2010 N.Y. Misc. LEXIS 4258, at *18 (N.Y. Sup. Ct., Sept. 1, 2010) (citing *Matter of Farbman & Sons v New York City Health & Hosps. Corp.*, 62 NY2d 75 (1984)). Your request fails to meet that standard as it is extremely broad and in a topic area that is not typically a focal area of the Agency. Furthermore, the request does not specify any unit, division or category of records that would enable ACS to conduct a search for responsive records. ACS is large agency spread across multiple divisions and geographical locations and has no system to conduct a search across the entire agency for any information that may reference the broad topic of "trademark of children." *See, e.g., Wattenmaker v. N.Y. State Emps.' Ret. Sys.*, 464 N.Y.S.2d 52, 53 (App. Div. 1983) (finding that agency was not required to maintain a system that would permit a keyword search of all agency records and affirming denial of request).

You may seek judicial review of this determination pursuant to Article 78 of the Civil Practice Law and Rules (CPLR).

Sincerely,

Joseph Cardieri, Esq.

Cc: Committee on Open Government

3813

0128

[OpenRecords] Request FOIL-2022-067-00018 Closed

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Tuesday, February 22, 2022, 04:27 PM EST

The Administration for Children's Services (ACS) has closed your FOIL request FOIL-2022-067-00018 for the following reasons:

The ACS Appeal Decision was rendered and uploaded onto OpenRecords.

39B

0129
1/1

RE: [EXTERNAL] FOIL-2022-067-00018 - Appeal

From: ROBERT MALEK (acscomplaints@yahoo.com)
To: FOILAppeal@acs.nyc.gov; jess.dannhauser@acs.nyc.gov
Date: Tuesday, February 22, 2022, 10:00 PM EST

If I didn't make myself clear how does this clarify my position to you....
YOU HAVE NO TRADEMARK AND YOUR USAGE OF IT IS A FRAUD. I HAVE CHECKED THE USPTO OFFICE.
If you really did file, the record would show in public records with the uspto office. It doesnt.
Stop playing games and either prove you have this trademark with the appropriate or receive the legal consequences
your crime family deserves. One thing you can always count on with acs. To never receive anything thru foil.

Sincerely,
Robert Malek
Acs complaints.com

Sent from Yahoo Mail on Android

On Tue, Feb 22, 2022 at 4:28 PM, acs. sm. GC. FOILAppeal <FOILAppeal@acs.nyc.gov> wrote:

Good Afternoon,

Please find attached the ACS Appeal decision. It was also uploaded onto OpenRecords.

Sincerely,
ACS

From: ROBERT MALEK <acscomplaints@yahoo.com>
Sent: Monday, February 7, 2022 4:44 PM
To: acs.sm.GC.FOILAppeal <FOILAppeal@acs.nyc.gov>
Subject: [EXTERNAL] FOIL-2022-067-00018 - Appeal

You don't often get email from acscomplaints@yahoo.com. [Learn why this is important](#)

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

Hello.
I am appealing this decision.

Sincerely,
Robert Malek

Sent from Yahoo Mail on Android

40B

Fw: [EXTERNAL] FOIL-2022-067-00018 - Appeal

From: ROBERT MALEK (acscomplaints@yahoo.com)
 To: jess.danhauser@acs.nyc.gov; foilappeal@acs.nyc.gov
 Date: Tuesday, February 22, 2022, 11:26 PM EST

Sent from Yahoo Mail on Android

— Forwarded Message —

From: "ROBERT MALEK" <acscomplaints@yahoo.com>
 To: "FOILAppeal@acs.nyc.gov" <FOILAppeal@acs.nyc.gov>, "jess.danhauser@acs.nyc.gov" <jess.danhauser@acs.nyc.gov>
 Sent: Tue, Feb 22, 2022 at 10:00 PM
 Subject: RE: [EXTERNAL] FOIL-2022-067-00018 - Appeal

If I didn't make myself clear how does this clarify my position to you....

YOU HAVE NO TRADEMARK AND YOUR USAGE OF IT IS A FRAUD. I HAVE CHECKED THE USPTO OFFICE. If you really did file, the record would show in public records with the uspto office. It doesnt. Stop playing games and either prove you have this trademark with the appropriate documents or receive the legal consequences your crime family deserves. One thing you can always count on with acs. To never receive anything thru foil.

Sincerely,
 Robert Malek
 Acs complaints.com

Sent from Yahoo Mail on Android

On Tue, Feb 22, 2022 at 4:28 PM, acs. sm. GC. FOILAppeal <FOILAppeal@acs.nyc.gov> wrote:

Good Afternoon,

Please find attached the ACS Appeal decision. It was also uploaded onto OpenRecords.

Sincerely,
 ACS

From: ROBERT MALEK <acscomplaints@yahoo.com>
 Sent: Monday, February 7, 2022 4:44 PM
 To: acs.sm.GC.FOILAppeal <FOILAppeal@acs.nyc.gov>
 Subject: [EXTERNAL] FOIL-2022-067-00018 - Appeal

You don't often get email from acscomplaints@yahoo.com. [Learn why this is important](#)

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

Hello.

I am appealing this decision.

4/B
 0131_{1/2}

Sincerely,
Robert Malek

Sent from Yahoo Mail on Android

42B

EXHIBIT E

[OpenRecords] Request FOIL-2022-067-00048 Submitted to Administration for Children's Services (ACS)

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Thursday, March 17, 2022, 11:17 PM EDT

Your request FOIL-2022-067-00048 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: please provide the legislative document history that supported the formation of acs police

Request Description: please provide the legislative document history that supported the formation of acs police

Requester's Contact Information

Name:

Robert Malek

Title:

JOURNALIST

Organization:

ACS COMPLAINTS.COM

Email:

acscomplaints@yahoo.com

Phone Number:

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 HEMPSTEAD TURNPIKE,

Street Address (line 2):

109

City:

EAST MEADOW

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00048>.

44B

[OpenRecords] Request FOIL-2022-067-00048 Extended

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Friday, April 22, 2022, 11:09 AM EDT

The Administration for Children's Services (ACS) has **extended** the time to respond to your FOIL request FOIL-2022-067-00048 for the following reasons:

You can expect a response on or about Monday, July 18, 2022.

Additional Information:

Public Officer's Law Section 89(3)(a) states that where a determination cannot be made within twenty days, the agency may provide a date certain within a reasonable period, depending on the circumstances, by which a determination will be made. According to FOIL, circumstances for determining a reasonable period include available staffing and complexity of pending FOIL requests. Based on other complicated FOIL requests currently being handled, ACS needs additional time to respond to your request. ACS anticipates responding to your request on or about July 18, 2022

Please visit FOIL-2022-067-00048 to view additional information and take any necessary action.

45B

0135 1/1

[OpenRecords] Request FOIL-2022-067-00048 Closed

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Monday, July 18, 2022 at 03:23 PM EDT

The Administration for Children's Services (ACS) has closed your FOIL request FOIL-2022-067-00048 for the following reasons:

- A diligent search for records responsive to your request did not locate any such records. Accordingly, your request is denied.

You may appeal the decision to deny access to material that was redacted in part or withheld in entirety by contacting the agency's FOIL Appeals Officer: FOILAppeal@acs.nyc.gov within 30 days.

46 B

EXHIBIT F

[OpenRecords] Request FOIL-2022-067-00049 Submitted to Administration for Children's Services (ACS)

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Thursday, March 17, 2022, 11:18 PM EDT

Your request FOIL-2022-067-00049 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: please provide the legislative document history that supports the formation of acs

Request Description: please provide the legislative document history that supports the formation of acs

Requester's Contact Information

Name:

Robert Malek

Title:

JOURNALIST

Organization:

ACS COMPLAINTS.COM

Email:

acscomplaints@yahoo.com

Phone Number:

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 HEMPSTEAD TURNPIKE,

Street Address (line 2):

109

City:

EAST MEADOW

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00049>.

480

0138_{1/1}

[OpenRecords] Request FOIL-2022-067-00049 Closed

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

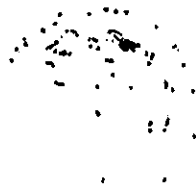
Date: Friday, April 22, 2022, 11:02 AM EDT

The Administration for Children's Services (ACS) has closed your FOIL request FOIL-2022-067-00049 for the following reasons:

- Your request under the Freedom of Information Law (FOIL) is being closed because the records are publicly available.
- For your convenience, we uploaded a document publically available that is responsive to the request.

49 B

0139
1/1



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

EXECUTIVE ORDER NO. 26

January 11, 1996

**ESTABLISHMENT OF THE POSITIONS OF
COMMISSIONER OF CHILDREN'S SERVICES
AND SPECIAL ADVISER TO THE MAYOR;
AMENDMENT OF EXECUTIVE ORDER NO. 82 DATED APRIL 26, 1985**

WHEREAS, the Child Welfare Administration ("CWA") is charged with protecting children from abuse and neglect, investigating allegations of child abuse and neglect, providing preventive services to families to maintain the safety of children, and placing children in foster care or adoptive homes when necessary;

WHEREAS, the operations of CWA currently are supervised and coordinated by the City's Human Resources Administration ("HRA") under the jurisdiction of the City's HRA Administrator/Department of Social Services Commissioner;

WHEREAS, the Mayor is committed to continuing and supplementing the improvements which are being made to the operations and management of CWA by HRA;

WHEREAS, the Mayor has established an inter-agency group (the "Inter-Agency Group") chaired by the Commissioner of the Department of Investigation to make recommendations to improve the operations of CWA;

WHEREAS, the Inter-Agency Group has made a number of recommendations which are designed to substantially improve CWA's operations;

WHEREAS, the Mayor has directed the Inter-Agency Group to immediately implement its recommendations, and further has directed CWA to engage in an in-depth management review of its functions and operations;

WHEREAS, the Mayor has determined that, by virtue of the importance of its mission and the magnitude of its budget, CWA should immediately begin to operate separately from HRA to the maximum extent possible, and should be headed by its own Commissioner;

WHEREAS, the Mayor further believes that the mission of CWA will be enhanced if the City's Office of Child Support Enforcement ("OCSE") and the City's Head Start program are supervised and coordinated by the CWA Commissioner, and that these programs will benefit from direct supervision by the CWA Commissioner;

WHEREAS, the Mayor wishes to rename CWA as the Administration for Children's Services;

WHEREAS, the Mayor further anticipates proposing appropriate local legislation as may be necessary to create the Administration for Children's Services as a new agency whose primary function will be to protect and serve the City's children;

WHEREAS, the Mayor wishes to appoint a Special Adviser on Children's Services to coordinate the provision of youth and social services to children by the Mayoral agencies;

NOW, THEREFORE, by the power vested in me as the Mayor of the City

of New York, it hereby is ordered:

Section 1. Commissioner of the Administration for Children's Services.

The functions of CWA hereby are continued, and CWA hereafter shall be referred to as the Administration for Children's Services ("AFCS"). The head of the AFCS shall be a Commissioner, who shall report directly to the Mayor with regard to all matters relating to this Order, and also shall serve as Special Adviser to the Mayor on Children's Services. The Commissioner further shall possess the qualifications of, and serve as, a Deputy Commissioner of the City Department of Social Services for the purposes of the state social services law.

Section 2. Powers and Duties of Commissioner. The AFCS

Commissioner/Special Adviser to the Mayor on Children's Services, to the maximum extent consistent with existing law, shall be responsible for:

1. Directing and supervising the management, operations, budget and funding of the AFCS in all respects;
2. Directing and supervising the management, operations, budget and funding of the OCSE and the Head Start Program;
3. Directing and supervising the implementation of the recommendations of the Inter-Agency Group within the AFCS, and supervising and directing the in-depth analysis of the AFCS' operations and procedures directed by the Mayor;
4. Advising and assisting the Mayor in planning for increased coordination and cooperation among Mayoral agencies that are

involved in providing youth and social services to children:

- 5. Working with OMB to review the budget requests of all Mayoral agencies for programs related to youth and social services for children and recommending to the Mayor budget priorities among such programs; and
- 6. Performing such other duties as the Mayor may assign.

Section 3. Office of Child Support Enforcement and Head Start Program.

The City's OCSE and the Head Start Program shall be continued, and shall hereafter be maintained under the supervision and direction of the AFCS Commissioner.

Section 4. Transition to Agency Status. The AFCS Commissioner further shall be responsible for supervising, directing and managing the transition of the AFCS to the status of a new agency, and for the development of any appropriate plans as may be directed by the Mayor for the integration of other functions relating to children within such agency.

Section 5. Budgeting. The AFCS Commissioner, subject to the supervision of the Mayor, shall work directly with the City's Office of Management and Budget with regard to the funding and administration of the City's budgets for the AFCS, the OCSE, and for the Head Start Program.

Section 6. Cooperation of City Departments and Agencies. The Mayor's Office of Management and Budget, the Mayor's Office of Operations, the Mayor's Office of Labor Relations, the Police Department, the Department of Investigation, the Human Resources Administration, and the Law Department shall form a Management Working

Group to assist the AFCS Commissioner in the implementation of this Order. All other departments and agencies of the City shall cooperate with the Commissioner to effectuate the terms of this Order.

Section 7. Coordinated Administration with HRA. The AFCS, OCSE and the Head Start Program, to the extent that the AFCS Commissioner determines is appropriate, shall continue to have the benefit of, and access to, all legal, administrative and support services currently provided to them by HRA, and HRA shall continue to provide such services to the AFCS, the OCSE and the Head Start Program.

Section 8. Prior Order Amended. Section 1 of Executive Order No. 82, dated April 26, 1985, is amended to read as follows:

Section 1. Human Resources Administration. There is in the Executive Office of the Mayor a Human Resources Administration ("Administration") with the responsibility to establish, coordinate and implement city policies with regard to social service, human resources and community development programs currently supervised by the Administration. The Administration will not be responsible for the Administration for Children's Services ("AFCS"), the Office of Child Support Enforcement ("OCSE"), and the Head Start Program. The Administration shall, however, provide legal, administrative and support services to the AFCS, the OCSE and the Head Start Program upon request of the AFCS Commissioner.

Section 9. Effective Date. This Order shall take effect February 12, 1996.

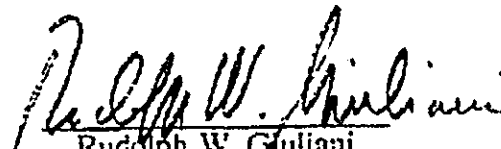

Rudolph W. Giuliani
Mayor

EXHIBIT G

[OpenRecords] Request FOIL-2021-067-00327 Submitted to Administration for Children's Services (ACS)

From: donotreply@records.nyc.gov

To: ACSCOMPLAINTS@YAHOO.COM

Date: Monday, December 20, 2021, 02:31 AM EST

Your request FOIL-2021-067-00327 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: HAVE ANY DOCUMENTS BEEN PROVIDED TO ACS EMPLOYEES THAT PERTAIN TO HONESTY AND TRUTHFULNESS

Request Description: HAVE ANY DOCUMENTS BEEN PROVIDED TO ACS EMPLOYEES THAT PERTAIN TO HONESTY AND TRUTHFULNESS REGARDING THE PERFORMANCE OF THEIR DUTIES SINCE 1996 ? PLEASE PROVIDE SUCH DOCUMENTS / RECORDS. THANK YOU, ROBERT MALEK ACS COMPLAINTS.COM

Requester's Contact Information

Name:

Robert Malek

Title:

JOURNALIST

Organization:

ACS COMPLAINTS. COM

Email:

ACSCOMPLAINTS@YAHOO.COM

Phone Number:

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 HEMPSTEAD TURNPIKE,

Street Address (line 2):

109

City:

EAST MEADOW

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2021-067-00327>.

56 B
0146_{1/1}

[OpenRecords] Request FOIL-2021-067-00327 Extended

From: donotreply@records.nyc.gov

To: ACSCOMPLAINTS@YAHOO.COM

Date: Friday, June 10, 2022, 07:30 PM EDT

The Administration for Children's Services (ACS) has **extended** the time to respond to your FOIL request FOIL-2021-067-00327 for the following reasons:

You can expect a response on or about Friday, September 9, 2022.

Additional Information:

Based on the nature of other complicated FOIL requests currently being handled, ACS needs additional time to complete this request. ACS anticipates responding to your request on or before September 9, 2022.

Please visit FOIL-2021-067-00327 to view additional information and take any necessary action.

576

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1/1

EXHIBIT H

[OpenRecords] Request FOIL-2022-067-00026 Submitted to Administration for Children's Services (ACS)

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Sunday, February 13, 2022 at 01:00 AM EST

Your request FOIL-2022-067-00026 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: what steps does acs take to ensure documents filed in court upon parents are authentic ?

Request Description: robert malek, acs complaints.com is requesting all documents / records that indicate what steps acs takes to ensure documents filed upon parents in court are authentic ?

Requester's Contact Information

Name:

Robert Malek

Title:

Not provided

Organization:

acs complaints.com

Email:

acscomplaints@yahoo.com

Phone Number:

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 Hempstead Turnpike

Street Address (line 2):

109

City:

East meadow

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00026>.

59 B

[OpenRecords] Request FOIL-2022-067-00026 Extended

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Friday, June 10, 2022 at 07:06 PM EDT

The Administration for Children's Services (ACS) has **extended** the time to respond to your FOIL request [FOIL-2022-067-00026](#) for the following reasons:

You can expect a response on or about Friday, August 19, 2022.

Additional Information:

Based on the nature of other complicated FOIL requests currently being handled, ACS needs additional time to complete the review and analysis of records and respond to this request. ACS anticipates responding to your request on or before August 19, 2022.

Please visit [FOIL-2022-067-00026](#) to view additional information and take any necessary action.

60B

EXHIBIT I

[OpenRecords] Request FOIL-2022-067-00024 Submitted to Administration for Children's Services (ACS)

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Sunday, February 13, 2022, 12:25 AM EST

Your request FOIL-2022-067-00024 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: all records of disciplinary action upon acs workers 4 dishonesty in reporting upon parents

Request Description: acs complaints.com / robert malek is requesting all records of disciplinary action upon acs workers regarding dishonesty of reporting upon parents....

Requester's Contact Information

Name:

Robert Malek

Title:

journalist

Organization:

acs complaints.com

Email:

acscomplaints@yahoo.com

Phone Number:

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 Hempstead Turnpike

Street Address (line 2):

109

City:

East meadow

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00024>.

62B

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71

[OpenRecords] Request FOIL-2022-067-00024 Closed

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Friday, June 10, 2022, 07:21 PM EDT

The Administration for Children's Services (ACS) has closed your FOIL request FOIL-2022-067-00024 for the following reasons:

- The New York City Administration for Children's Services' filing and indexing system used to track Employee disciplinary cases does not allow for ACS to expeditiously search and extract responsive records based on the terms "dishonesty in reporting on parents." We cannot retrieve or extract the requested information with reasonable effort. ACS would have to manually review hundreds of entries based on not having a narrow time frame. It is neither reasonable nor practical to conduct this search and therefore is not required under Public Officers Law § 89(3) (a).

You may appeal the decision to deny access to material that was redacted in part or withheld in entirety by contacting the agency's FOIL Appeals Officer: FOILAppeal@acs.nyc.gov within 30 days

Fw: FOIL-2022-067-00038 - Appeal

From: ROBERT MALEK (acscomplaints@yahoo.com)

To: foilappeal@acs.nyc.gov

Date: Monday, June 13, 2022, 06:11 PM EDT

PARDON MY MISTAKE.

2022-067-00024 IS THE CORRECT NUMBER. 00038 I BELIEVE IS INCORRECT.

SINCERELY,
ROBERT MALEK

— Forwarded Message —

From: ROBERT MALEK <acscomplaints@yahoo.com>

To: foilappeal@acs.nyc.gov <foilappeal@acs.nyc.gov>

Sent: Monday, June 13, 2022, 06:03:42 PM EDT

Subject: FOIL-2022-067-00038 - Appeal

- The New York City Administration for Children's Services' filing and indexing system used to track Employee disciplinary cases does not allow for ACS to expeditiously search and extract responsive records based on the terms "dishonesty in reporting on parents." We cannot retrieve or extract the requested information with reasonable effort. ACS would have to manually review hundreds of entries based on not having a narrow time frame. It is neither reasonable nor practical to conduct this search and therefore is not required under Public Officers Law § 89(3) (a).

You may appeal the decision to deny access to material that was redacted in part or withheld in entirety by contacting the agency's FOIL Appeals Officer: FOILAppeal@acs.nyc.gov within 30 days

acs,

i am appealing this decision of yours.

the matter is quite simple.

acs is reporting on parents on a constant basis. investigation progress notes, family services progress notes as well as your court reports with the heading of " nyc children " with a trademark of which no trademark exists and no filing exists as to " nyc children, " visitation evaluations between parents and children, statements in court by your workers, your attorneys....

THE MATTER IS, ACS, YOU ARE CONSTANTLY REPORTING ON PARENTS. SIMILAR WORDS MAY HELP YOU UNDERSTAND MY REQUEST.... EVALUATE, EVALUATIONS, NOTE TAKING, REPORTING, COURT TESTIMONY ABOUT PARENTS....

SO THE MATTER IS, I AM REQUESTING ALL RECORDS OF DISCIPLINARY ACTION UPON ACS WORKERS WHOM HAVE REPORTED DISHONESTLY UPON PARENTS....

OR, ARE YOU STATING THAT EVERY WORKER HAS BEEN HONEST SINCE 1996 ?

2021 067 00327 IS ANOTHER FOIL I HAVE REQUESTED UPON ACS AND IS QUITE SIMILAR IN REGARDS TO THE ABOVE...

IF YOU NEED TO SEE EXAMPLES OF WORKERS WHOM ARE DISHONEST, ALL YOU NEED TO DO IS GO TO MY WEBSITE, ACS COMPLAINTS.COM, CRIMES AGAINST MY DAUGHTER WHERE ARDAISHA HUDSON AND HER SUPERVISOR ON OCTOBER 11, 2018 , WANT TO TAKE MY PHONE AWAY SO I DONT HAVE EVIDENCE OF HER STATEMENTS OF ABUSE OF WHERE ACS HAD PLACED HER. EVERYTHING IS ON TAPE AND EVERYTHING IS ON MY WEBSITE...

SHE WAS ONLY 3 YEARS OLD. JOE THREW ME BECAUSE I WAS CRYING..... LISTEN FOR YOURSELF.

SINCERELY,
ROBERT MALEK

650

EXHIBIT J

[OpenRecords] Request FOIL-2022-067-00028 Submitted to Administration for Children's Services (ACS)

From: donotreply@records.nyc.gov**To:** acscomplaints@yahoo.com**Date:** Wednesday, February 16, 2022 at 03:13 AM EST

Your request FOIL-2022-067-00028 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: all documents and records that pertain to steps taken by acs to ensure authenticity

Request Description: robert malek, acs complaints.com is requesting all documents and records that pertain to the steps that acs takes to ensure that all documents filed and or presented in court by acs in reference to children are authentic ? robert malek, acs complaints.com is requesting all documents / records that pertain to the steps that acs takes to ensure that all documents filed and or presented in court by acs in reference to parents are authentic ?

Requester's Contact Information**Name:**

Robert Malek

Title:

JOURNALIST

Organization:

ACS COMPLAINTS.COM

Email:acscomplaints@yahoo.com**Phone Number:**

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 HEMPSTEAD TURNPIKE,

Street Address (line 2):

109

City:

EAST MEADOW

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00028>.

67B

[OpenRecords] Request FOIL-2022-067-00028 Extended

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Friday, June 10, 2022 at 07:05 PM EDT

The Administration for Children's Services (ACS) has **extended** the time to respond to your FOIL request FOIL-2022-067-00028 for the following reasons:

You can expect a response on or about Friday, August 19, 2022.

Additional Information:

Based on the nature of other complicated FOIL requests currently being handled, ACS needs additional time to complete the review and analysis of records and respond to this request. ACS anticipates responding to your request on or before August 19, 2022.

Please visit FOIL-2022-067-00028 to view additional information and take any necessary action.

68B

EXHIBIT K



Office of Children and Family Services

KATHY HOCHUL
Governor

SHEILA J. POOLE
Commissioner

4/21/2022

Robert Malek
acscomplaints@yahoo.com

Re: FOIL Number OCFS-22-04-064

Dear Requestor:

This will acknowledge receipt of your request for records under the Freedom of Information Law received by the Office of Children and Family Services on April 18, 2022. The request was for "please provide all documents / evidence in regards to how you ensure authenticity of documents filed upon children in family court are authentic."

Your request has been forwarded to the appropriate program area(s) to identify documents that are responsive to your request and which may be made available pursuant to all applicable provisions of the Freedom of Information Law.

A determination as to whether your request is granted or denied will be reached in approximately 20 business days or we will notify you in writing if the responsible program area(s) should require additional time to locate, assemble and review documents that may be responsive to your request.

Please note that, pursuant to Article 6 of the Public Officers Law, a charge may be applied to your request, including the actual cost of the medium used to respond to your Freedom of Information Law request and/or other related costs. When responsive records have been identified, you will be informed of any cost and how payment should be made.

Sincerely,

Stephanie Dwyer

Records Access Officer

FOIL Request

From: Marton, Elana S (CCF) (elana.marton@ccf.ny.gov)

To: acscomplaints@yahoo.com

Date: Sunday, April 24, 2022 at 08:34 PM EDT

Dear Mr. Malek,

Please see the attached letter in response your Freedom of Information Law request.

Sincerely,

Elana Marton (she/her/hers)

Records Access Officer

NYS Council on Children and Families

NYS Multiple Systems Navigator at www.msnavigator.org

NYS Parent Portal at www.nysparenting.org



CCF_ResponseLetter_Malek.pdf
166.1kB



Council on Children and Families

KATHY HOCHUL
Governor

RENEE L. RIDER
Executive Director

April 24, 2022

Mr. Robert Malek
1936 Hempstead Turnpike
East Meadow, NY 11554

Re: FOIL Number CCF-22-04-006

Dear Mr. Malek:

This letter responds to your request for records related to "all documents / evidence in regards to how you ensure authenticity of documents filed upon children in family court are authenticated" under the Freedom of Information Law received by the New York State Council on Children and Families on April 18, 2022.

The New York State Council on Children and Families, which does not get involved in cases involving child welfare, has conducted a diligent search but does not possess records responsive to your request. The New York State Office of Children and Family Services is responsible for overseeing the child welfare system in New York.

Pursuant to Public Officers Law §89(4)(a) you have 30 days to submit a written appeal of this determination to:

Council on Children and Families
Attention: FOIL Appeals Officer
52 Washington Street
West Building, Suite 99
Rensselaer, NY 12144

I hope that this information is helpful to you.

Sincerely,

Elana S. Marton

Records Access Officer

FOIL Request Confirmation from Open FOIL NY

From: noreply@its.ny.gov

To: acscomplaints@yahoo.com

Date: Saturday, April 16, 2022 at 12:05 AM EDT

Thank you for submitting your FOIL request through Open FOIL NY.

Here is your Open FOIL NY confirmation information for future reference:

MALEK_OCFS_20220416000521348

MALEK_CCF_20220416000521348

</#CONFIRMATIONNUMBER#>

INFORMATION SUBMITTED:

Records Requested From	Office of Children and Family Services Council on Children and Families
Short Title	please provide all documents / evidence in regards to how you ensure authenticity of documents filed upon children in family court are authentic</#ShortTitle#>
Description	please provide all documents / evidence as to what steps does ocfs and the council on children and families take to ensure that documents filed into family court regarding children are authentic ?</#Description#>
Uploaded Files	
FOIL Response Format	Email</#ResponseFormat#>
If fees apply, please contact me if costs will be greater than	\$</#MaxFees#>

Your FOIL request has been forwarded to the organization(s) you selected, and the respective Records Access Officer will contact you directly for further processing of your request. Please allow up to five business days for such communication(s). For your convenience, here is additional contact information:

Office of Children and Family Services
52 Washington Street
Room 133 North
Rensselaer, NY 12144

Council on Children and Families
52 Washington Street

730
0163
1/2

West Building, Suite 99
Rensselaer, NY 12144

</#ADDRESS#>



**Office of Children
and Family Services**

KATHY HOCHUL
Governor

SHEILA J. POOLE
Commissioner

May 23, 2022

Robert Malek
acscomplaints@yahoo.com

Re: FOIL #22-04-064

Dear Requestor:

This letter is in response to the Freedom of Information Law (FOIL) request, you submitted to the New York State Office of Children and Family Services (OCFS). Your request was for: *all documents / evidence as to what steps does ocfs and the council on children and families take to ensure that documents filed into family court regarding children are authentic.*

OCFS does not maintain, produce or have in its possession, records that would be responsive to your request. You may wish to contact the New York State Office of Courts Administration (OCA) or the Family Court in which a matter is pending.

If you conclude that any part of your request has been inappropriately denied or withheld, you may appeal this decision. Please submit your appeal in writing within thirty days of the date of this letter to:

Frank Nuara, Esq.
Records Access Appeals Officer
New York State Office of Children and Family Services
52 Washington Street, Room 143 North
Rensselaer, NY 12144-2796

Your FOIL request is now closed.

Sincerely,

Andrew M. Purrott

Andrew M. Purrott, Esq.
Records Access Officer

EXHIBIT L



robert malek <abc75abc@gmail.com>

duty to preserve psyche docs and electronic records, subpoena

1 message

robert malek <abc75abc@gmail.com>

Mon, May 2, 2022 at 3:25 AM

To: Gregg Weinstock <G.Weinstock@vbpnplaw.com>, Joseph Muscarella <j.muscarella@vbpnplaw.com>

DUTY TO PRESERVE PSYCHE DOCUMENTS AND ELECTRONIC RECORDS.
SUBPOENA REQUEST.
FROM ROBERT MALEK

 1 DUTY TO PRESERVE PSYCHE DOCUMENTS AND SUBPOENA ALERT.pdf
1727K

77B

0167



robert malek <abc75abc@gmail.com>

psyche reports from sun river health / brightpoint health

1 message

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

Thu, May 19, 2022 at 4:16 PM

dear kings family court,
do you have psyche reports on this case from sun river health and or brightpoint health that acs may have filed ?

do you have the court reports from nyc children / acs. ?

thank you,
robert malek

 updated id card.pdf
4279K

78B

0168

EXHIBIT M



robert malek <abc75abc@gmail.com>

SERVING FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT

11 messages

robert malek <abc75abc@gmail.com>

Mon, Jul 11, 2022 at 1:21 PM

To: letitia.james@ag.ny.gov, jdifiore@nycourts.gov, public.integrity@ag.ny.gov, HEVESIA@nyassembly.gov, sheila.poole@ocfs.ny.gov, paula.garcia@acs.nyc.gov, "Garcia, Paula S (ACS)" <paula.garcia2@acs.nyc.gov>, SCJC <cjc@cjc.ny.gov>, "Kuryluk, Amanda" <amanda.kuryluk@ag.ny.gov>, jsabel@legal-aid.org, jess.dannhauser@acs.nyc.gov, Joseph Muscarella <j.muscarella@vbpnplaw.com>, "Thayer, David (Law)" <dthayer@law.nyc.gov>, "Toews, Mark (Law)" <MTOEWS@law.nyc.gov>, "Rubin, Lauren (Law)" <lrubin2@law.nyc.gov>, Gregg Weinstock <G.Weinstock@vbpnplaw.com>, SHRADIX@nycourts.gov, "Johnson, Travis" <TMJohnson@legal-aid.org>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Jdwillia@nycourts.gov

SERVING FROM ROBERT MALEK

 FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT.pdf
1643K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: abc75abc@gmail.com

Mon, Jul 11, 2022 at 1:21 PM



Message blocked

Your message to **SHRADIX@nycourts.gov** has been blocked.
See technical details below for more information.

The response from the remote server was:

550 5.4.1 Recipient address rejected: Access denied. AS(201806281) [BLOGCC02FT030.eop-gcc02.prod.protection.outlook.com]

Final-Recipient: rfc822; SHRADIX@nycourts.gov

Action: failed

Status: 5.4.1

Remote-MTA: dns; nycourts-gov.mail.protection.outlook.com. (104.47.64.110, the server for the domain nycourts.gov.)

Diagnostic-Code: smtp; 550 5.4.1 Recipient address rejected: Access denied. AS(201806281) [BLOGCC02FT030.eop-gcc02.prod.protection.outlook.com]

Last-Attempt-Date: Mon, 11 Jul 2022 10:21:43 -0700 (PDT)

JB

0170

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

From: robert malek <abc75abc@gmail.com>

To: letitia.james@ag.ny.gov, jdifiore@nycourts.gov, public.integrity@ag.ny.gov, HEVESIA@nyassembly.gov, sheila.poole@ocfs.ny.gov, paula.garcia@acs.nyc.gov, "Garcia, Paula S (ACS)" <paula.garcia2@acs.nyc.gov>, SCJC <cjc@cjc.ny.gov>, "Kuryluk, Amanda" <amanda.kuryluk@ag.ny.gov>, jsabel@legal-aid.org, jess.dannhauser@acs.nyc.gov, Joseph Muscarella <j.muscarella@vbnpnlaw.com>, "Thayer, David (Law)" <dthayer@law.nyc.gov>, "Toews, Mark (Law)" <MTOEWS@law.nyc.gov>, "Rubin, Lauren (Law)" <lrubin2@law.nyc.gov>, Gregg Weinstock <G.Weinstock@vbnpnlaw.com>, SHRADIX@nycourts.gov, "Johnson, Travis" <TMJohnson@legal-aid.org>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Jdwillia@nycourts.gov

Cc:

Bcc:

Date: Mon, 11 Jul 2022 13:21:30 -0400

Subject: SERVING FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT

----- Message truncated -----

Mail Delivery System <noreply@cisco.com>

Mon, Jul 11, 2022 at 1:21 PM

To: abc75abc@gmail.com

The following message to <paula.garcia@acs.nyc.gov> was undeliverable.

The reason for the problem:

5.1.0 - Unknown address error 550-'5.4.1 Recipient address rejected: Access denied. AS(201806281) [BLOGGCC02FT019.eop-gcc02.prod.protection.outlook.com]

Final-Recipient: rfc822;paula.garcia@acs.nyc.gov

Action: failed

Status: 5.0.0 (permanent failure)

Remote-MTA: dns; [104.47.64.110]

Diagnostic-Code: smtp; 5.1.0 - Unknown address error 550-'5.4.1 Recipient address rejected: Access denied. AS(201806281) [BLOGGCC02FT019.eop-gcc02.prod.protection.outlook.com] (delivery attempts: 0)

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

From: robert malek <abc75abc@gmail.com>

To: letitia.james@ag.ny.gov, jdifiore@nycourts.gov, public.integrity@ag.ny.gov, HEVESIA@nyassembly.gov, sheila.poole@ocfs.ny.gov, paula.garcia@acs.nyc.gov, "Garcia, Paula S (ACS)" <paula.garcia2@acs.nyc.gov>, SCJC <cjc@cjc.ny.gov>, "Kuryluk, Amanda" <amanda.kuryluk@ag.ny.gov>, jsabel@legal-aid.org, jess.dannhauser@acs.nyc.gov, Joseph Muscarella <j.muscarella@vbnpnlaw.com>, "Thayer, David (Law)" <dthayer@law.nyc.gov>, "Toews, Mark (Law)" <MTOEWS@law.nyc.gov>, "Rubin, Lauren (Law)" <lrubin2@law.nyc.gov>, Gregg Weinstock <G.Weinstock@vbnpnlaw.com>, SHRADIX@nycourts.gov, "Johnson, Travis" <TMJohnson@legal-aid.org>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Jdwillia@nycourts.gov

Cc:

Bcc:

Date: Mon, 11 Jul 2022 13:21:30 -0400

Subject: SERVING FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT

noname
OK

robert malek <abc75abc@gmail.com>

Mon, Jul 11, 2022 at 1:24 PM

To: letitia.james@ag.ny.gov, jdifiore@nycourts.gov, public.integrity@ag.ny.gov, HEVESIA@nyassembly.gov, sheila.poole@ocfs.ny.gov, paula.garcia@acs.nyc.gov, "Garcia, Paula S (ACS)" <paula.garcia2@acs.nyc.gov>, SCJC <cjc@cjc.ny.gov>, "Kuryluk, Amanda" <amanda.kuryluk@ag.ny.gov>, jsabel@legal-aid.org, jess.dannhauser@acs.nyc.gov, Joseph Muscarella <j.muscarella@vbnpnlaw.com>, "Thayer, David (Law)" <dthayer@law.nyc.gov>, "Toews, Mark (Law)" <MTOEWS@law.nyc.gov>, "Rubin, Lauren (Law)" <lrubin2@law.nyc.gov>, Gregg Weinstock <G.Weinstock@vbnpnlaw.com>, "Johnson, Travis" <TMJohnson@legal-aid.org>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Jdwillia@nycourts.gov, SHRADIX@law.nyc.gov

810

0171



robert malek <abc75abc@gmail.com>

SERVING FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT

robert malek <abc75abc@gmail.com>
To: SHRADIX@law.nyc.gov

Mon, Jul 11, 2022 at 1:26 PM

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

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

Date: Mon, Jul 11, 2022 at 1:21 PM

Subject: SERVING FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT

To: <letitia.james@ag.ny.gov>, <jdifiore@nycourts.gov>, <public.integrity@ag.ny.gov>, <HEVESIA@nyassembly.gov>, <sheila.poole@ocfs.ny.gov>, <paula.garcia@acs.nyc.gov>, Garcia, Paula S (ACS) <paula.garcia2@acs.nyc.gov>, SCJC <cjc@cjc.ny.gov>, Kuryluk, Amanda <amanda.kuryluk@ag.ny.gov>, <jsabel@legal-aid.org>, <jess.dannhauser@acs.nyc.gov>, Joseph Muscarella <j.muscarella@vbnpnlaw.com>, Thayer, David (Law) <dthayer@law.nyc.gov>, Toews, Mark (Law) <MTOEWS@law.nyc.gov>, Rubin, Lauren (Law) <lrubin2@law.nyc.gov>, Gregg Weinstock <G.Weinstock@vbnpnlaw.com>, <SHRADIX@nycourts.gov>, Johnson, Travis <TMJohnson@legal-aid.org>, Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>, <Jdwillia@nycourts.gov>

SERVING FROM ROBERT MALEK

 **FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT.pdf**
1643K

rb

0172

EXHIBIT MC



robert malek <abc75abc@gmail.com>

What steps does legal aid and acs take to ensure documents filed to cases for children are authentic ?

2 messages

robert malek <abc75abc@gmail.com>

Fri, Apr 15, 2022 at 11:38 PM

To: jsabel@legal-aid.org, letitia.james@ag.ny.gov, jdifiore@nycourts.gov, IG <ig@nycourts.gov>, jess.dannhauser@acs.nyc.gov, sheila.poole@ocfs.ny.gov

Mrs sabel,
Mr dannhauser,
Janet Difiore, excellence initiative,
Inspector General,
Letitia james,
Sheila Poole,

Mrs sabel, What steps does legal aid take to ensure documents filed into family court regarding children whom legal aid represents are authentic ?

Mr dannhauser, What steps does acs take to ensure documents filed into family court regarding children whom acs represents are authentic ?

Janet difiore excellence initiative,, What steps does your excellence initiative take to ensure documents filed into family court upon children are authentic ?

Inspector General, What steps does the inspector General take to ensure documents filed into family court regarding children whom are authentic ?

Letitia james,
What steps does the attny General take to ensure documents filed into family court regarding children are authentic ?

Sheila poole, What steps does ocfs take to ensure documents filed into family court regarding children are authentic ?

Sincerely
Robert Malek

robert malek <abc75abc@gmail.com>

Tue, Apr 19, 2022 at 10:04 AM

To: HEVESIA@nyassembly.gov

Mr hevesi,
This is being addressed to you as well, sir.

Regards
Robert Malek
[Quoted text hidden]

gyB

0174

EXHIBIT N

JSB

[OpenRecords] Request FOIL-2021-067-00326 Submitted to Administration for Children's Services (ACS)

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Monday, December 20, 2021, 02:20 AM EST

Your request FOIL-2021-067-00326 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: WHERE ARE THE CITIZENS REVIEW PANELS FOR SOCIAL SERVICES ?

Request Description: HELLO. PLEASE VIEW ATTACHMENT. ACCORDING TO CPLR 371 B THERE ARE SUPPOSED TO BE AT LEAST 3 CITIZEN REVIEW PANELS UPON SOCIAL SERVICES IN NYC. PLEASE PROVIDE ALL DOCUMENTS AND RECORDS AS TO THE EXISTENCE OF THESE PANELS AND HOW A PERSON CAN JOIN THESE PANELS WITH CONTACT INFORMATION. THANK YOU.

Attached File: CITIZENS_REVIEW_PANEL.jpg: CITIZENS_REVIEW_PANEL.jpg

Requester's Contact Information

Name:

Robert Malek

Title:

JOURNALIST

Organization:

ACS COMPLAINTS.COM

Email:

acscomplaints@yahoo.com

Phone Number:

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 HEMPSTEAD TURNPIKE,

Street Address (line 2):

109

City:

EAST MEADOW

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2021-067-00326>.

863

[OpenRecords] Request FOIL-2021-067-00326 Extended

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Friday, June 10, 2022 at 07:29 PM EDT

The Administration for Children's Services (ACS) has **extended** the time to respond to your FOIL request FOIL-2021-067-00326 for the following reasons:

You can expect a response on or about Friday, August 19, 2022.

Additional Information:

Based on the nature of other complicated FOIL requests currently being handled, ACS needs additional time to complete this request. ACS anticipates responding to your request on or before August 19, 2022.

Please visit FOIL-2021-067-00326 to view additional information and take any necessary action.

JTB

EXHIBIT E

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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

VS.

21 cv 1230

LETTER

**OFFICE OF CHILDREN AND FAMILY SERVICES RESPONDED
TO FOIL ON LEGAL EXISTENCE OF ACS, NYC CHILDREN
AND ACS POLICE ON 8/8/2022 AT 10:15 A.M.**

NEW YORK STATE UNIFIED COURT SYSTEM, et al...

HON JUDGE SANNES,

HON JUDGE STEWART,

**THE OFFICE OF CHILDREN AND FAMILY SERVICES WHOM IS RESPONSIBLE FOR
OVERSEEING THE CHILD WELFARE SYSTEM IN NEW YORK HAS NO RECORDS OF
THE LAWFUL EXISTENCE FOR :**

1. ACS NYC
2. NYC CHILDREN.
3. ACS POLICE
4. ADMINISTRATION FOR CHILDRENS SERVICES, NYC

PLEASE VIEW DOCUMENTS ATTACHED.

AND NEITHER DOES ACS THEMSELVES. (ALREADY FILED)

**NOR THE APPROXIMATE 50 GOVERNMENT OFFICIALS EMAILED AS FILED ON
EVIDENCE TO THIS CASE. (ALREADY FILED.)**

IN RESPECT TO THE COURTS WISHES ON THE FILING OF MORE MOTIONS AT THIS TIME, I AM NOT FILING
A SUMMARY JUDGEMENT MOTION. OTHERWISE I WOULD.

THIS LETTER WILL BE SERVED ON THE DEFENDANTS ON 8/9/2022

RESPECTFULLY,

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

ROBERT MALEK

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NEW YORK 11554

ACSCOMPLAINTS@YAHOO.COM

929 441 8429

THIS EXHIBIT IS IN REFERENCE TO THE EXISTENCE OF

" CITIZENS REVIEW PANELS "

FOR SOCIAL SERVICES AND THAT I WANT TO JOIN.

8 MONTHS LATER, NO REPLY.

WHAT IS SO DIFFERENT ABOUT THIS FOIL REQUEST IS THAT I ACTUALLY KNOW IT EXISTS AND KNOW ACS HAS THE RECORDS THEY ARE WITHHOLDING. ACS PROBLEM OR ISSUE IS HERE, I AM PART OF THE PUBLIC AND THEY KNOW THE NEXT STEP AS I CLEARLY STATED IS I WANT TO BE ON THAT PANEL. SO AS FAR AS THE PUBLIC, ACS IS PICKING AND CHOOSING WHOM THEY DO AND DO NOT WANT ON THIS PANEL FOR THEIR OWN BENEFIT, CIRCUMVENTING THE DEMOCRATIC PROCESS OF LAW OF WHICH WAS THE FOUNDATION OF ITS EXISTENCE TO BEING WITH. THERE IS NO CITIZENS REVIEW WHEN THE GOVERNMENT PICKS WHOM IS DOING THE REVIEWING.

1. ACS DOES NOT LEGALLY EXIST.
2. ACS POLICE DO NOT LEGALLY EXIST.
3. NYC CHILDREN DOES NOT LEGALLY EXIST.
4. THEIR REVIEW PANEL IS A PICK AND CHOOSE AFFAIR.
5. THEIR ARE NO CHECKS FOR AUTHENTICITY OF WHAT IS BEING FILED AGAINST PARENTS AND CHILDREN, NOR CONCERN.
6. THERE ARE DISCIPLINARY PROBLEMS (HONESTY IN REPORTING) THAT EXIST OF WHICH ACS LACK OF POLICY IS THE ROOT CAUSE OF... MONELL
7. ACS WANTS TO BE GRANTED IMMUNITY FOR THEIR CORRUPT, LAWLESS AND CRIMINAL ACTIONS. AND IF NOT IMMUNITY, THAT NO ONE HAS JURISDICTION OVER THEM. . NOT EVEN THE ACS JUDGE. I HAVE FILED EVIDENCE OF THIS UPON THIS CASE.
8. THE STATE OCFS OVERSEES ACS AND THEY AS WELL ARE AN ABYSMAL FAILURE WHOM HAS NO POLICY TO ENSURE WHAT IS FILED UPON PARENTS IS AUTHENTIC.
9. OCFS IS PRESENTLY NOT PROVIDING FOIL ON SEVERAL ISSUES AND ISSUING NUMBERS TO THEIR DENIAL OF WHICH THERE IS NO ASSOCIATED TITLE. I AM IN THE PROCESS OF TRYING TO WORK OUT THIS ISSUE WITH THEM AND WILL ADVISE BY NEXT WEEK. OCFS IS AN EQUAL PROBLEM TO ACS AND IS THE ROOT CAUSE OF ACS

From: ROBERT MALEK <acscomplaints@yahoo.com>
Sent: Thursday, August 4, 2022 12:22 PM
To: Lopez, Belinda (OCFS) <Belinda.Lopez@ocfs.ny.gov>
Subject: Numbers with no corresponding request

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.

Belinda,

Your foil responses are given number reference that only you know what it is on regards to.









I fill out a form on your website, you keep the data, assign a number and then after several foil requests, the requestor has no idea what you are responding to.

Please provide by email a copy of all my requests with associated number you assigned.

Thank you,

Robert Malek

Sent from Yahoo Mail on Android

-  FOIL Request #22-03-064.pdf
52.4kB
-  FOIL Request #22-03-065.pdf
54kB
-  FOIL Request #22-03-066.pdf
53.9kB
-  FOIL Request #22-03-067.pdf
50.5kB
-  FOIL Request #22-03-068.pdf
54.3kB
-  FOIL Request #22-04-064.pdf
52.3kB
-  FOIL Request #22-04-065.pdf
39kB
-  FOIL Request #22-05-050.pdf
48.5kB

RE: Numbers with no corresponding request

From: ROBERT MALEK (acscomplaints@yahoo.com)
To: belinda.lopez@ocfs.ny.gov
Date: Monday, August 8, 2022 at 12:05 PM EDT

Received. Thank you Belinda for all your efforts.

Sincerely,
Robert Malek

Sent from Yahoo Mail on Android

On Mon, Aug 8, 2022 at 10:15 AM, Lopez, Belinda (OCFS)
<Belinda.Lopez@ocfs.ny.gov> wrote:

Good morning,

Attached please find all your requests and their responses.

Please note that FOIL No. 22-05-049 was withdrawn and closed as you failed to respond to our clarification letter dated 5/12/2022.

I hope the above and attached are helpful.

Please confirm receipt of this message.

Thank you,

Belinda M. Lopez
Program Aide – Records Access Office

NYS Office of Children & Family Services
52 Washington Street, Room 137 North
Rensselaer, New York 12144
Office: 518-474-9224 | Belinda.Lopez@ocfs.ny.gov

Confidentiality Notice: This email, including any attachments, may be confidential, privileged or otherwise legally protected. It is intended only for the addressee(s). If you are not the intended recipient, you are prohibited from disseminating, copying or otherwise using this email or its attachments. If you have received this email in error, please notify the sender immediately by reply email and delete the email from your system.



Council on Children and Families

KATHY HOCHUL
Governor

RENEE L. RIDER
Executive Director

April 24, 2022

Mr. Robert Malek
1936 Hempstead Turnpike
East Meadow, NY 11554

Re: FOIL Number CCF-22-04-006

Dear Mr. Malek:

This letter responds to your request for records related to "all documents / evidence in regards to how you ensure authenticity of documents filed upon children in family court are authenticated" under the Freedom of Information Law received by the New York State Council on Children and Families on April 18, 2022.

The New York State Council on Children and Families, which does not get involved in cases involving child welfare, has conducted a diligent search but does not possess records responsive to your request. The New York State Office of Children and Family Services is responsible for overseeing the child welfare system in New York.

Pursuant to Public Officers Law §89(4)(a) you have 30 days to submit a written appeal of this determination to:

Council on Children and Families
Attention: FOIL Appeals Officer
52 Washington Street
West Building, Suite 99
Rensselaer, NY 12144

I hope that this information is helpful to you.

Sincerely,

Elana S. Marton

Records Access Officer



**Office of Children
and Family Services**

KATHY HOCHUL
Governor

SHEILA J. POOLE
Commissioner

May 20, 2022

Robert Malek
acscomplaints@yahoo.com

Re: FOIL #22-03-068

Dear Requestor:

This letter is in response to the Freedom of Information law (FOIL) request, you submitted to the New York State Office of Children and Family Services (OCFS). Your request was for: *all legislative documents that support the formation of acs nyc, nyc children and acs police.*

OCFS does not maintain, produce or have in its possession, records that would be responsive to your request.

If you conclude that any part of your request has been inappropriately denied or withheld, you may appeal this decision. Please submit your appeal in writing within thirty days of the date of this letter to:

Frank Nuara, Esq.
Records Access Appeals Officer
New York State Office of Children and Family Services
52 Washington Street, Room 143 North
Rensselaer, NY 12144-2796

Your FOIL request is now closed.

Sincerely,

Andrew M. Purrott

Andrew M. Purrott, Esq.
Records Access Officer



**Office of Children
and Family Services**

KATHY HOCHUL
Governor

SHEILA J. POOLE
Commissioner

May 27, 2022

Robert Malek
acscomplaints@yahoo.com

Re: FOIL #22-03-065

Dear Requestor:

This letter is in response to the Freedom of Information law (FOIL) request, you submitted to the New York State Office of Children and Family Services (OCFS). Your request was for: *all documents that support the legal existence of administration for childrens services, nyc and nyc children.*

OCFS does not maintain, produce or have in its possession, records that would be responsive to your request.

If you conclude that any part of your request has been inappropriately denied or withheld, you may appeal this decision. Please submit your appeal in writing within thirty days of the date of this letter to:

Frank Nuara, Esq.
Records Access Appeals Officer
New York State Office of Children and Family Services
52 Washington Street, Room 143 North
Rensselaer, NY 12144-2798

Your FOIL request is now closed.

Sincerely,

Andrew M. Purrott

Andrew M. Purrott, Esq.
Records Access Officer

EXHIBIT F

Investigation
Progress Notes

WARNING
CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

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

CASE ID: 26871553
STAGE ID: 32053847

Case: Ingoglia, Margaret; ~~Margaret~~; Malak, Robert; Palomino Ingoglia, Joe

Press Notes Narrative:

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

Observations

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

EXHIBIT G

At a term of the Family Court of the State of New York, held in and for the County of Kings, at 330 Jay Street, Brooklyn, NY 11201, on January 18, 2019

PRESENT: Hon. Jacqueline D. Williams

In the Matter of

File #: 235429
Docket #: NN-19411-18
NN-19410-18

Joe Palomino Ingoglia (DOB: [REDACTED])
Margaret M. [REDACTED] (DOB: [REDACTED])

CPS #: 5236894

Children under Eighteen Years of Age
Alleged to be Neglected by

ORDER

Robert Malek,

Respondent.

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

IT IS ORDERED that :

- CFS visits to continue.
- All prior orders continued, including the previously court ordered Imminent Risk Assessment for the Subject Child
- Court orders the Subject Child to be independently evaluated by a psychiatrist or psychologist before the 3/4/2019 conference date. ACS to provide a report to all counsel by 3/1/2019

case adj. to 3/4/2019 at 9:30am in Part 6A for conf.

Dated: January 18, 2019

ENTER

20190118171323JOWELLYN4ECCN7497FCC459285A3ECC8A7A587289

Hon. Jacqueline D. Williams

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: _____
- Order received in court on [specify date(s) and to whom given]: _____

EXHIBIT H

25

Investigation Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32904653

Case Type	Borough Referral Recvd. Date	Borough Referral Sent Date	FCR Unit Referral Received Date	Caseworker	Attorney	Borough	Child Name	FCR/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
929-441-8429

Was 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: Entered By: Friedberg, Marissa
 Entry Date: 12/22/2019 Dist. Agy: A66 Note Status: Final
 Author: Method: Other
 Location: Type(s): Case Conference
 Purpose(s): Assessment
 Other Participant(s):
 Family Participant(s):
 Focus: Ingoglia, Margaret; ~~Maria M. Ingoglia~~; 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:

EXHIBIT I

FAMILY COURT OF THE STATE OF NEW YORK

COUNTY OF KINGS

In the Matter of a Proceeding under Article 10
of the Family Court Act

Docket Number: 235429

NN- 19410-18

NN - 19411-18

ACS KINGS / MARGARET INGOGLIA PETITIONER

VS

NOTICE OF MOTION

ROBERT MALEK RESPONDENT

FOR SANCTIONS AGAINST MARGARET

INGOGLIA (28 STATEMENTS OF IMPEACHMENT
REGARDING PHYSICAL ABUSE OF HERSELF

AND THE CHILDREN TO ACS AND KEVIN
GORRASI, CFS.)

TO: ACS KINGS, 150 WILLIAMS STREET, NYC. 10038

ACS KINGS, 330 JAY STREET, BROOKLYN, NEW YORK 11201

MARGARET INGOGLIA, ADDRESS CONFIDENTIAL. ATTN: ROBERT MAES 195 MONTAGUE STREET, 5TH
FLOOR, BROOKLYN, NEW YORK 11201

Please take notice that upon the annexed affidavit of ROBERT MALEK sworn to

ON 1/24/20 and upon all the proceedings heretofore had herein, a motion will be made at
this Court at 330 Jay Street, Brooklyn, New York 11201 in Part 6 room 10.38 on 3/13/20 or
as soon thereafter as parties / counselor can be heard for a **NOTICE OF MOTION FOR SANCTIONS AGAINST
MARGARET INGOGLIA (28 STATEMENTS OF IMPEACHMENT REGARDING PHYSICAL ABUSE OF HERSELF AND
THE CHILDREN TO ACS AND KEVIN GORRASI, CFS.)** and for such other and further relief as to the Court may
seem just and proper.

Dated: 3/5/20

Yours, etc. Robert Malek

Robert Malek

3/5/2020

I, ROBERT MALEK SWEAR UNDER PENALTY OF PERJURY THE FOLLOWING :

IN JANUARY AFTER HEARING ON 1-17-20, WHEN I WENT TO FILE THIS, JUDGE WILLIAMS ASKED ME TO FILE THIS AS A NOTICE OF MOTION FOR THE FUTURE COURT DATE, RATHER THAN AN ORDER TO SHOW CAUSE.....^{1/24/20}



ROBERT MALEK

FAMILY COURT OF THE STATE OF NEW YORK

COUNTY OF KINGS

ACS, Petitioner

NN 19410-18

vs.

NN-19411-18

FILE NUMBER 235429

ROBERT MALEK, Respondent

ORDER TO SHOW CAUSE

**FOR SANCTIONS AGAINST MARGARET
INGOGLIA**

*(28 STATEMENTS OF IMPEACHMENT)
REGARDING PHYSICAL ABUSE
OF HERSELF AND THE CHILDREN
TO ACS AND KEVIN GORRASL, CFS)*

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

DISMISSAL OF MARGARET INGOGLIA / ACS CASE AGAINST ROBERT MALEK DUE TO IMPEACHMENT.

1. MARGARET INGOGLIA IMPEACHED HERSELF WITH CALL MADE TO THE CPS HOTLINE. EXHIBIT A OF AFFIDAVIT.

2. MARGARET INGOGLIA IMPEACHED HERSELF WITH STATEMENTS MADE TO KEVIN GORRASL, CFS AT HER INTAKE ON DECEMBER 12, 2018, WITH INTENT TO AFFECT THE ACCURACY AND TRUTHFULNESS OF KEVIN GORRASIS REPORTING BY ACCUSING

ROBERT MALEK OF HORRIFIC CRIMES. ACS ALMONTE DID COMMIT PERJURY STATING THAT SUCH INTAKE REPORT DOES NOT EXIST WHEN BRATHWAITE PROVIDED IT TO ME IMMEDIATELY AFTERWARDS, THAT DAY.

EXHIBIT B, D OF AFFIDAVIT.

3. MARGARET INGOGLIA BY MAKING SUCH STATEMENTS TO MY DAUGHTER THAT I TRIED TO KILL HER AND HER STEP BOTHER, IMPEACHED HERSELF AND HARMED OUR DAUGHTER. THESE ARE NOT THE ONLY HORRIBLE STATEMENTS MADE TO MY DAUGHTER. SHE HAS MADE MANY OTHERS, ONE OF THEM I HAVE ON AUDIOTAPE.

EXHIBIT C, D OF AFFIDAVIT.

4. MARGARET INGOGLIA AND JOE PALOMINO HAD LIED AGAINST HIS SONS FATHER AS WELL AS NOTED BY ACS. GO TO :

EXHIBIT F, G, N OF AFFIDAVIT IN REPLY TO ACS ORDER TO SHOW CAUSE DATED 1-2-2020., EXHIBIT C1 OF AFFIDAVIT

5. MARGARET INGOGLIA HAS ACCUSED HER SONS FATHER OF ATTEMPTED MURDER OF HER WHEN HE WAS NEVER EVEN ARRESTED..... GO TO:

EXHIBIT F, G, N OF AFFIDAVIT IN REPLY TO ACS ORDER TO SHOW CAUSE DATED 1-2-2020., EXHIBIT C1 OF AFFIDAVIT.

JUDGE MARIA ARIAS CONSISTENTLY RULED AGAINST MARGARET INGOGLIA AND BELIEVED NONE OF HER LIES.

I AM REQUESTING THE FOLLOWING RELIEF :

1. DISMISSAL OF MARGARET INGOGLIAS ^{/ACS} CASE AGAINST ROBERT MALEK

2. AT THE VERY LEAST THE COURT HAVING MARGARET INGOGLIA BE ON TV WITH A VIDEO FEED AT TRIAL AND NOT HAVE TO ENTER THE COURTROOM WAS DECIDED UPON VIA BASIS OF FRAUD ON THE COURT. IT IS MY CONSTITUTIONAL RIGHT TO BE ABLE TO CONFRONT THE WITNESS BEFORE ME AND ADDRESS HER LIES. DON'T ALLOW HER TO RUN AND HIDE FROM HARM SHE INFLECTS VIA SLANDER, LIBEL AND DEFAMATION OF CHARACTER. LET HER FACE THE ACCUSED, LIVE IN THE COURTROOM WITH SUCH

DESPICABLE SLANDEROUS VULGARITY.

3. NOTATE THE CFS RECORD THAT CRIMINAL FALSEHOODS WERE SPOKEN UPON KEVIN GORRASI ABOUT ROBERT MALEK BY MARGARET INGOGLIA AT MARGARET INGOGLIAS INTAKE. THAT SUCH FALSEHOODS MAY HAVE ADVERSELY AFFECTED THE IMPARTIALITY AND TRUTHFULNESS OF REPORTING BY KEVIN GORRASI UPON ROBERT MALEK.

4. HAVE MARGARET SHOW UP TO COURT TO ANSWER TO THIS WITH ORDER TO CEASE + DESIST SUCH STATEMENTS.

5. WRITTEN RETRACTION OF SUCH STATEMENTS BY MARGARET INGOGLIA TO ACS, CFS, FAMILY SERVICES LEADS, ALL THERAPISTS, OUR DAUGHTER.

DATED: _____, 2020

6. VERBAL RETRACTION TO OUR DAUGHTER IN MY PRESENCE.

ENTER

FAMILY COURT JUDGE

7. NOTATE THE ACS RECORD THAT CRIMINAL FALSEHOODS WERE SPOKEN UPON ACS WORKERS ABOUT ROBERT MALEK BY MARGARET INGOGLIA. THAT SUCH FALSEHOODS MAY HAVE ADVERSELY AFFECTED THE IMPARTIALITY + TRUTHFULNESS OF REPORTING UPON ROBERT MALEK + THEIR VIEW OF HIM AS A FATHER + PERSON.

8. MARGARET INGOGLIA BE ARRESTED FOR FALSE SCR (RECENTLY FOUND OUT ABOUT) CALL IN 2015.

FAMILY COURT OF THE STATE OF NEW YORK

COUNTY OF KINGS

ACS,

PLANTIFF

INDEX NUMBER:

NN-19410,11-18

against

AFFIDAVIT IN SUPPORT FOR

ROBERT MALEK ,

SANCTIONS AGAINST MARGARET

DEFENDANT

INGOGLIA

**(28 STATEMENTS OF IMPEACHMENT REGARDING
PHYSICAL ABUSE OF HERSELF AND THE CHILDREN
TO ACS AND KEVIN GORRASI, C.F.S.)**

STATE OF NEW YORK COUNTY OF KINGS, ss :

ROBERT MALEK, BEING DULY SWORN DEPOSES AND SAYS TO THE BEST OF HIS
KNOWLEDGE AND BELIEF :

**MARGARET INGOGLIA LIED TO KEVIN GORRASI AND THEN ROSMIL
ALMONTE DID COMMIT PERJURY THAT SUCH CFS REPORT**

NEVER EXISTED.

IT DID.

BRATHWAITE GAVE IT TO ME AFTER THE COURT HEARING.

THE TWO WORK TOGETHER. THEY LIE AND COMMIT PERJURY,

VICTIMIZING ROBERT MALEK.

1. MARGARET INGOGLIA IMPEACHED HERSELF WITH CALL MADE TO THE CPS HOTLINE.
EXHIBIT A.

2. MARGARET INGOGLIA IMPEACHED HERSELF WITH STATEMENTS MADE TO KEVIN GORRASI WITH INTENT TO AFFECT THE ACCURACY AND TRUTHFULNESS OF KEVIN GORRASI'S REPORTING BY ACCUSING ROBERT MALEK OF HORRIFIC CRIMES.

EXHIBIT B.

3. MARGARET INGOGLIA BY MAKING SUCH STATEMENTS TO MY DAUGHTER THAT I TRIED TO KILL HER AND HER STEP BROTHER, IMPEACHED HERSELF AND HARMED OUR DAUGHTER. THESE ARE NOT THE ONLY HORRIBLE STATEMENTS MADE TO MY DAUGHTER. SHE HAS MADE MANY OTHERS, I HAVE AUDIOTAPE EVIDENCE TO SHOW.

EXHIBIT C.

4. MARGARET INGOGLIA ACCORDING TO ACS HAS DONE THIS TO HER SON'S FATHER AS WELL. *EXH C1* REFER TO EXHIBITS F, G AND N OF AFFIDAVIT OF REPLY TO ROSMIL ALMONTES ORDER TO SHOW CAUSE DATED 1-2-2020

5. MARGARET INGOGLIA HAS ACCUSED HER SON'S FATHER OF ATTEMPTED MURDER OF HER WHEN HE WAS NEVER EVEN ARRESTED..... REFER TO EXHIBITS F, G AND N OF AFFIDAVIT OF REPLY TO ROSMIL ALMONTES ORDER TO SHOW CAUSE DATED 1-2-2020

EXHIBIT C1

6. THE 28 CONTRADICTORY STATEMENTS OF IMPEACHMENT OF MARGARET INGOGLIA AND JOE PALOMINO UPON ACS, FAMILY SERVICES AND CFS :

EXHIBIT D .

7. TO THINK THAT MARGARET INGOGLIA'S LIES HAVE STOPPED WITH KEVIN GORRASI IS SENSELESS. SHE LIES UPON ME WHENEVER SHE CAN WITH WHOMEVER SHE CAN TO OBTAIN ALLIES SUCH AS ACS AGAINST ME. THAT I AM TO BE VILLANIFIED. ONE WHOM

IS TO BE HATED, REJECTED, AND RETALIATED AGAINST.

8. WHEN THE RIFT OF REALITY IS SO GREAT BETWEEN ACS AND MALEK, JUST REMEMBER WHOM TELLS ACS I WAS BEATING HER WHEN SHE WAS PREGNANT WITH OUR DAUGHTER, ONE OF THE MOST ABHORRENT CRIMES OF ALL. ONE CAN ONLY IMAGINE THE DISGUST ACS STAFF HAS WITH ROBERT MALEK UPON BEING TOLD OF SUCH ABHORRENT CRIMES UPON MOTHER AND CHILD.

9. SUCH PARENTAL ALIENATION IS OUTLINED IN FAMILY LAW THAT A FINDING CAN BE MADE FOR SUCH CONDUCT..... EXHIBIT E

10. JUDGE MARIA ARIAS CONSISTENTLY RULED AGAINST MARGARET INGOGLIA AND BELIEVED NONE OF VINDICTIVE HER LIES.

MARGARET INGOGLIA IS A LIAR ALONG WITH ACS AND THEIR STAFF.

SLANDER KILLED 6 MILLION JEWS...

11. You honor, how much time have you spent on this case ?

How does it make you feel to realize you are dealing with someone whom :

1. lies to her own daughter.

2. lies to cfs

3. lies to acs

4. lies to family services

5. lies to the court and employs her son to do so against their fathers

and....

tried with our daughter as well....

6. For all the hearings..... can you imagine if it is all a fraud ?

IT IS.

IF SHE LIED TO HER DAUGHTER.

AND I HAVE A VIDEOTAPE OF HER LAUGHING WHILE SHE LIED TO HER MOTHER IN A LETTER WRITTEN TO HER,

IF SHE LIED TO PEOPLE IN THIS CASE,

IF SHE LIED WHEN JUDGE MARIA ARIAS WAS PRESIDING,

SHE CAN CERTAINLY LIE TO

YOU, JUDGE WILLIAMS.

DATE:

1/24/20

BY:

Robert Malek

ROBERT MALEK

SWORN TO BEFORE ME ON THE 24 DAY OF JANUARY, 2020

Lori Ann Urkonis

Robert Malek

NOTARY PUBLIC

ROBERT MALEK

LORI-ANN URKONIS
Notary Public, State of New York
No. 04UR6296479
Qualified in Kings County
Commission Expires February 03, 2022

POINTS AND AUTHORITIES

ABUSE OF PROCESS

ELEMENTS :

1. Regularly issued process, either civil or criminal;

Regularly issued process in this case was in the form of article 10 petition.

2. Intent to do harm without excuse or justification; and

Margaret Ingoglia and Joe Palomino Ingoglia did intend to harm respondent without excuse or justification.

3. In order to obtain a collateral objective that is outside the legitimate ends of the process.

Margaret Ingoglia and Joe Palomino Ingoglia did have a collateral objective to obtain custody of my daughter via false statements made to acs of nyc, scr of Albany, comprehensive family services, family services, psychologists / therapists and to B.D.S , Robert Maes, etc upon Respondent, Robert Malek. Both Margaret Ingoglia and Joe Palomino Ingoglia have made false statements against the Joe Palomino's biological father as well. They used regularly issued process for malicious collateral means.

Case Citations

NEW YORK STATE COURTS

Court of Appeals of New York: Curiano v. Suozzi, 63 N.Y.2d 113, 116 (1984). Supreme Court, Appellate Division, 1st Department: Gidumal v. Cagney, 144 A.D.3d 550, 551 (1st Dep't 2016); Fisk Bldg. Assoc. LLC v. Shimazaki II, Inc., 76 A.D.3d 468, 469 (1st Dep't 2010). Supreme Court, Appellate Division, 2d Department: McMahan v. McMahan, 164 A.D.3d 1486, 1488 (2d Dep't 2018); Lynn v. McCormick, 153 A.D.3d 688, 688 (2d Dep't 2017). Supreme Court, Appellate Division, 3d Department: Place v. Ciccotelli, 121 A.D.3d 1378, 1380 (3d Dep't 2014). Supreme Court, Appellate Division, 4th Department: D'Amico v. Correctional Medical Care, Inc., 120 A.D.3d 956, 960 (4th Dep't 2014).

NEW YORK FEDERAL COURTS

United States Court of Appeals, 2d Circuit: Raus v. Town of Southampton, 661 Fed.Appx. 81, 83 (2d Cir. 2016);

Mangino v. Incorporated Village of Patchogue, 808 F.3d 951, 957-58 (2d Cir. 2015) (distinguishing abuse of process from malicious prosecution). Northern District: Hillary v. St. Lawrence County, No. 8:17-cv-659 (GLS/DEP), 2019 WL 977876, at *17 (N.D.N.Y. Feb. 28, 2019); LoPorto v. County of Rensselaer, No. 1:15-CV-0866 (LEK/DJS), 2018 WL 565768, at *14 (N.D.N.Y. Sept. 24, 2018). Western District: Vann v. City of Rochester, No. 6:18-cv-06464(MAT), 2019 WL 1331572, at *5 (W.D.N.Y. March 25, 2019); Cabisca v. City of Rochester, No. 14-CV-6485, 2017 WL 4221090, at *5 (W.D.N.Y. Sept. 21, 2017). Eastern District: Madison Stock Transfer, Inc. v. Exlites Holdings Int'l. Inc., 368 F.Supp.3d 460, 482 (E.D.N.Y. 2019); Jeri v. Great Neck Cleaner & Hand Laundry, Inc., No. 2:18-cv-01089 (ADS)(ARL), at *2 (E.D.N.Y. Feb. 20, 2019). Southern District: Orellana v. Macy's Retail Holdings, Inc., No. 17 Civ. 5192, 2018 WL 3368716, at *16 (S.D.N.Y. July 10, 2018); Rodriguez v. City of New York, No. 17-cv-12 (KBF), 2018 WL 2371719, at *6 (S.D.N.Y. May 24, 2018)

INJURIOUS FALSEHOOD

ELEMENTS:

1. To establish a claim for injurious falsehood, a plaintiff must demonstrate that a defendant maliciously made false statements.

Margaret Ingoglia and Joe Palomino maliciously made false statements against Robert Malek as clearly outlined in this motion.

2. with the intent to harm the plaintiff, or recklessly and without regard to their consequences, and

Margaret Ingoglia and Joe Palomino obviously has done so intentionally without regard to the harmful consequences for doing so.

that a reasonably prudent person would have or should have anticipated that damage to the plaintiff would result.

It is obvious that Margaret Ingoglia and Joe Palomino anticipated damage to the plaintiff and intended damage to the plaintiff.

NEW YORK STATE COURTS

Supreme Court, Appellate Division, 1st Department: Casa de Meadows Inc. v. Zaman, 76 A.D.3d 917, 922 (1st Dep't 2010) ("The elements of injurious falsehood are 'essentially identical to slander of title.'"); Banco Popular N. Am. v Lieberman, 75 A.D.3d 460, 462 (1st Dep't 2010).

Supreme Court, Appellate Division, 2d Department: N. State Autobahn, Inc. v. Progressive Ins. Group Co., 102 A.D.3d 5, 20 (2d Dep't 2012).

Supreme Court, Appellate Division, 3d Department: Roche v. Claverack Coop. Ins. Co., 59 A.D.3d 914, 917 (3d Dep't 2009).

NEW YORK FEDERAL COURTS

Second Circuit Court of Appeals: *Murphy-Higgs v. Yum Yum Tree, Inc.*, 112 Fed. Appx. 796, 797 (2d Cir. 2004) (element of special damages for injurious falsehood).

Eastern District: *McDonald v. Elkholy*, 16 CV 2201 (AMD)(LB), 2017 WL 3503385, at *7 (E.D.N.Y. July 27, 2017); *Diehl & Sons, Inc. v. Int'l Harvester Co.*, 445 F. Supp. 282, 291 (E.D.N.Y. 1978).

Northern District: *MapInfo Corp. v. Spatial Re-Engineering Consultants*, No. 02-CV-1008 (DRH), 2006 WL 2811816, at *13 (N.D.N.Y. Sept. 28, 2006).

Southern District: *Cain v. Esthetique*, 182 F.Supp.3d 54, 72-73 (S.D.N.Y. 2016); *Nielsen Co. (U.S.), LLC v. Success Sys., Inc.*, 112 F. Supp. 3d 83, 116 (S.D.N.Y. 2015).

Western District: *Ony, Inc. v. Cornerstone Therapeutics, Inc.*, No. 11-CV-1027S, 2012 WL 1835671, at *6 (W.D.N.Y. May 17, 2012).

CIVIL CONSPIRACY

ELEMENTS :

[U]nder New York Law, to establish a claim of civil conspiracy, the plaintiff 'must demonstrate the primary tort, plus the following four elements:

an agreement between two or more parties;

ACS NYC knew or should have known the statements of impeachment existed to them because such statements are clearly outlined in their own notes. Margaret Ingoglia knew, Joe Palomino knew, ACS NYC knew.

an overt act in furtherance of the agreement;

The filing of a petition, maintaining the action of the petition filing an amended petition of false cps calls when it is clear that ACS knew that Margaret Ingoglia and Joe Palomino were impeached liars whom cannot be believed. Even within the ACS notes they have stated false statement was made about the sons biological father when it was many statements. ACS knew false statements were made about the sons father by Margaret Ingoglia or they never would have kept Joe Palomino in the custody of the father. It is clear that ACS knew that Margaret Ingoglia stated that the sons father tried to attempted murder her. ACS and Margaret Ingoglia together are aware that Margaret Ingoglia and Joe Palomino are liars while they stay silent and continue their action against respondent father when meanwhile, ACS has never given the respondent father a chance to defend or refute any statements made by Margaret Ingoglia and Joe Palomino Ingoglia. I was prevented from attending the child safety conference by Ardaisha Hudson, Mr. Fortune and Margaret Ingoglia.

the parties' intentional participation in the furtherance of a plan or purpose; and resulting damage or injury."

The filing of petition while preventing me from attending the child safety conference - mr fortune told me that they

wouldnt have filed if I had shown.... The continuance of the petition when ACS knows clear well that they are presenting a case upon a defendant by a woman whom is a pathological liar along with her son, not just upon Robert Malek but upon Juan Palomino as well. It is clear that the judge is taking part in this. Note commentary at bottom and exhibit....
The Judicial Commission is Investigating Judge Williams.

Case Citations :

See *Abacus Fed. Sav. Bank v. Lim*, 75 A.D.3d 472, 475 (1st Dep't 2010). In New York, "a mere conspiracy to commit a [tort] is never of itself a cause of action' . . . Allegations of conspiracy are permitted only to connect the actions of separate defendants with an otherwise actionable tort." *Alexander & Alexander, Inc. v. Fritzen*, 68 N.Y.2d 968, 969 (1986). *Sackman v. Liggett Group*, 965 F. Supp. 391, 394 (S.D.N.Y. 1997) (In New York "[a] claim for civil conspiracy 'is merely the string whereby the plaintiff seeks to tie together those who, acting in concert, may be held responsible in damages for any overt act or acts.'").

NEW YORK STATE COURTS

Court of Appeals of New York: *Alexander & Alexander, Inc. v. Fritzen*, 68 N.Y.2d 968, 969 (1986) (for above statement). Supreme Court, Appellate Division, 1st Department: *1766-68 Assoc., LP v. City of New York*, 91 A.D.3d 519, 520 (1st Dep't 2012); *Abacus Fed. Sav. Bank v. Lim*, 75 A.D.3d 472, 475 (1st Dep't 2010). Supreme Court, Appellate Division, 2d Department: *McSpedon v. Levine*, 158 A.D.3d 618, 621 (2d Dep't 2018); *Swartz v. Swartz*, 145 A.D.3d 818, 825-26 (2d Dep't 2016). Supreme Court, Appellate Division, 3d Department: *Snyder v. Puente De Brooklyn Realty Corp.*, 297 A.D.2d 432, 435 (3d Dep't 2002). Supreme Court, Appellate Division, 4th Department: *Cohen & Lombardo, P.C. v. Connors*, 169 A.D.3d 1399, 1402 (4th Dep't 2019); *Great Lakes Motor Corp. v. Johnson*, 156 A.D.3d 1369, 1371-72 (4th Dep't 2017).

NEW YORK FEDERAL COURTS

United States Court of Appeals, 2d Circuit: *Bigio v. Coca-Cola Co.*, 675 F.3d 163, 176 (2d Cir. 2012). Eastern District: *United States Small Bus. Admin. v. Feinsod*, 347 F.Supp.3d 147, 168 (E.D.N.Y. 2018); *Freeman v. HSBC Holdings PLC*, 14-CV-6601, 2018 WL 3616845, at *20 (E.D.N.Y. July 27, 2018). Northern District: *Rusyniak v. Gensini*, 629 F. Supp. 2d 203, 226 (N.D.N.Y. 2009). Southern District: *Sparrow Fund Mgmt. LP v. MiMedx Grp., Inc.*, No. 18 Civ. 4921 (PGG)(KHP), 2019 WL 1434719, at *12 (S.D.N.Y. March 31, 2019); *Senior Health Ins. Co. of Pa. v. Beechwood Re Ltd.*, 345 F.Supp.3d 515, 531 (S.D.N.Y. 2019). Western District: *Townsend v. City of Buffalo*, 15-CV-704-A, 2018 WL 2604869, at *7 (W.D.N.Y. March 5, 2018); *Eastman Kodak Co. v. Camarata*, No. 05-CV-6384L, 2006 WL 3538944, at *17 (W.D.N.Y. Dec. 6, 2006).

Appellate Division of the Supreme Court of New York, Second Department

DiDomenico v. C & S Aeromatik Supplies, Inc.

252 A.D.2d 41 (N.Y. App. Div. 1998) • 682 N.Y.S.2d 452

Decided Dec 28, 1998

December 28, 1998

FRIEDMANN, J.

Appeal from the Supreme Court (Bernard F.
42 McCaffrey, J.). *42

Henry Stanziale, Mineola, for appellants.
Harrington Ocko Monk, L. L. P., White Plains (
Glenn A. Monk and *Gloria L. Bisogno* of counsel),
for appellant.

Hunton Williams, New York City (*Jeffrey W.
Gutchess* of counsel), for respondent.

The question on this appeal is whether summary judgment should be granted to the plaintiff Frank DiDomenico (referred to as the plaintiff throughout this opinion, as Mrs. DiDomenico's claim is merely derivative), as well as to the codefendant CA Aromatics Co. (hereinafter CA) on its cross claims against the defendant United Parcel Service (hereinafter UPS), the *43 plaintiffs employer. Summary relief is sought by these parties because the dilatory behavior of UPS in responding to the plaintiff's discovery demands resulted in the wholesale destruction of essentially all of the physical evidence in the case.

43

We conclude that summary judgment is appropriate under the circumstances because UPS not only disposed of the defective package which had allegedly caused the plaintiffs injuries, but also, with knowledge of the plaintiffs need for the evidence, delayed providing any records until all of the corporate defendants had destroyed their internal documents in accordance with routine retention schedules. As a consequence, the plaintiff has been left without the means of proving his case, and the defendant CA cannot properly defend itself. Because UPS acted with knowledge, with persistence, without explanation or excuse, and in violation of two court orders, its behavior was clearly wilful.

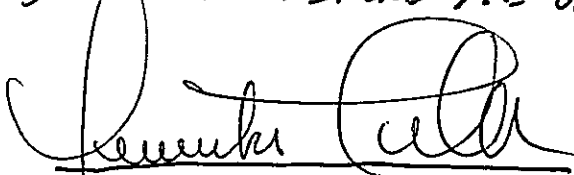
Indeed, it can only be concluded that the determined noncompliance by UPS with the plaintiffs discovery efforts was undertaken to deliberately forestall a third-party action being brought against it. Finally, in addition to the fact that UPS wilfully failed to disclose information that courts have repeatedly found ought to have been disclosed, and refused to obey court orders directing disclosure (CPLR 3126), UPS has acted as a spoliator of evidence. Courts have routinely stricken the pleadings of a "spoliator" whose destruction of proof has resulted in a severe handicap to its opponents, regardless of whether

the destruction was wilful or simply negligent.


THE CLEAR ANALOGY WITH THIS CASE IS ACS HAS DEFIED RECOVERY REQUEST AS PER COURT DIRECTIVE IN COURT ON 2/20/20, 7/31/2018 ORDER WITH PURPOSE TO WITHHOLD EVIDENCE, SUPPRESS EVIDENCE, IGNORE EVIDENCE OF INNOCENCE OF ROBERT MALEK AND EVIDENCE OF ABUSE OF MARGARET MALEK. COURTS HAVE AS STATED ABOVE, ROUTINELY STRICKEN THE PLEADINGS OF A SPOILATOR WHOSE DESTRUCTION OF EVIDENCE / WITHHOLDING/ CONCEALING OF EVIDENCE HAS RESULTED IN A SEVERE HANDICAP TO ITS OPPONENTS. ACS WITH THEIR SIGNS IN THEIR FACILITIES OF NO RECORDING, NO PHOTOGRAPHY OR VIDEO PREVENTS PARENTS SUCH AS MYSELF FROM PREVENTING EVIDENCE ON MY BEHALF OR FOR MY DAUGHTER, VIOLATING MY FIRST AMENDMENT RIGHTS. THE JUDGE HAS ALONG WITH ACS TAKEN PART OF THIS WITH ORDERS OF NO RECORDING, NO WRITING, NO ONE ELSE IS TO ATTEND VISITATION AND NO MORE " UNNECESSARY POLICE REPORTS OR ORT'S . " THE JUDGE THEN, FURTHER IGNORES PLEADINGS BY RESPONDENT FATHER EN MASSE. IT IS CLEAR THAT THE JUDGE ALONG WITH ACS AND MARGARET INGOGLIA ARE TAKING PART IN SUCH CONDUCT.

EXHIBIT 6.

SWORN TO BEFORE ME ON THE 9TH DAY OF MARCH 2020.



NOTARY PUBLIC
3/9/2020



ROBERT MALEK

JENNIBA SILLA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SI6297629
Qualified in Kings County
My Commission Expires 02/24/22

EXHIBIT LIST

A. MARGARETS CALL MADE TO CPS HOTLINE OF 9-3-2015 OF PHYSICAL ASSAULT

B. MARGARETS FALSE STATEMENTS MADE TO KEVIN GORRASI OF ASSAULT

C. MARGARET TELLING OUR DAUGHTER THAT I TRIED TO KILL MOMMY AND JOE.

C1) MARGARET INGOGLIAS FALSE STATEMENTS ABOUT THE SONS FATHER, EXHIBITS FGN IN MY REPLY TO ALMONTES OSC DATED 1-2-2020

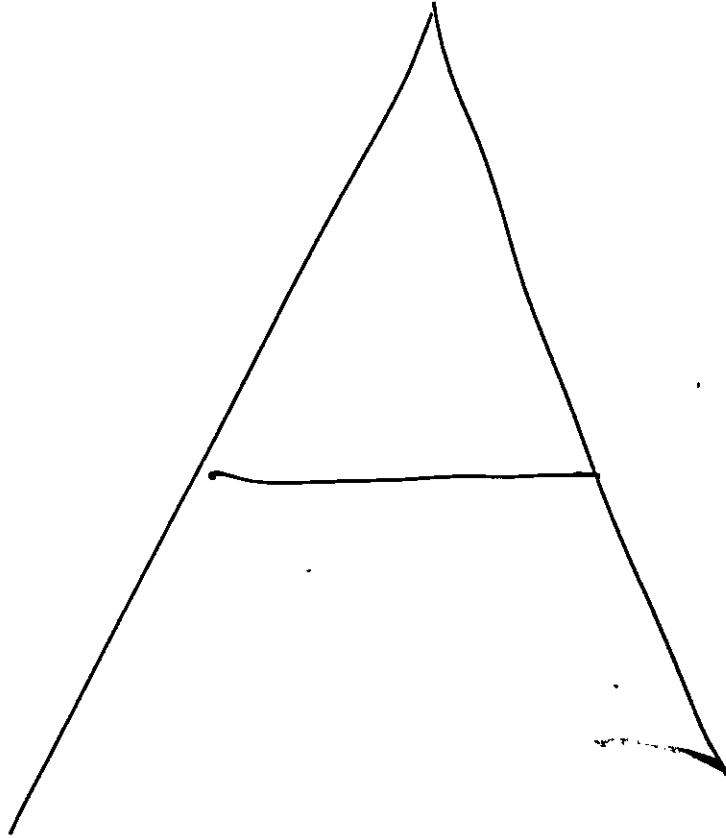
D. 28 CONTRADICTORY STATEMENTS OF IMPEACHMENT

E. A FINDING CAN BE MADE WHEN PARENTAL ALIENATION IS UNDERTAKEN BY ONE PARENT UPON THE OTHER.

F. 70 PCT LETTER, DADS NOTARIZED LETTER

G. *ORDERS + PHOTO OF NO RECORDING, ETC.*

EXHIBIT A



CONNECTIONS
STAGE SUMMARY

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

CASE ID: 26192658
CASE NAME: Ingoglia, Margaret
CD: K18

STAGE: Investigation
STAGE ID: 30362838
STAGE NAME: Ingoglia, Margaret
REPORT DATE: 9/3/2015

INTAKE NARRATIVE

Call Narrative

Narrative: Robert (father) has physically assaulted Margaret (mother) while ~~Margaret~~ (10 months) was in the home. Further details are unknown. Robert is also verbally abusive to the mother and uses the baby in order to control her. The mother has an unknown role.

EXHIBIT B

came from California to stay with her. She stated that he was very controlling and mean for no reason." The mother said that when she got pregnant, she did not want to "be involved in this situation so I wanted to get an abortion." She reported that the father blackmailed her into keeping the baby by threatening to call the authorities on her hoarding and have her son taken away. "If I aborted his child, he would make me homeless." Mother stated that she kept the baby, and loves her very much, but it is a very "bittersweet thing" as he never allowed her to be a mother. The mother reported that Mr. Malek was very controlling, emotionally/verbally abusive, and constantly threatening her with physical violence. The mother stated that the father pushed and shoved her numerous times and "it got worse after the baby was born." According to Ms. Ingoglia, she had left him a few times but "always gave him second chances," and within a week of getting back together he was hitting her and the child. In 2015, she tried to get away from the father and when to live with her oldest son's family. She stated that she has a son for a previous relationship, a 14-year-old named Joe. The mother had supervised visits with Margaret (Mini) from October to December of 2015, yet she again went back to Mr. Malek "for the sake of the child." The child has told her that she is afraid of her father for hitting her. In July of 2018, with the help of her lawyer and ACS staff she left the father and now lives in an undisclosed location. The mother stated that the child wants to see her father, but she does not know how she will react to the supervised visits. According to the mother, Mini is to be evaluated for early intervention and other services as, due to all the abuse the mother feels she has witnessed and experienced, she is very aggressive to herself and others.

REDICULOUS

CFS remains available to provide services as directed by the court and shall await further directives.

Respectfully Submitted;

Kevin Gorrasi, LMSW

Kevin Gorrasi, LMSW
Forensic Social Worker

Comprehensive Family Services -- Margaret Michelle Malek: File # 235429

EXHIBIT C

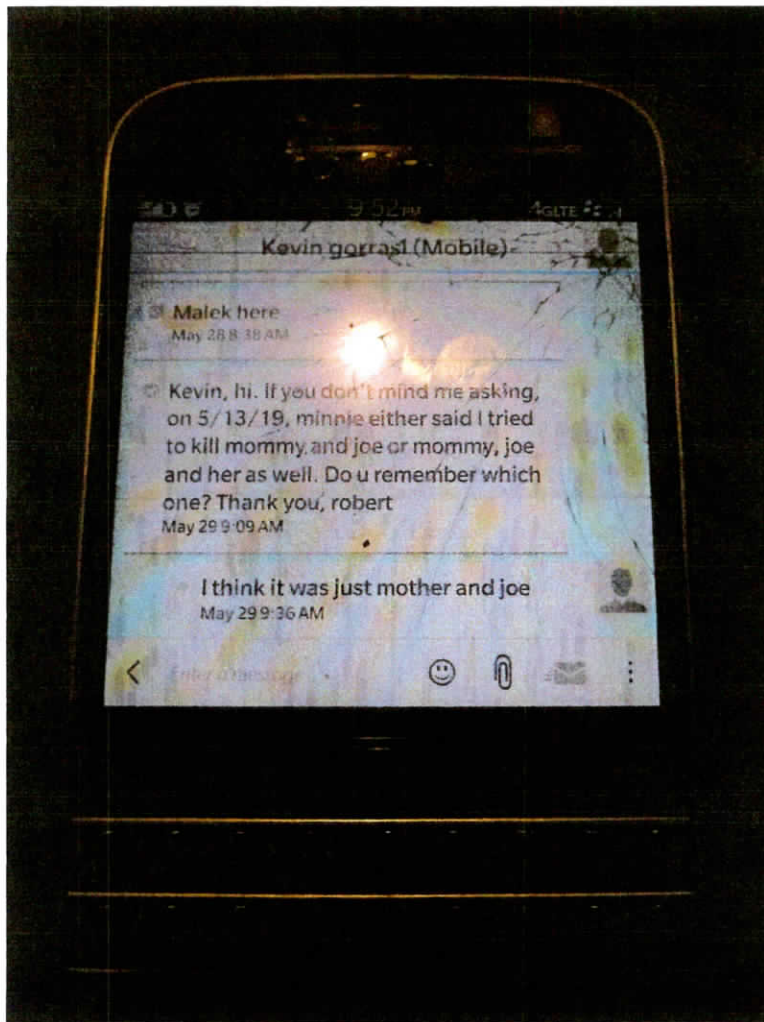


EXHIBIT C1

**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)].

ef 9

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.

~~10~~ 10

WHEREFORE, Petitioner respectfully requests this Court to:

- adjudge the Respondent to have committed the family offenses alleged;
- enter an order of protection, specifying conditions of behavior to be observed by the Respondent in accordance with Section 842 of the Family Court Act:
 - Respondent to refrain from menacing, harassing or assaulting Petitioner and Petitioner's children. Respondent to stay away from Petitioner, Petitioner's Home, Petitioner's children and children's school.;
- enter a finding of aggravated circumstances;
- order such other and further relief as the Court deems just and proper.

Dated: December 16, 2015

Margaret Ingoglia

Margaret Ingoglia, Petitioner

DOMESTIC VIOLENCE INCIDENT REPORT

DATE: 12/15/15 TIME: 0130 ADDRESS: 148 Pikeside Ave APT # 3B Precinct: 870 Aided # (NYC): Complaint #

Officer-Initiated Radio Run Walk-In Name: PALMISTO, Jose R. DOB: 11/09/53 Age: 63

Injured? No Yes Removed to Hospital? No Yes If yes, what hospital? White Black Asian Hispanic American Indian Non-Hispanic Other: Unknown

Name (Last, First, M.I.): PALMISTO, Jose C. Phone: 631 943 4720 DOB: 11/09/53 Age: 63 Street & City: 148 Pikeside Avenue, Basking Ridge, NJ APT # 3B Zip: 11226

Injured? No Yes Removed to Hospital? No Yes If yes, what hospital? White Black Asian Hispanic American Indian Non-Hispanic Other: Unknown

SUSPECT/P2 present? No Yes Do parties currently live together? Yes No IF NO, have they lived together in the past? Yes No Do the parties have a child-in-common? Yes No

RELATIONSHIP: (SUSPECT / P2 to VICTIM / P1) Married Formerly Married Intimate Partner/Dating Formerly Intimate/Dating Child of victim/party 1 Parent of victim/party 1 Relative Other:

SUSPECT ACTIONS: Biting, Destroyed Property, Forced Entry, Hair Pulling, Homicide, Impaired Alcohol/Drugs, Injury to Child, Injury to Other Persons, Injury to Pet/Animal, Interference with Phone, Intimidation/Coercion, Kicking, Punching, Pushing, Sexual Assault, Shooting, Slapping, Slamming Body, Strangling, Strangulation/Choking, Suicidal or Attempted, Threw Items, Unwanted Contact, Verbal Abuse, Violated Visitation/Custody Conditions, OTHER Suspect Actions: with P1 in the room, Threats: Threat with weapon, Weapons used: Blunt Object, Gun, Motor Vehicle, Sharp Instrument, Other:

Arrest Made? Yes No Reasons arrest not made on-scene: No Offense Committed No Probable Cause Suspect Off-Scene Warrant/Criminal Summons to be requested Violation level: not in police presence (on citizen's street) Other:

Table with columns: Offenses, Law (e.g. PL), Section (Sub), Charges Filed, Offenses Involved (check all that apply), Felony, Misdemeanor, Other (Specify)

STOP! COMPLETE STATEMENT ON PAGE 2 NEXT Photos Taken? IF YES, photos taken of: Victim Injuries Suspect Injuries Other evidence collected? IF YES, describe:

Results of investigation and basis of action taken. (Were excited utterances, spontaneous admissions or spontaneous statements made?) Yes No (Complete 710.30 or other form when applicable) Plaintiff: Jose C. Palmisto, Defendant: Jose R. Palmisto, P1: Jose C. Palmisto, P2: Jose R. Palmisto

Any Guns in House? Yes No Any Guns Seized? Yes No Household Member Has Pistol Permit? Yes No Permit Seized? Yes No

Is there reasonable cause to suspect a child may be the victim of abuse, neglect, maltreatment, or endangerment? Yes No IF YES, officer must contact the NYS CHILD ABUSE HOTLINE REGISTRY # 1-800-635-1522

Signature (Officer) Signature (Victim) CONTACTS INITIATED BY POLICE: Domestic Violence Services Child Protective Services (or ACS) Other Agency: War DIR given to the victim at the scene? Yes No Was Victim Rights Notice given to victim? Yes No

0220

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.

WHAT ABOUT 06, 08, 09?

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

NO PPR'S COL
ABUSE & THEN BELIEVE
I THREW HER AGAINST THE
CAR SEAT VIOLENTLY
COME TO THIS DETERMINATION
DUE TO THE STAFF'S
LOW FUNCTIONING.

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 M... 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 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 M..., 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 Closed: 08/28/2018 INDICATED

Subsequent Open: 08/18/2018

Subsequent Closed: 08/29/2018 UNFOUNDED

Subsequent Open: 08/29/2018

Subsequent Closed: 10/17/2018 UNFOUNDED

Subsequent Open: 10/23/2018

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.

Case Number: 26273656

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.

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

MARGARET + JOE MOTHER FALSE
REPORTS AGAINST J. PALOMINO
70 PCT. LETTER, IN CPS LETTER.

LTS

NEGLECT
07/31/2018
MALEK, M... NN-19410-18
PALOMINO, JOE NN-19411-18
MALEK, ROBERT

SO MUCH IS NOT CREDIBLE
HERE BUT CREDIBLE

ACCUSED PALOMINO OF
HITTING HER!

Family Services
Progress Notes

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

Case Name: Ingoglia, Margaret

Case ID: 26871553

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.

ALLEGATIONS! MARY MARG + JOE TO REC LETTER.

On 9-3-15, there were unfounded allegations of inadequate guardianship made against Robert Malek for ~~Mary Malek~~. The dad denied any violence towards the children's mother, who refused to work on their relationship.

On 11-26-08, 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 TO 19a, Db*

Additional Case ID's:
26244579
26192658
23109132
21751183

~~PLEASE PURSUE CASE~~
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 1/8/2018 @ 12:05pm.

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:

Event Time:
Dist. Agy: A66

DRAFT
Duration:
Note Status: Draft
Entered By: Velasquez, Nuvia V

Location:
Type(s): Supervisor/Managerial Review
Purpose(s): Initial
Other Participant(s):
Family Participant(s):
Focus: Ingoglia, Margaret; Malek, Margaret; Malek, Robert; Palominoingogi, Joe

Progress Notes Narrative:

On 1/6/19, CPSSII and CPS Nwenyi engaged in a pre-investigation conference via telephone. A visit will be conducted to the shelter to assess the safety of Joe and ~~Mary~~.

1/11/2016

MARGARET INGOGLIA

1110 EAST 101ST.

BROOKLYN, NEW YORK 11236

917-923-4243 / margaretingoglia79@yahoo.com

COMMANDING OFFICER

70 PRECINCT

154 LAWRENCE AVE.

BROOKLYN, NEW YORK 11230

Dear Commanding Officer of the 70th Precinct,

I have gone to your precinct with the hope and belief that your officers would protect my son, Joe Palomino Ingoglia D.O.B. 3-15-04, and I from being victimized further by his father. Sadly, no action has been taken by your officers. Henceforth, I am writing this letter to you. Please keep my address confidential in regards to my sons father, Juan Palomino, exhibit _____.

VICTIMS STATEMENT:

CRIMES COMMITTED RECENTLY AGAINST ME, MARGARET INGOGLIA, BY MY SONS FATHER, JUAN CARLOS PALOMINO:

1

~~7/15~~ 15

0223

1. ILLEGAL EVICTION

2. THEFT OF CONTROLLED SUBSTANCE (SCHEDULE 2)

3. LARCENY

1. On December 13, 2014, Juan Carlos Palomino unlawfully locked me out of my apartment that I lived at with him and our son, Joe Palomino for approx 100 days. Juan stole my keys from me that I paid for and refused to let me back into the apartment, with exception to get my belongings. He took some of my possessions and threw them out which my 11.5 year old son, Joe, witnessed and he stole from me my medication that I have a prescription for, oxycodone, which is a controlled substance.

- a) I lived there for more than 30 days
- b) I was an immediate family member
- c) I had cable there in my name, exhibit _____
- d) I worked as a mother and "housewife" there approx 8-9 hours every day.

WITNESS: MY SON, JOE PALOMINO.

CRIMES COMMITTED IN THE PAST AGAINST ME, MARGARET INGOGLIA, BY MY SONS FATHER, JUAN CARLOS PALOMINO, FOR WHICH HE WAS ARRESTED FOR.

ASSAULT: EXHIBIT _____.

CRIMES COMMITTED IN THE PAST AGAINST MY MOTHER, BY MY SONS FATHER, JUAN CARLOS PALOMINO.

ASSAULT: EXHIBIT _____.

CRIMES COMMITTED IN THE PAST BY MY SONS FATHER, JUAN CARLOS PALOMINO, WHICH INCLUDED BEING CHARGED WITH ATTEMPTED MURDER, LARCENY, MARIJUANA POSSESSION.

EXHIBIT _____.

CRIMES COMMITTED RECENTLY AGAINST MY SON BY JUAN CARLOS PALOMINO:

1. ASSAULT

2. ENDANGERING THE WELFARE OF A CHILD

3. FORCING A CHILD TO AID AND ABET SHOPLIFTING / LARCENY

4. HARASSMENT

5. CRUELTY TO ANIMALS

1. Due to abuse of my son, I petitioned the family court and made a complaint with child protective services who sent me to your precinct. Family court issued my son an order of protection against his father, exhibit _____.

Before order of protection was issued, within the past 100 days I have lived with my son and his father, I have witnessed the following abuse of my son which encompassed the 5 crimes listed above:

I have seen Juan Carlos Palomino hit my son with his hands and objects such as his cane and a green back scratcher/combo shoe horn on other end. Also on the morning of december.13, 2015 at approximately 1am my son joe went into the living room to help his father with his medical needs while i was in the bedroom. I heard juan yelling at my son. Afterwards my son came into the bedroom and told me his father punched him in the arm because my son could not find the ben gay. His arm was red and a little swollen. My son told me not to say anything to his father as he was scared so i put rubbing alcohol on his arm to ease the pain and swelling. One morning while juan was getting our son joe ready for school in the living room i could hear from the bedroom his father yelling and cursing at my son. I could also hear my son saying stop and why are you pushing me. I as a mother though i am afraid of juan as he has attacked me and my own mother in the past (Jennie Ingoglia) of which I have police reports on, exhibits _____, came out of the room and demanded that he stop treating my son this way. He then got very nasty towards me and said that if i dont like it i could leave. I was scared to further defend my son or myself and did the next best thing at the time which was help my son put his outer wear on, give him a hug and kiss good bye and tell him i loved him. My son walked out sad and later told me that he walked to school crying but he wiped his tears when he got close to to his school so school officials would not ask questions. He also told me to try and stay out of it because he was afraid his father would hurt me for defending him. I also witnessed juan forcing my son joe to help him shoplift from stores such as duane reade on flatbush ave and parkside ave and target at the barkleys center on atlantic ave. If my son does not help his father shoplift his father becomes very mean and abusive both physically and verbally. I also witnessed juan hitting my son in the spine with his cane in the pioneer supermarket on parkside ave between ocean ave and flatbush ave. There are cameras in this store and it may have been caught on recording. This incident took place the beginning of november, 2015 at approximately 6pm. I have also witnessed juan forcing my son joe to be his nurse, demanding that he take his blood sugar readings , inject insulin and massage him. He wakes him up in the nighttime to have him perform these tasks and then yells at my son asking him why isnt he sleeping. He has criticized my son by telling him he is not helping him good enough or that he smells and forces him to take frequent showers. My son had a small turtle I bought for him in september 2015. In late October, it was missing. I asked my sons father about it and he said he threw it away because his son doesn't deserve it. My son is emotionally breaking down by calling himself stupid, i cant do anything right, no one would care if i disappeared, etc. I have given my son pep talks trying to convince him otherwise and let him know how much i love him and for him to think he's great. December.14, the day after juan threw me out, my son joe told me on the phone while at the day care he goes to that he couldnt take the abuse from his father juan c. palomino anymore. He asked me if i could pick him up from school the next day which was december.15, 2015 at 2:40PM so i could bring him to the police for help. When we went to your police station, your police officers would only make a report on just the last incident which was juan punching my son in the arm because he couldn't find the bengay. They called acs about it but they said they werent going to

investigate, undoubtedly because they weren't told all the details. Your officers then told me i must return my son to his abusive father with the exception of holding him overnight and bring him to brooklyn family court in the morning, which i did. When we went to file for an order of protection for my son we saw his father there also filing papers. When my son and I saw his father we both panicked and were scared to death. My son hid from his father in the womens restroom while I spoke to court officers about the situation. They then placed my son joe in the childrens room and the judge would decide who he goes home with. The judge who handled the case chose to put my son back with his father with an order of protection for my son against his father. I am concerned for the welfare and safety of my son while being with his father juan c.palomino.

AFTER THE ORDER OF PROTECTION WAS ISSUED, MY SONS FATHER, JUAN PALOMINO VIOLATED IT BY COMMITTING THE FOLLOWING:

1. CONTEMPT OF COURT
2. ENDANGERING THE WELFARE OF A CHILD
3. ASSAULT
4. INTIMIDATION
5. LARCENY

On december. 18, 2015 in court, it was ruled that i have visitation every saturday from 10am to 6pm. I have to keep my son longer because his father recieves dialysis and is not home at 6pm. When i called his father to see if he was home, he said yes. I tried to drop my son joe off at his fathers home on december 19 but my son began showing signs of fear, crying, trembling, dragging his feet and repeating " i dont want to go back, i dont want to go back. " I then asked my son what was wrong and he told me that the day they made him go back with his father from the court on december.18, his father around 11pm that night started beating my son up with the green plastic back scratcher/shoe horn. He said his father beat him because he was mad that he went with me to report the abuse. Then he also told me that on the morning of december.19 around 10am when he was getting ready for visitation with me he was waiting near the apartment door for his father and his father hit him in his spine with his cane because my son did not realize his father was ready and my son was in the way of the door. My son said once the door was opened his father pushed him out of way. When my son told me of the abuse since the order of protection was in place i immediately brought him to your 70th precinct to file a report but your officers said he had to go back to his father. They did say, however, that i had the right to take my son to the emergency room for his in grown toe nail that was infected due to medical neglect and hurt more cause his father injured it while beating him with the green plastic back scratcher on december.16. I brought him to long island jewish hospital and stood there all night with my son, waiting till morning to speak with a social worker. The social worker told

~~18~~

18

0226

That acs would investigate the matter in 2-4 hours but i have not even heard from them to this day. weeks later. There is medical neglect in regards to infections on both big toes, for which his father was supposed to make an appointment with a foot doctor of which his primary care doctor gave a referral for but his father neglects to make the appointment , leaving my son joe with ingrown toe nails, infection and pain. In addition, he's also supposed to take my son to an eye doctor as my son and his teacher are complaining that he can't see from far away but he never makes the appointment for my son, neglecting him. My son has told me his vision problems started after his father punched him in the eye which occurred before the order of protection was in place. His injured eye needs to be examined by an opthamologist. Regardless, his father does nothing.

He keeps being forced to go home into the arms of his abuser giving less hope and causing him fear to report future abuse. I fear to have any contact with my son's father juan palomino. He insists that he must see me when i have to pick up my son. I told him to let my son come down to meet me by himself but he wont, even though he agrees at first to do so and then deceives me , causing me to leave without seeing my son. Juan Palomino is also suicidal / mentally unstable since he drinks rubbing alcohol daily and sucks on alcohol prep pads. Such may be the cause for him needing kidney dialysis. The judge also ordered that my son and I could have frequent talk and text conversations but his father monitors our conversations forcing my son to put me on speaker phone. I gave my son a recorder so he can record his father if he is abusing him. However, the school stole it from him and contacted his father. The school gave the recorder to his father. I have requested it back from his father, Juan Palomino. Regardless, he does not give it back to me or my son and makes my son have all conversations with me on speakerphone so he can listen and record with property that belongs to my son and I.

I went to your police precinct about Juan Palomino violating my sons order of protection but nothing was done. As a matter of fact, if you view the report written on december 19, 2015, you will see where an officer wrote the following three offenses:

- 1. criminal contempt
- 2. assault
- 3. endangering the welfare of a child

THEN, ALL THREE WERE CROSSED OUT AND INITIALED ! ALSO, UNDER QUESTION TO THE RIGHT AS TO WHETHER OR NOT THERE WAS AN ORDER OF PROTECTION IN PLACE, YOUR OFFICER INDICATED NO !? FURTHERMORE, PAGE 1 WAS MARKED PAGE 2 AND PAGE 2 WASNT EVEN WRITTEN AS PAGE 1 OR 2, JUST BLANK. EXHIBIT ____.

VIOLATION OF COURT VISITATION ORDER:

Family court has issued unsupervised visitation to me every saturday between the hours of 10am - 6 pm. Exhibit ____.

Juan Carlos Palomino is violating court order by only allowing me to pick up my son in his presence or he isn't allowing the visitation to take place. Due to this, I have been unable to see my son for the past three weeks. He allows my son walk to school by himself, demands that he go to stores for him, bank, etc., after dark by himself. However, at time of

[Handwritten signature]
A

situation. he will not allow him to see me without him being there and demanding that only I can pick him up. The court order in no way gives him authority to make such provisions. He VIOLATES THE ORDER OF PROTECTION IN THIS MANNER AS WELL BY INTIMIDATING MY SON, FORBIDDING HIM TO EXIT THE BUILDING TO SEE HIS MOTHER WITHOUT HIM OR FOR MY SON TO MEET ANYONE ELSE BUT ME, AGAINST MY WISHES AND MY SONS WISHES.

ENDANGERING THE WELFARE OF A CHILD:

Juan Palomino has my son walk to school by himself and demands that he go to stores for him, bank, etc., after dark by himself.

OTHER WITNESSES TO MY SONS ABUSE OVER THE YEARS:

My mother, Jennie Ingoglia.

Jo's half sister, Coralys, who no longer lives with Juan from another relationship Juan Carlos Palomino had.

TO NOTE:

Joe has 6 other half brothers and sisters Juan had with different women. No other child lives with him.

The neighbor of Juan Carlos Palomino, at apt. 3c had an order of protection against him.

Sincerely,

Margaret Ingoglia

~~27~~

7/22/2017

IRA MALEK
3801 SHORE PARKWAY
BROOKLYN, NEW YORK 11235
7184903861

TO WHOM THIS MAY CONCERN:

IN DECEMBER OF 2015, I WAS WITH MARGARET INGOGLIA AND HER SON AT THE 70TH POLICE PRECINCT. MARGARET WAS TRYING TO HAVE HER SONS FATHER ARRESTED BY SHOWING INJURY UPON HER SON BY THE FATHER. I WAS THERE AND WITNESSED THE POLICE OFFICER ASKING HER SON WHERE HIS FATHER HIT HIM, HOW, WHAT THE SITUATION WAS. IN MY OPINION, THE SON WAS EVASIVE AND NOT CONSISTENT WITH HIS ANSWERS. THE INJURY HER SON CLAIMED OF HIS BACK, WHEN VIEWED BY THE POLICE OFFICER AND I WAS NOT VISIBLE OR APPARENT. WE SAW NOTHING.

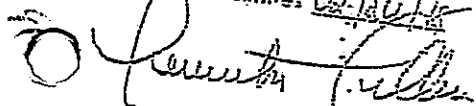
SINCERELY,



IRA MALEK

JENNIBA SILLA
NOTARY PUBLIC-STATE OF NEW YORK
No. 0181297529

Qualified in Kings County
My Commission Expires 02/14/18



~~20~~ 21



InvestiGREAT, LLC

168-09 Jamaica Avenue
Office B-5
Jamaica, New York 11432
Main Number (718) 412-1845

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

CT PI License #A2673
NY PI License #11060169211

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 Ingolia.

Affiant *Adam Dornfeld*

Date 4/27/19

Notary *Tracey Ponzetto*

Date 4/27/2019

TRACEY PONZETTO
Notary Public - State of New York
No. 012AG243847
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

#22

Investigation
Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32229711

Inadqt Suprvsn
ACTIVE BROOKLYN

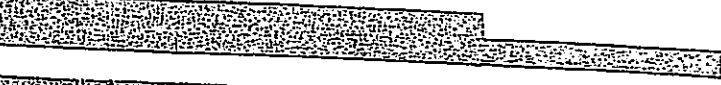
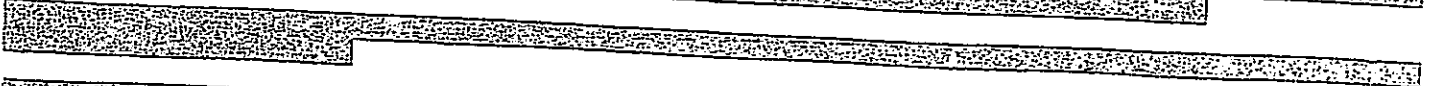
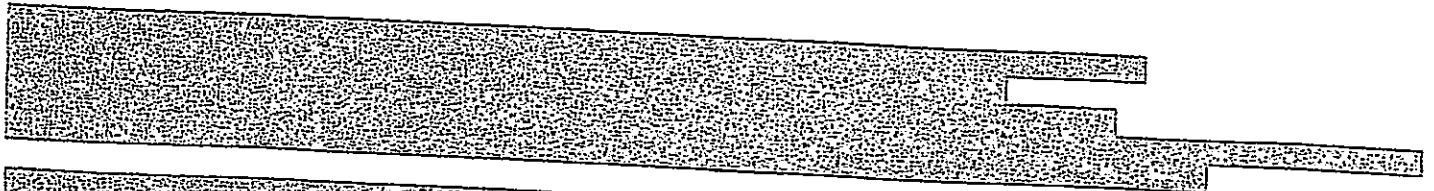
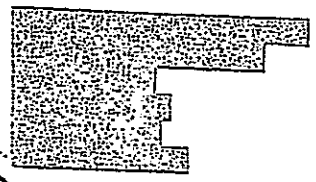
NEGLECT
12/11/2008
PALOMINO, JOE NN-36254-08
INGOGLIA, JENNIE
INGOGLIA, MARGARET
Excess Corl Punish
Fail Adqt FD/SH/CL
Inadqt Suprvsn
Medical
Mental Illness
INACTIVE BROOKLYN



09?

ABUSE
01/31/2006
PALOMINO, JOE NN-03201-06
INGOGLIA, JENNIE
INGOGLIA, MARGARET
Inadqt Suprvsn
Physical
INACTIVE QUEENS

~~M...~~



End of Note

23

Event Date: 10/30/2018

Event Time: 12:00 AM

Duration:

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

0231

Investigation
Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32229711

Inadqt Suprvsn
ACTIVE BROOKLYN

NEGLECT
12/11/2008
PALOMINO, JOE NN-36254-08
INGOGLIA, JENNIE
INGOGLIA, MARGARET
Excess Corl Punish
Fail Adqt FD/SH/CL
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Medical
Mental Illness
INACTIVE BROOKLYN

ABUSE
01/31/2006
PALOMINO, JOE NN-03201-06
INGOGLIA, JENNIE
INGOGLIA, MARGARET
Inadqt Suprvsn
Physical
INACTIVE QUEENS

09?

~~Notes~~

[REDACTED]

Event Date: 10/30/2018

Event Time: 12:00 AM

Duration:

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

06 0232

24

~~13~~

End of Note

Investigation
Progress Notes

*****WARNING*****
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 the 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.

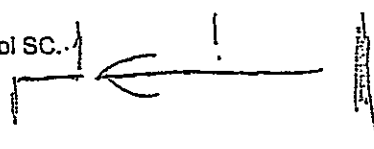
Red Flags/ Safety Factors: SC is out of control and BM cannot control SC.

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.

CPSSII 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 2006 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 2018 BF Malek, 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 8/10/1 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?

Investigation
Progress Notes

*****WARNING*****
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 M... The father had a visit with M... last Thursday (8/9/18) and noticed the bump and scratches. The father was supposed to have a visit with M... on Monday and today, but the mother did not bring M... to the visit. The father is concerned that something may have happened to M... 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 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.

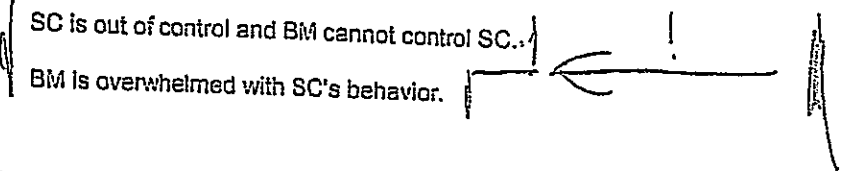
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IRT Screening: Case has not been enhanced to an IRT.

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

Potential worker safety concerns: No worker safety concerns reported.

Hypothesis:



Consultations:

An IC will be requested by Applications.

CPSSII 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 2006 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 2018 BF Malek, 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 8/10/1 by Elder, T. #3

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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:

" 1/26/06

Inadequate Guardianship and Lacerations, Bruises and Welts

Indicated

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.

11/26/08

Inadequate Food, Clothing and Shelter, Lack of Medical Care and Inadequate Guardianship

Indicated

JOE'S FATHER. MARGARET'S OTHER DESTROYED RELATIONSHIP

Today, 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 WAS ABOUT ONE SAT SO.

INVESTIGATION

Says What?

Under Malek Robert (BF)

Inadequate Guardianship

WHEN JOE WAS ASKED ME
JUST SAID AT PROPER USED TO
PUT SOAP IN AT MOTHERS MOUTH.
I HAVE THAT PAGE.

11/13/15

COI

12/20/15

BF, Juan Palomino

Inadequate Guardianship and Lacerations, Bruises and Welts

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

Investigation
Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32053647

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" 1/26/06

Inadequate Guardianship and Lacerations, Bruises and Welts

Indicated

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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.

11/26/08

Inadequate Food, Clothing and Shelter, Lack of Medical Care and Inadequate Guardianship

Indicated

Today, 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.

SO WHY DON'T YOU SAY SO.

INVESTIGATION

Says What?

WHEN JOE WAS ASKED ME
JUST SAID MY FATHER USED TO
PUT SOAP IN MY MOTHER'S MOUTH.
I HAVE THAT PAGE.

9/3/15

Under Malek Robert (BF)

Inadequate Guardianship

11/13/15

COI

12/20/15

For BF, Juan Palomino

Inadequate Guardianship and Lacerations, Bruises and Welts

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

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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: 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: 27121818
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.

WHERE IS THE OFFICE? HIGH?!?! NO PRR'S COL ABUSE & THEY BELIEVE I SHOULD HAVE KNOWN THE CAR SEAT INCIDENTS BUT THEY STILL SAID LOW PRIORITY CASE.

THIS ACS DA'S OFFICE COVERUP.

WHAT ABOUT 06, 08, 09?

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 ~~M~~ without substantiate the allegations. support, and the father Robert had just been arrested and incarcerated. Case was unfounded to a lack of credible evidence to

Case Name: Ingoglia, Margaret
Investigation Closed: 02/07/2018 UNFOUNDED

FSS Open: 12/07/2017

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 ~~M~~ and Joe were observed free of marks and bruises.

FSS Closed: STILL OPEN

Subsequent Open: 12/29/2017

Case was called in due to concerns the father Robert was being verbally abusive towards 3-year old ~~M~~, 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."

Subsequent Closed: 03/12/2018 INDICATED

Additional Stage ID's:

Subsequent Open: 06/28/2018

Subsequent Open: 08/18/2018

Subsequent Open: 08/29/2018

Subsequent Open: 10/23/2018

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.

Subsequent Closed: 08/28/2018 INDICATED

Subsequent Closed: 08/29/2018 UNFOUNDED

Subsequent Closed: 10/17/2018 UNFOUNDED

Subsequent Closed: STILL OPEN

Case Number: 26273656

Investigation Open: 12/20/2015

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.

Case Name: Palomino, Juan G
Investigation Closed: 02/11/2016 UNFOUNDED

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

DID ESN'S HAVE AGGRESSIVE MOTHER? JUAN???
MARGARET + BE MOTHER FALSE REPORT MARGOT J. PALOMINO TO PET. LETTER, IN CWS LETTER.

LTS

NEGLECT
07/31/2018

MALEK, MARGARET NN-19410-18

PALOMINO, JOE NN-19411-18

MALEK, ROBERT

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

SO MARG IS NOT CREDIBLE HERE BUT CREDIBLE MARG MARG THIS CALL
ACCUSED PALOMINO OF HITTING HER!
29 NOT TRUE.

0237

Investigation
Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32053647


High Priority: 13

Intake Report Family Composition

Mother Ingoglia, Margaret
Parent Substitute Malek, Robert
Child Palomino Ingoglia, Joe
Child M...
Address: 1110 E 101ST ST, Brooklyn, NY 11238-4428
Tel #: (347) 439-2759 / (917) 231-4247

Clearances

WWS/HHS:

ROBERT MALEK		Non- Legal Union with Child In Common
M...		Daughter
JOE PALOMINO		Son
MARGARET INGOGLIA		Applicant/Payee
JENNIE INGOGLIA		Unknown
HRA WMS 929-246-7673		1110 E 101 ST BROOKLYN, NY 11236

As of
08/07/2018

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:

[Redacted summary text]

23109132 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.

21751183 Case was opened on 01/26/2006 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.

NEVER ARRESTED! IN LAST COURT REPORT SEP 20.

MORE FROM THAT. FROM PD 13A.

LTS:

Case Name: Margaret Ingoglia Case #: 5236894 Borough: Brooklyn
Pet Type: NEGLECT Filing Dt: 12/11/2008 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 -- home of the RM.

Child Outcomes

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

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HS

Investigation
Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32053847

High Priority: 13


Intake Report Family Composition

Clearances

Mother Ingoglia, Margaret
Parent Substitute Malek, Robert
Child Palominoingogl, Joe
Child Malek, Margaret

Address: 1110 E 101ST ST, Brooklyn, NY 11238-4428
Tel #: (347) 439-2759 / (917) 231-4247

WWS/HHS:

ROBERT MALEK		Non- Legal Union with Child In Common
MARGARET M		Daughter
JOE PALOMINO		Son
MARGARET INGOGLIA		Applicant/Payee
JENNIE INGOGLIA		Unknown

HRA WMS 929-246-7673 1110 E 101 ST
BROOKLYN, NY 11238

As of
08/07/2018

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:

[Redacted summary text]

23109132 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.

21751183 Case was opened on 01/26/2006 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.

NEVER APPEARED! INADEQUATE REPORT SEE 20.
QUESTIONABLE!

MORE FROM THAT. FROM PD 12A.

LTS:

Case Name: Margaret Ingoglia Case #: 5236894 Borough: Brooklyn
Pet Type: NEGLECT Filing Dt: 12/11/2008 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 -- home of the RM.
Child Outcomes ...

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

Investigation
Progress Notes

WARNING
CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

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

CASE ID: 26871553
STAGE ID: 32053647

MARGARE INGOGLIA Applicant/Payee
ENNIE INGOGLIA Unknown
HRA WMS 929-246-7673
1110 E 101 ST
BROOKLYN, NY 11236

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: Unavailable during clearance 8pm 8/9/18

SUMMARY OF HISTORY:

[REDACTED]

23109132 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.

21751183 Case was opened on 01/26/2006 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.

TURN TO 19a - INDICATED FOR MORE TOWNSHIPS.

LTS:

Case Name: Margaret Ingoglia Case #: 5236894 Borough: Brooklyn
Pet Type: NEGLECT Filing Dt: 12/11/2008 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 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:

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

*Agreed.
11/25/08 SC Ltr
Mother and father
TURN TO 19a
NEED TO GET
GIVE SC TO RM +
TRK W/ RM
MOM!*

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

Was a clinical consultation done? Pending submitted on 6/28/18 at 7:26pm

End of Note

Event Date: 8/10/2018 Event Time: 1:00 AM Duration: *[Signature]*
Entry Date: 8/10/2018 Dist.Agy: A66 Note Status: Draft
Author: Williams, Benjamin Entered By: Williams, Benjamin

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

Investigation
Progress Notes

WARNING
CONFIDENTIAL INFORMATION
AUTHORIZED PERSONNEL ONLY

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

CASE ID: 26871553
STAGE ID: 32053647

MARGARET INGOGLIA [REDACTED] Applicant/Payee
ENNIE INGOGLIA [REDACTED] Unknown
HRA WMS 929-246-7673 1110 E 101 ST
BROOKLYN, NY 11236

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: Unavailable during clearance 8pm 8/9/18

SUMMARY OF HISTORY:

[REDACTED]

23109132 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.

21751183 Case was opened on 01/26/2006 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.

TURN ID 19a - I INDICATED FOR MORE THAN FIVE.

LTS:

Case Name: Margaret Ingoglia Case #: 5236894 Borough: Brooklyn
Pet Type: NEGLECT Filing Dt: 12/11/2008 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 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:

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

*ARPOW.
11/25/08 it's wrong
mother was arrested
then persons always
killed her but they
give her to her +
took her away from
mother!*

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

Was a clinical consultation done? Pending submitted on 6/28/18 at 7:26pm

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

Event Date: 8/10/2018 Event Time: 1:00 AM Duration: 136
Entry Date: 8/10/2018 Dist.Agy: A66 Note Status: Draft
Author: Williams, Benjamin Entered By: Williams, Benjamin

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

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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

Case Name: Margaret Ingoglia (Active 292)

CD: 18

Case Number: 5236894

HR: yes 5 Sex abuse

DA: yes

IRT: ref

CPM: Danielle Christlani

Connections: Yes c 21751183 indicated 2006, c 23109132 indicated 1/8/2009, 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

NOTE LEFT OUT
ONE
TIPPLE WAS 06, 08, 09
, 2018

End of Note

Event Date: 8/10/2018 Event Time: Duration: Note Status: Draft
Entry Date: 8/10/2018 Dist.Agy: A66 Entered By: Elder, Tomeeka
Author: Method: Location: Type(s): Supervisor/Managerial Review: Initial
Purpose(s): Other Participant(s): Family Participant(s): Focus:

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

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

35 CONFIDENTIAL STEVENSON FROM
US AS REPORTED BY MARGARET
Page 65 0242

Investigation Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32053647

Case Name: Margaret Ingoglia (Active 292)

CD: 18

Case Number: 5236894

HR: yes 5 Sex abuse

DA: yes

IRT: ref

CPM: Danielle Christiani

Connections: Yes c 21751183 indicated 2006, c 23109132 indicated 1/8/2009, 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

PLEASE VECT OUT
ONE
THREE WAS 06, 08, 09
, 2018

End of Note

Event Date: 8/10/2018 Event Time:
Entry Date: 8/10/2018 Dist.Agy: A66 Duration:
Author: Note Status: Draft
Method: Entered By: Elder, Tomeeka
Location:

Type(s):
Purpose(s): Supervisor/Managerial Review
Other Participant(s): Initial
Family Participant(s):
Focus:

Progress Notes Narrative: 132072919

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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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CONSISTENTLY STEADY FROM

US AS ADMITTED BY MOTHER

Family Services
Progress Notes

Case Name: Ingolia, Margaret

Case ID: 26871553

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

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

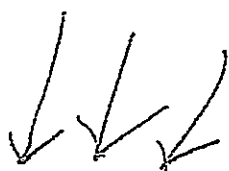
[REDACTED]

Next court date: 1/7/2019

OOP
Order of Protection / Warrant View
ACS Case #: 5236894
ACS Case Name: INGOGLIA, MARGARET

Type OOP Number Issued Date End Date Expiry Date Protected Person Issued Against
Order of Protection 2018-031591 12/04/2018 01/18/2019 Malek Robert (04/08/1969)

SCR
The mother Margaret has extensive history with ACS dating back to 2006 which consists of 4 Indicated cases, 6 Unfounded cases, 7 suspended cases. The father Robert has extensive history with ACS dating back to 2015 which consists of 2 Indicated cases, 5 unfounded cases and 7 suspended cases. There is a pattern of inadequate guardianship, lacerations, bruises, or welts, and lack of medical care. Please review the last 3 summaries.



NOT TRUE

There is an active FSS Case ID: In the Brooklyn Borough Office CM is Lanier, Lisa Open: 12/7/2017
Last documented face to face was on 12/14/2018. It was noted by CP Copeland, Crystal from LEFU "Minnie was observed dressed appropriate for the weather, there were no apparent marks, bruises, or scars present on unclothe areas" CP also observed that Minnie was sleeping on the left side of the bed during the visit. Joe was observed dressed appropriate for the weather, there were no apparent marks, bruises, or scars present on unclothe areas.
Service stage was open for the purpose of Family Court Intervention. Article 10 Petition was filed due to DV naming Robert Malek as the Respondent PLR.

On 11-23-18, there were suspended allegations of inadequate guardianship and lacerations, bruises, or welts made against Margaret Ingolia for Minnie (Minnie) Malek.

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

~~30~~ 37

Family Services
Progress Notes

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

Case Name: Ingoglia, Margaret

Case ID: 26871553

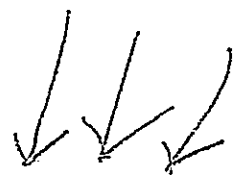
[REDACTED]

[REDACTED]

Next court date: 1/7/2019

OOP
Order of Protection / Warrant View ,
ACS Case #: 5236894
ACS Case Name : INGOGLIA, MARGARET

Type OOP Number Issued Date End Date Expiry Date Protected Person Issued Against
Order of Protection 2018-031591 12/04/2018 01/18/2019 Malek Robert (04/08/1969)



SCR

The mother Margaret has extensive history with ACS dating back to 2006 which consists of 4 Indicated cases, 6 Unfounded cases, 7 suspended cases. The father Robert has extensive history with ACS dating back to 2015 which consists of 2 Indicated cases, 5 unfounded cases and 7 suspended cases. There is a pattern of Inadequate guardianship, lacerations, bruises, or welts, and lack of medical care. Please review the last 3 summaries.

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Last documented face to face was on 12/14/2018. It was noted by CP Copeland, Crystal from LEFU "Minnie was observed dressed appropriate for the weather, there were no apparent marks, bruises, or scars present on unclothed areas" CP also observed that Minnie was sleeping on the left side of the bed during the visit. Joe was observed dressed appropriate for the weather, there were no apparent marks, bruises, or scars present on unclothed areas.
Service stage was open for the purpose of Family Court Intervention. Article 10 Petition was filed due to DV naming Robert Malek as the Respondent PLR.

On 11-23-18, there were suspended allegations of Inadequate guardianship and lacerations, bruises, or welts made against Margaret Ingoglia for Minnie (Minnie) Malek

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Family Services
Progress Notes

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

Case Name: Ingoglia, Margaret

Case ID: 26871553

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.

ALLEGATIONS! MAMM MAMM & JOE TO REC. LETTER.

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 11-26-08, 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 TO 1/24/16*

Additional Case ID's:
26244579
26192658
23109132
21751183

~~PLEASE DISCUSS WITH SUPERVISOR~~
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 1/6/2018 @ 12:05pm.

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, Robert; Palomino-Ingoglia, Joe

Event Time:
Dist.Agy: A66

"DRAFT"
Duration:
Note Status: Draft
Entered By: Velasquez, Nuvia V

Progress Notes Narrative:

On 1/6/19, CPSSII and CPS Nwenyi engaged in a pre-investigation conference via telephone. A visit will be conducted to the shelter to assess the safety of Joe and M...
2018

Investigation
Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32053647

Allegations: INGD, IFCS

Outcome: Substantiated

Investigation Conclusion Narrative:

The allegation of INGD is substantiated against Bf Robert Malek. Father has historically been aggressive toward the mother. Mother left the home due to the father's aggressive nature.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

23109132 IND-11/25/2008
21751183 IND-01/26/2006

09?

Patterns/ Concerns:

No patterns or concerns have been identified at this time

Were DIR's/Criminal clearances conducted?

Yes. DIR Clearances for Mother and Father were requested on 08/16/2018 at 2:04 AM.

Was a clinical consultation done?

MH consult was submitted on 08/16/2018 at 3:30 AM.

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

Event Date: 8/16/2018 Event Time: Duration:
Entry Date: 8/16/2018 Dist.Agy: A66 Note Status: Draft
Author: Jackson, Bernard Entered By: Jackson, Bernard
Method:
Location:
Type(s): Other Casework Activity
Purpose(s): Cross Reference
Other Participant(s):
Family Participant(s):
Focus:

Progress Notes Narrative: 132204520

CD- 18

~~13220~~ 41

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

Investigation
Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32053647

Allegations: INGD, IFCS

Outcome: Substantiated

Investigation Conclusion Narrative:

The allegation of INGD is substantiated against Bf Robert Malek. Father has historically been aggressive toward the mother. Mother left the home due to the father's aggressive nature.

[REDACTED]

[REDACTED]

23109132 IND-11/25/2008
21751183 IND-01/26/2006

09?

Patterns/ Concerns:

No patterns or concerns have been identified at this time

Were DIR's/Criminal clearances conducted?

Yes. DIR Clearances for Mother and Father were requested on 08/16/2018 at 2:04 AM.

Was a clinical consultation done? MH consult was submitted on 08/16/2018 at 3:30 AM.

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

Event Date: 8/16/2018 Event Time:
Entry Date: 8/16/2018 Dist.Agy: A66 Duration:
Author: Jackson, Bernard Note Status: Draft
Method: Entered By: Jackson, Bernard
Location:
Type(s): Other Casework Activity
Purpose(s): Cross Reference
Other Participant(s):
Family
Participant(s):
Focus:

Progress Notes Narrative: 132204520

CD- 18

~~1750~~ 42

EXHIBIT N1

1 ~~43~~ 43

EXHIBIT D

**THE 28 STATEMENTS OF IMPEACHMENT BY MARGARET INGOGLIA AND
HER SON JOE :**

1. SHE DENIES ANY PRESENT OR PAST PHYSICAL ABUSE FROM MR. MALEK

FAMILY SERVICES PROGRESS NOTES, PAGE 8

2. MS. INGOGLIA DENIED ANY PHYSICAL VIOLENCE BETWEEN HERSELF AND MR. MALEK

FAMILY SERVICES PROGRESS NOTES PAGE 7

**3. BM ADMITTED THAT SHE HAS BEEN GOING THROUGH DOMESTIC VIOLENCE WITH BF, BUT HE HAS
NEVER HIT HER.**

FAMILY SERVICES PROGRESS NOTES PAGE 26

4. BM REPORTED THAT BF DOES NOT PHYSICALLY HIT HER

INVESTIGATION PROGRESS NOTES PAGE 16

5. BM REPORTED THAT BF DOES NOT PHYSICALLY HIT HER

INVESTIGATION PROGRESS NOTES PAGE 9

6. NO IMMINENT RISK OF PHYSICAL VIOLENCE

INVESTIGATION PROGRESS NOTES PAGE 26

7. BM AND SC DENY BF PHYSICALLY ASSAULTING THEM.

INVESTIGATION PROGRESS NOTES PAGE 25

8. BM AND CHILD JOE REPORT THAT THERE HAS NEVER BEEN A PHYSICAL DISPUTE OR ALTERCATION BETWEEN BM AND BF ROBERT

INVESTIGATION PROGRESS NOTES PAGE 25

9. BM ADMITTED THAT SHE HAS BEEN GOING THROUGH DOMESTIC VIOLENCE WITH BF, BUT HE HAS NEVER HIT HER.

INVESTIGATION PROGRESS NOTES PAGE 82

10. SHE STATED THAT THEY HAVE NEVER GOTTEN INTO PHYSICAL ALTERCATIONS, ONLY VERBAL.

INVESTIGATION PROGRESS NOTES PAGE 27

11. SUBJECT CHILD JOE REPORTED THAT HIS LITTLE SISTER IS ROBERTS PRICED POSSESSION.

INVESTIGATION PROGRESS NOTES PAGE 14 A

12. CPS ASKED SUBJECT CHILD JOE IF ROBERT DISCIPLINES HIM AND HIS SISTER. SUBJECT CHILD REPORTED NO.

INVESTIGATION PROGRESS NOTES PAGE 14 A

13. BM REPORTED THAT SHE HAS NO FEAR FOR SUBJECT CHILD MARGARET AND THAT BF WOULD NOT HURT HER.

INVESTIGATION PROGRESS NOTES PAGE 9A

14. BM REPORTED THAT BF DOES NOT PHYSICALLY DISCIPLINE THE CHILDREN

INVESTIGATION PROGRESS NOTES PAGE 9A

15. THE MOTHER EXPRESSED EXPERIENCING D/V BY THE FATHER BUT NOT PHYSICAL.

INVESTIGATION PROGRESS NOTES, 21A

NOW THE CONTRADICTIONS:

16. 9-3-2015, CALL MADE BY MARGARET INGOGLIA TO THE CPS HOTLINE, THE DAY AFTER SHE LEFT OUR DAUGHTER AND I STATES :

ROBERT, FATHER, HAS PHYSICALLY ASSAULTED MARGARET, MOTHER, WHILE MARGARET 10 MONTHS WAS IN THE HOME.

17. SIBLING (JOE) REPORTS THAT BIOLOGICAL FATHER HAS PUSHED HIM INTO A DRESSER

INVESTIGATION PROGRESS NOTES PAGE 6

18. MARGARET INGOGLIA :THE MAN WAS TOO ABUSIVE AND WAS THREATENING TO HARM THE ENTIRE FAMILY.

FAMILY SERVICES PROGRESS NOTES PAGE 55

19. THE MOTHER ALSO STATED THAT THE CHILD WITNESSED THE FATHER SHOVING HER WHENEVER HE WAS ANGRY. THE MOTHER ALSO STATED THAT SHE HAS THE ENTIRE FAMILY HAS AN ORDER OF PROTECTION AGAINST THE MAN FOR DOING THESE THINGS TO THEM.

FAMILY SERVICES PROGRESS NOTES PAGE 55

20. JOE STATED THAT HE WITNESSED THE MAN PUSHED HIS MOTHER AROUND AND SOMETIMES HE WILL..... STEP ON HER !!!!!!!

FAMILY SERVICES PROGRESS NOTES PAGE ~~58~~

65

21. CPS STATED THAT BOTH THE MOTHER AND JOE REPORTED THAT THE FATHER, MR. MALEK DID USE PHYSICAL DISCIPLINE WHEN AT THE SAME HOME WHEN THEY ALL RESIDED IN BROOKLYN

22. SUBJECT CHILD JOE REPORTED ROBERT OFTEN KICKS HIS SISTER ON HER BOTTOM VERY HARD WHEN SHE REFUSES TO WALK AND WANTS TO BE HELD. SC CHILD REPORTED ROB SOMETIMES THROWS WATER ON SUBJECT CHILD WHEN SHE IS CRYING IN HER CAR SEAT.

INVESTIGATION PROGRESS NOTES PAGE 14 A

IT DOESNT STOP THERE, UNTO JOES FATHER :

23. SC REPORTED HIS BIOLOGICAL FATHER USED TO TREAT HIS MOTHER BADLY AND USED TO PUT SOAP IN HER MOUTH .

INVESTIGATION PROGRESS NOTES PAGE 14 A *EXHIBIT C1 HERE*

NOTE :GO TO EXHIBIT F . FURTHERMORE GO TO EXHIBITS F, G, N OF AFFIDAVIT IN REPLY TO ROSMIL ALMONTES OSC DATED 1-2-2020. AS CAN BE SEEN, JUAN PALOMINO WAS NEVER ARRESTED FOR ASSAULTING MARGARET AS SHE HAD CLAIMED IN HER FAMILY OFFENSE PETITION AND 70 PCT LETTER, MARGARET NEVER MENTIONS THE SOAP IN THE MOUTH AND INCREDIBLY, HER SON JOE SAYS NOTHING ABOUT THE ATTEMPTED MURDER ASSAULT CLAIMED BY HIS OWN MOTHER IN ACS NOTES TO BE DONE IN FRONT OF HIM WHEN HE WAS 5. ACS DEEMED HIS ACCUSATIONS AGAINST HIS FATHER TO BE FALSE IN 2015 WHICH WAS ACTUALLY MARGARET AND JOE THEN UPON PALOMINO AS THEY ARE NOW UPON MALEK. NOTE MY DADS NOTARIZED LETTER IN EXHIBIT F .

UNTO THE KEVIN GORRASI STATEMENTS AT CFS BY MARGARET INGOGLIA (JAN. 17, 2019, PAGE 3):

24. THE MOTHER STATED THAT THE FATHER PUSHED AND SHOVED HER NUMEROUS TIMES AND IT GOT WORSE AFTER THE BABY WAS BORN !!!!!!!

48

25. AND WITHIN A WEEK OF GETTING BACK TOGETHER, HE WAS HITTING HER AND THE CHILD !!!!!

26. THE CHILD HAS TOLD HER THAT SHE IS AFRAID OF HER FATHER FOR HITTING HER !!!!!!!!!!!!!

27. ACCORDING TO THE MOTHER MINNIE IS TO BE EVALUATED FOR EARLY INTERVENTION AND OTHER SERVICES AS, DUE TO ALL ABUSE THE MOTHER FEELS SHE HAS WITNESSED AND EXPERIENCED SHE IS VERY AGGRESSIVE TO HERSELF AND OTHERS.

(NOW MINNIE IS AGGRESSIVE TOO !!!!!!!!! (RIDICULOUS) ERRRRR. AND ITS ALL THE FATHERS FAULT....)

28. WAIT A SECOND, WASNT THIS MARGARETS STORY ABOUT JOE TOO WITH HIS FATHER. THAT HE IS AGGRESSIVE WITH OTHER CHILDREN BECAUSE OF HIM BEING ABUSED BY HIS FATHER ? IT SURE WAS !!! TO TO EXHIBIT FGN OF AFFIDAVIT IN REPLY TO ACS ORDER TO SHOW CAUSE DATED 1-2-2020.

+ EXHIBIT C1 OF THIS AFFIDAVIT

Case Name:

Ingoglia, Margaret

Case ID:

26871553

Describe major issues/themes brought up by the team/participants during the conference.

CPS Ms. Hudson and, CPSSII Mr. Fortune participated in the conference via telephone.

Ms. Ingoglia expressed feeling controlled and fearful of her paramour. She denies any present or past physical abuse by Mr. Malek. She reports he has threatened retaliation towards her or anyone who attempts to take their daughter away from him. Mr. Malek attempts to intercept or control all of Ms. Ingoglia's communication with anyone. He appears to make all of the decisions in the home. Her keys recently went missing and, she does not have a working cell phone. Mr. Malek didn't pay her cell phone bill. He is the sole provider of the family and, she is financially dependent upon him. Mr. Malek attempts to be present for all of her appointments and, does not allow Ms. Ingoglia to have any privacy. He is unreasonably suspicious and, paranoid. Ms. Ingoglia expressed her intention to leave Mr. Malek and, stated that she has hidden some things in a storage unit. She expressed a desire to obtain a few more sentimental items prior to leaving for good. She denies having any place to go. The team explored domestic violence shelter options, discussed safety planning and, domestic violence resources with Ms. Ingoglia. The team discouraged Ms. Ingoglia from trying to take sentimental items. In response, Ms. Ingoglia proffered several reasons for postponing her departure. Ms. Ingoglia has a history of returning to her relationship with Mr. Malek. As a result, there is concern that she may not follow through with the plan to enter a domestic violence shelter. The team also discussed the possibility of a homeless shelter if the family had to depart without being accepted into a domestic violence shelter. Ms. Ingoglia initially talked about leaving SC Malek behind and, the team discouraged this idea because Mr. Malek's thought process does not appear rational and, he should not be responsible for such a young and, vulnerable child.

Ms. Hudson departed the conference prior to its ending to seek an immediate domestic violence consultation.

It was agreed that Ms. Ingoglia would not take the completed FTC form home with her. After the conference ended, Ms. Gibbs prepared an edited document for Ms. Ingoglia to take home.

The Action Plan was reached by consensus.

Has there been an assessment of the safety, risk and well-being of all the children?

Yes (Describe Briefly) As per CP Ms. Gibbs, the children have been observed and deemed safe as of the last home visit. There were no visible marks or bruises identified on their person at that time. SC Mr. [redacted] is not attending daycare because Mr. Malek does not follow through on service recommendations. It is believed that the lack of follow-up may be intentional to prevent Ms. Ingoglia from having any freedom.

No (explain)

5. Discuss the behavioral changes needed to close the case.

Family Services
Progress Notes

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

Case Name: Ingoglia, Margaret

Case ID: 26871553

During a routine home visit, Ms. Ingoglia disclosed to CP Ms. Gibbs that she is being threatened, degraded and controlled by her paramour. He sometimes forces her and their daughter to wait in a nearby park while he works. She is afraid he will find her if she leaves or terrorize her mother (who is in an assisted living facility).

4 Assessment of Family

Describe Safety/Risk Assessment discussed/identified during the conference (include family's view and any concerns impacting the children).

Ms. Ingoglia and Joe do not feel safe in the home. Both are intimidated and, degraded by Mr. Malek. Joe was hospitalized for approximately three weeks after writing a suicide note. Joe is not currently taking his medication because Ms. Ingoglia stated that it makes him sick. Ms. Ingoglia attributes some of Joe's mental health problems to the badgering by Mr. Malek. (Mr. Malek is not Joe's father. He is Mr. [redacted] father.) Ms. Ingoglia denied any physical violence between herself and, Mr. Malek. It is unknown if Ms. Ingoglia has diagnosed cognitive delays. Past DIRs indicate verbal altercations between the couple. However, she stated that he has threatened to punch her in the stomach. Ms. Ingoglia recounted other statements in which Mr. Malek has implied that he will harm anyone who tries to take SC Margaret away from him. Ms. Ingoglia stated that she does not think that Mr. Malek would pursue her unless she attempts to take SC Margaret. The team agreed that if Ms. Ingoglia should leave her home, she should not leave Margaret in the care of Mr. Malek. Mr. Malek appears paranoid and, his mental health status is questionable. He has no known mental health diagnosis and, has thus far strategically avoided a mental health evaluation. CP Ms. Gibbs will explore a referral for individual mental health services with Mr. Malek. Due to the domestic violence, conjoint sessions between Mr. Malek and, Ms. Ingoglia are not recommended.

Ms. Ingoglia no longer has a working phone. She reported that Mr. Malek did not pay her cell phone bill. She further stated that her keys recently disappeared and, she believes that Mr. Malek took them. (Ms. Ingoglia stated that she is currently using Joe's keys.) CPS Hudson informed the team that you need a key to exit the family residence and, the family is locking the door without leaving the key in the lock. The team strongly recommended that a key always be left in the lock to allow the family to quickly exit in case of an emergency.

Mr. Malek does not usually allow Ms. Ingoglia to attend appointments, sign documentation or speak on the phone without him being present. SC Margaret is not receiving play therapy or receiving services from GABI due to Mr. Malek's interception.

The primary focus of the conference was the domestic abuse and, resulting safety concerns for the family. The team acknowledged that Joe requires follow-up mental health services and, Margaret to complete the GABI intake. However, it was agreed that the family's safety would take precedence over other concerns.

Strengths Identified at the Conference (include family capacity, internal & external resources that can support action plan).

Ms. Ingoglia attended and participated in the conference. Joe's mood has improved since his discharge from Brunswick Hospital. Joe is a great kid and, was promoted to the 7th grade. Joe and Margaret have health insurance coverage. MGM Jennie Ingoglia is supportive of the family. Ms. Ingoglia was referred to GABI. Ms. Ingoglia and, Joe have intake appointments scheduled with ICL.

Family Services
Progress Notes

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

Case Name: Ingoglia, Margaret

Case ID: 26871553

[REDACTED]

The allegation of inadequate guardianship is being substantiated against BF Robert Malek for subject child Joe Palomino, and M ~~Malek~~. BM admitted to BF being verbally abusive and controlling to her and children. SC Joe admitted to BF being verbally abusive to him and verbally abusive to BM in his presence. SC Joe and BM both admitted to being afraid of BF. BM admitted that she has been going through domestic violence with BF, but he has never hit her. BM reported that she is not safe in the home while BF is there. SC Joe has mental health concerns that BF is aware of and past suicidal thoughts, and BF continues to talk down on SC Joe.

End of Note

Event Date: 8/31/2018
Entry Date: 9/10/2018
Author: Hudson, Ardaisha Z
Method: Face To Face
Location: LDSS Office/Field Office
Type(s): Casework Contact
Purpose(s): Assessment
Other Participant(s):
Family Participant(s): Ingoglia, Margaret; Malek, Margaret; Malek, Robert; Palominoingog, Joe
Focus: Ingoglia, Margaret; ~~Malek, Margaret~~ Malek, Robert; Palominoingog, Joe
Progress Notes Narrative:

Event Time: 11:15 AM
Dist. Agt: A66

DRAFT
Duration:
Note Status: Draft
Entered By: Hudson, Ardaisha Z

Supervised Visit

BF and SC M ~~Malek~~ had a supervised visit in the field office. BM arrived 15 minutes late for the visit. SC and BF bonded as BF brought toys, and movies for SC to watch. BM reported that she was having train issues. CPS did not observe any marks or bruises on both children. The supervised visit was for two hours.

Investigation
Progress Notes

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

CASE NAME: Ingoglia, Margaret
STAGE NAME: Ingoglia, Margaret
CASE ID: 26871553
STAGE ID: 32219607

Method: Face To Face
Location: Case Address
Type(s): Casework Contact
Purpose(s): Parent's Account
Other Participant(s):
Family Participant(s): Ingoglia, Margaret
Focus: Ingoglia, Margaret

Progress Notes Narrative:

Interview with BM

INTERVIEWS AND ASSESSMENTS OF PARENTS/ CARETAKERS/ALLEGED SUBJECT

For each person interviewed include:

- o Name of Interviewee: Margaret Ingoglia 10/22/79
- o Location of interview: Case Address
- o Was the interview conducted separately yes no
- o If not, give specific reasons as to why and indicate who else was present during the interview. Click here to enter text.

Notices of Existence provided to all required persons? Yes No

- o If no, why not: Click here to enter text.
- o To whom and method of delivery: face to face

- o Basic facts about household composition:
- o Employment (if applicable): Unemployed
- o Source/amount of income:
- o Primary language: English
- o Resident status: Citizen
- o Culture/ethnicity: Caucasian
- o Religion: Other
- o Record type of health care insurance and carrier: no health insurance

o Alleged/confirmed subject's account of the reasons for child welfare involvement:

BM reported that SC Joe mental health is being addressed. BM reported that she took him to Dr. Mark Burd in Queens NY and he was assessed in July 2018. BM gave CPS a letter from Ms. Burd reporting SC does not need any medication, and has no sign of suicidal. BM reported that SC has never put at risk or hurt SC Margaret. BM reported that SC does not have tantrums or outburst. BM reported that she is willing to get SC assessed again. BM reported that she was working with her PPRS worker Ms. Gibbs to put SC Joe in mental health services, but since she has been found eligible in the shelter she can finally precede with services. BM reported that she will be getting a new preventive worker that covers her new jurisdiction.

BM reported both SC are not in harm, and C Joe has a psych evaluation on 11/30/2018 at the Institute Family Health

o Describe if there are any diagnosed or perceived mental health issues past/present and how it impact on the children safety.

BM stated that she does not have any diagnosis. BM receives counseling from Institute of Family Health.

o Describe if there is domestic violence in the home and how it impacts on children's safety (separate interviews are mandatory complete DV screening).

BM stated that BF was verbally and emotionally abusive towards her. BM stated that BF use to control the money and didn't let her go anywhere. BM reported that BF monitors where she goes and didn't really support her in anything. BM reported that BF has verbally abused her in the presence of the children, and SC Margaret now says curse words and thinks its fine. BM reported that SC Margaret gets the bad words from BF. BM reported that BF does not physically hit her.

BM reported that BF is still trying to control their relationship even with an OOP that is in places. BM reported that BF is using any inform... on he can get to call in a case on her. BM reported that he is still mentally controlling her life.

o Describe relationship between parents/caretakers & significant other. Include name, contact information and relationships with fathers of all children.

Investigation
Progress Notes

*****WARNIN
CONFIDENTIAL INI
AUTHORIZED PERS

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

CASE ID: 26871553
STAGE ID: 32053647

- o Resident status: Citizen
- o Culture/ethnicity: Caucasian
- o Religion: Other
- o Record type of health care insurance and carrier: no health insurance

o Alleged/confirmed subject's account of the reasons for child welfare involvement:

CPS spoke with BM about the reported concerns of mental health for SC Joe and domestic violence between BM and BF. CPS asked BM about SC mental health concerns. BM reported that SC was seeing a therapist after the things went on with his father. CPS asked BM to explain what happen between SC Joe and his father. BM reported that on December 30th she found a room in a shared apartment for herself and SC Joe in Harlem, or he was going to end up in the system. BM reported that SC stated that his father had a stroke or was acting weird, but he never called 911, but family. BM reported that she was informed that SC BF lost oxygen to the brain and on February 12th SC Joe was arrested. BM reported that BF informed the police that SC physical abused him and that's why he was in that situation. BM reported that she could not afford to pay for the rent of the room she was renting and she had to leave out. BM reported that on February 15th, 2018 she had court with BF and that's when they decided to end whatever problems they were having so BM and SC Joe can have somewhere to stay. BM reported that she would have not gone back to BF if it wasn't for SC Joe. BM reported that she had to make sure he had somewhere to go. BM reported that while all that was transpiring SC went through so much he was prescribed medication for. BM reported that on April 27th, 2018 SC wrote a suicidal note and BM called EMS and went to the hospital. BM reported that she wanted SC to stay at the hospital for observations. BM reported that SC stayed at the hospital for a month and was discharged the end of May. BM reported that SC stopped taking his medication because it was affecting his breathing. BM reported that SC use to have asthma and she did not his asthma to come back because of the medication. BM reported that she did not speak to a doctor before taking SCS off his medication. BM reported that they still had the medication. BM reported that she has been working with Ms. Gibbs to get SC an evaluation. BM reported that they went to Interborough and the people working there was very rude to her. BM reported that Ms. Gibbs is helping her look for another agency.

BM reported that she has been verbally and mentally abused by BF. BM reported that BF controls everything within the family. BM reported that she cannot do anything with BF permission. BM reported that she is told not to answer the door. BM reported that BF makes her lock the door from the inside of the home. BM reported that BF verbally abuse her and curse at her in front of subject children. BM reported that BF verbally abuse SC Joe. BM reported that she is staying there, because she has nowhere else to go at the moment. BM reported that she has SC Joe taking some of their items little by little to storage that she has that BF doesn't know about. BM reported that she wants all her stuff out of the home before she leave. BM also reported that she wants to take SC Margaret with her, but BF is possessive or SC M and she does not want things to get worse if she takes her. BM reported that she has no fear for SC M and that BF would not hurt her. BM reported that she is afraid of BF. BM reported that BF does not physically discipline the children. BM reported that she does not physically discipline the children.

Describe if there are any diagnosed or perceived mental health issues past/present and how it impact on the children safety.

BM stated that she does not have any diagnosis. BM receives counseling from PPK's Catholic charities M. Gibbs.

Describe if there is domestic violence in the home and how it impacts on children's safety (separate interviews and mandatory complete DV screening).

BM stated that BF is verbally and emotionally abusive towards her. She stated that he controls the money and does not let her go anywhere. BM reported that BF monitors where she goes and don't really support her in anything. BM reported that BF verbally abuses her in the presence of the children, and SC M now says curse words and thinks it's fine. BM reported that SC M gets the bad words from BF. BM reported that BF does not physically hit her. BM reported that BF keeps them in the house and tell her not to answer the door. BM reported that

Describe relationship between parents/caretakers & significant other. Include name, contact information and relationships with fathers of all children.

They have been together for about 4 years on and off. BM stated that she met BF when she 12 years old and he was 23 years old. She stated that he was arrested for dating her. She stated that in 2014 BF wrote her a letter, and they got back together. BM reported that BF lied to her when she was younger and said he was 19 years old. BM reported that BF wants everything done his way and for BM to listen to him. BM reported that BF talks down to her in front of the children. BM reported that

NOT TRUE

Investigation
Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32053647 *CI*

Joe was previously on impacted his breathing and BM discontinued this treatment so that child's asthma condition was not worsened.

PPRS is currently working with BVI to identify a new resource to address child Joe's mental health.

Adverse impact of the perpetrator's behavior on the child- Child reports that BF Robert's verbal abuse stresses him out and puts him down. *NO*

Role of substance abuse, mental health, culture and other socio-economic factors - The presence of high verbal conflicts and BF Robert's constant verbal abuse on BM and Child Joe impacts child Joe's mental health. BM reports that this makes the family unit "nuts". BM states that she just listens when this occurs and that she is scared of him. BF Robert makes threats of harming BM's mother (NGN) if BM were to leave.


Was safety plan discussed?

CPS attempted to safety plan with BM, however, BM was resistant.

CPS provided BM with number to safe horizon and asked if BM wanted to leave the home - BM reported that she did not.

Currently, BM has gotten a storage unit and Child Joe has been moving their belongings in little by little. BM does want to leave the home.

Recommendations:

BF Robert is currently maintaining control by isolating BM and controlling finances and being responsible for BM's housing. 

While there is currently no imminent risk of physical violence, BF Robert's continued threats and verbal abuse poses and increased risk to BM's living arrangements and child Joe's mental health.

CPS and PPRS worker to explore BM retrieving an OOP for BM's mother (MGM) through family court to provide protection if BF Robert follows through on plan to harm BM. *How?*

Explore BM contacting safe horizon and inquiring about safe horizon having enough room to accommodate BM and children.

CPS to provide BM with safe horizon DV support group information so BM can establish external supports and build connections in order to work through isolation by BF Robert.

CPS to follow up with DV consultant when IC reports is received.

CPS to explore if BF Robert is willing to engage in DV services for batterer's/accountability

End of Note

Event Date:	7/28/2018	Event Time:	1:26 PM	Duration:	
Entry Date:	7/28/2018	Dist. Agy:	A66	Note Status:	Final
Author:	Stanley, Shadonae	Entered By:	Stanley, Shadonae		
Method:	Face To Face				
Location:	Case Address				
Type(s):	Casework Contact				
Purpose(s):	Assessment				
Other Participant(s):	Other				
Family Participant(s):	Ingoglia, Margaret; Malek, Margaret ; Malek, Robert; Palomino Ingogli, Joe				
Focus:	Ingoglia, Margaret; Malek, Margaret ; Malek, Robert; Palomino Ingogli, Joe				

Progress Notes Narrative:

CPS conducted home visit at 1110 E101st Street Brooklyn, NY to assess the safety and well-being of reported children. CPS arrived at case address at 1:26pm. CPS spoke with BM and BF and seen two out of two kids. CPS observed adequate provisions for both kids. Upon arrival, CPS observed BM cooking food for the family and child, Joe playing with child, ~~Margaret~~

[REDACTED]

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, 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. BM and BF were together since BM was 13 and BF was 23. BF was arrested for this and contact stopped. 4 years ago, BF contacted BM and they have been together ever since. BF of Joe is no longer involved in child Joe's life. Child Joe was previously living with child Joe, however, BF of child was having a stroke and child Joe called 911. BF reported that child Joe beat him up, which prompted child to be arrested and late child decided not to go back to BF's home.

Survivors Self Sufficiency-(Housing/Income): BM is currently unemployed and not receiving public assistance. BF supports the family and is currently living from his inherency. Family currently resides in a house which is owned by BF's father (PGM). BF regularly works delivery for a company.

Areas of Concern (MH, Medical, Substance Abuse): No current concerns according to BM and BF.

Children's MH/Behavior/Development: Child Joe (14) is diagnosed bipolar and depressed. Child is currently not receiving treatment for this but was prescribed medication and involved with therapy in the past. Child has had suicidal ideations in April/May and was admitted into a psychiatric unit. Child has since reported not having those thoughts. Child is progressing well developmentally. Child Margaret is developing well and is speaking. There are no concerns with Child M's behavior.

School Concerns - Child passed all of his classes and graduated from the 8th grade. Child will be starting high school in fall 2018.

Other Allegations

There is a history of previous involvement with ACS due to Domestic Violence and inadequate guardianship.

ORT:



Miscellaneous Information: Robert is the father to the child, Margaret. Joe is taking Sertraline HCL and Quetiapine Sumarat for his depression. The mother is working with the source to make an appointment for the child (Joe) to begin therapy. Robert is very controlling of the mother. He doesn't want her or the children to stay at home alone so he takes them to a park to wait for him while he is out. Robert calls the mother names and degrades her. It is unknown if this occurs in front of the children. Robert will also yell at the child (Joe). It is unknown what it is that he is saying when yelling at Joe. Robert was arrested for criminal mischief (for breaking his father's piano) in the past and there were allegations of Domestic Violence.

Additional Information:

BM and SC Joe are fearful of BF. BM and SC deny BF physically assaulting them. BM reported that BF verbally and mentally abuses her and SC Joe. BM reported that she wants to get out of the home and leave SC because she is afraid to take SC Margaret II with her. BM reported that she needs to move her items out of the home before she leaves. BM reports that BF is controlling. CPS needs information on a domestic violence phone if that's possible.

DV Concerns / Protocol / DIR-Court

CPS is currently awaiting the IC report and will follow up with DV consultant upon receipt of this.

According, BM and BF Robert and Child Joe, there are high occasions of verbal disputes with BF Robert making threats, cursing, and yelling putdowns to BM and child. BF Robert gets in their faces about house chores and BM leaving the house and Child Joe being in his room and not doing anything. BM and Child Joe report that there has never been a physical dispute or altercation between BM and BF Robert.

Protocol: CPS was able to engage BM in a DV protocol.

Parent A: BM reports that abuse has always been verbal and that BM has stated she would take the children and leave because of this.

Parent B: BM reports that BF Robert stated that she is not taking child Margaret with her.

Findings

Perpetrator's pattern of coercive control - BM reports that BF Robert is controlling and that when BF is at work, that BM must stay in the park with the children because BF Robert says so. BM reports that BF Robert controls the finances as the main provider and only gives her a little bit of money. BF Robert has taken BM's phone away.

Actions taken by the perpetrator to harm the child - BF Robert is verbally abusive to child Joe. Child Joe reports that he is scared and afraid of BF Robert. According to BM, Child Margaret is BF Robert's pride and joy and BF Robert does not verbally abuse child Margaret.

Full spectrum of the non-offending parent's efforts to promote the safety and wellbeing of the child- BF Robert is the financial provider for the family, however, is verbally abusive to child Joe - causing his mental health to be impacted. Neither BM nor BF Robert has addressed Child Joe's mental health concerns through therapy or medication management. BM reported that medication that child

Investigation
Progress Notes

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

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

CASE ID: 26871553
STAGE ID: 32053647

The allegation of inadequate guardianship is being substantiated against BF Robert Malek for subject child Joe Palomino, and M... BM admitted to BF being verbally abusive and controlling to her and children. SC Joe admitted to BF being verbally abusive to him and verbally abusive to BM in his presence. SC Joe and BM both admitted to being afraid of BF. BM admitted that she has been going through domestic violence with BF, but he has never hit her. BM reported that she is not safe in the home while BF is there. SC Joe has mental health concerns that BF is aware of and past suicidal thoughts, and BF continues to talk down on SC Joe.

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

Event Date: 8/23/2018 Event Time:
Entry Date: 8/23/2018 Dist.Agy: A66 Duration:
Author: Hudson, Ardaisha Z Note Status: Final
Method: E-mail Entered By: Hudson, Ardaisha Z
Location:
Type(s): Collateral Contact
Purpose(s): Assessment
Other Participant(s): Other
Family Participant(s):
Focus:

Progress Notes Narrative:

It was reported that BM was found eligible for long term housing with DHS at the shelter at 371 7th Ave unit 723

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

Event Date: 8/24/2018 Event Time: 3:05 AM
Entry Date: 8/24/2018 Dist.Agy: A66 Duration:
Author: Uzochukwu, Ele'azer Note Status: Final
Method: Uzochukwu, Ele'azer Entered By: Uzochukwu, Ele'azer
Location:
Type(s): Supervisor/Managerial Review
Purpose(s): Review Case
Other Participant(s):
Family Participant(s):
Focus:

Progress Notes Narrative:

Pre-Supervisory Conference:

ADD INFO Case27072354 has been assigned to Unit 579 for a visit to the case address to assess the home interview the family and assess CHN.

Concerns:

The source is the father and he is saying while having visitation with his daughter M... 3 on July 21st the child told the source " you should apologize to mommy for hitting Joe in the stomach. On 8/23/18 the child against stated the father should apologize to her mother, brother and grand father. The source stated that the mother is coercing the child to lie by implanting fabricated allegations in the child's mind. The source would like for the situation to be addressed with the mother.

Supervisory Directives:

CPS Brooks to conduct the following:
Establish contact with the source. Verify the information on the report (case address, allegations, narrative) obtain any additional information.

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

Event Date: 8/24/2018 Event Time: 4:11 AM
Entry Date: 8/24/2018 Dist.Agy: A66 Duration:
Author: Brooks-Allicock, Iris L Note Status: Final
Method: Phone Entered By: Brooks-Allicock, Iris L
Location:
Type(s): Collateral Contact
Purpose(s): 24 Hour
Other Participant(s): Reporter/Source

Investigation
Progress Notes

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

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

CASE ID: 28871553
STAGE ID: 32053647

[REDACTED]

BF reported the family has been having issues with their current ACS worker, Ms. Hudson. Both parent stated when she comes to their home for assessment she is mean and aggressive with the family. BM reported she feels threatened and scared when she is around because of her behavior. BF stated the last time she met with the family she was upset with them because BM told her she takes Joe and child, M [REDACTED] to the park almost every day while BF is at work. BF stated Ms. Hudson stated "to the park every day?" as if that was a bad thing to do. BM confirmed she does take the children out almost every day to the park; however, it is not until BF gets home at 11pm. She stated she takes the kids out so they can get a breath of fresh air and enjoy themselves in the park. CPS advised parents to speak to their ACS worker's supervisor about their concerns regarding Ms. Hudson.

CPS spoke with BM about any issues with DV, she reported her and BF have been getting better with their issues since family therapy started. She reported before they used to argue every day, but now they argue every couple days. BM reported sometimes she feels overwhelmed when they get into verbal arguments but she deals with it. She stated they have never gotten into physical altercations, only verbal. CPS spoke to BM about safe horizons and DOVE domestic violence agencies if she is ever in need of assistance. She stated she knows about these agencies and will use them if she ever feels like she can't take it anymore.

CPS observed both children for marks/bruises; CPS did not see any visible marks/bruises on both children at this time.

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

Event Date: 7/28/2018 Event Time: Duration: Note Status: Final
Entry Date: 7/28/2018 Dist.Agy: A66 Entered By: Velasquez, Nuvia V
Author: Velasquez, Nuvia V
Method:
Location:
Type(s): Supervisor/Managerial Review
Purpose(s): Review Case
Other Participant(s):
Family Participant(s):
Focus: Ingoglia, Margaret; Malek, Margaret; Malek, Robert; Palomino Ingoglia, Joe

Progress Notes Narrative:

Pre-Supervisory Conference:

This case was flagged from the previous tour requesting that another visit be conducted to the home to assess the safety of Joe (14) and M [REDACTED] (3).

[REDACTED] there is concern regarding DV. This family is currently receiving PPRS services.

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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

D20

Progress Notes Narrative:

INTERVIEWS AND ASSESSMENTS OF CHILDREN

Each child has an individual template
For children under the age of 1, also complete the under one protocol.

For each child interviewed/observed specify:

- Child's name: Joe Palomino 3/15/04
- Primary Language: English
- Location of Interview: Case Address
- If the child was interviewed separately yes no
- If not, give specific reasons as to why and indicate who else was present during the interview. Click here to enter text.

- Child's account/explanation of the reasons for child welfare involvement.
CPS introduced herself to SC Joe. CPS observed SC to appear nervous. Joe often moved around and stuttered when he spoke. CPS asked SC to describe what his step father, Robert is like. SC reported "When he is in a good mood he is okay, but there are times when he gets mad for (no reason)". CPS asked SC to describe what he meant. SC showed CPS a broken closet door and reported Rob was upset with him and told SC not to watch TV. SC reported Rob kept yelling in his face and SC backed all the way into the closet while Rob was yelling at him to the point SC broke the closet door. SC reported BM tried to intervene and Robert began yelling at BM.

SC reported he is fearful of ACS because he was removed in the past. CPS asked SC to elaborate. SC reported when he was living with MGM in Saratoga, ACS removed him from the home due to excessive clutter and placed in him the care of his biological father. SC reported he recently returned back to the care of his mother a few months ago and was placed in the care of his father for a few years. SC does not know how long he was with his father and how long it has been since he returned to his mother. SC reported he did not have a good experience residing with his biological father. SC reported his biological father has seizures or a stroke and lied to the cops stating SC hurt him. SC reported he was arrested for one day and later released to the care of his mother. CPS asked SC why would his biological father state SC harmed him if SC is reporting he did not harm anyone. SC reported he thinks his biological father has a "bad memory". CPS asked SC to describe the relationship BM shared with his biological father. SC reported his biological father treated his mother badly and used put soap in her mouth.

CPS asked SC to describe the relationship he shares with Robert. SC reported Robert is usually in a bad mood every day and threatens to hurt his mother and states he will not because he does not want to go to jail. SC snapped his finger to compare how quickly Roberts becomes upset. SC reported "Me and my mom can't take this anymore. Sometimes we freak out. We are both getting picked on by Robert". SC reported Robert becomes upset with him when SC does not read law books. CPS asked SC to describe the relationship Rob shares with his little sister. SC reported his little sister is Robert's "priced possession". CPS asked SC if Rob has ever harmed his sister. SC reported Robert often kicks his sister on her bottom very hard when she refuses to walk and wants to be held. SC reported Rob sometimes throws water on SC when she is crying in her car seat. CPS asked SC if Robert disciplines him and his sister. SC reported no. CPS asked SC if Rob has ever harmed his mother physically. SC reported Rob snatched BM's purse really hard from BM that her arm was hurting her. CPS asked SC to describe the relationship he shares with his mother. SC reported "I love my mom so much". SC appeared sad when he stated this and almost began to cry.

- Describe child's appearance:
SC appeared to be tall and bigger in size for his age.
- Describe any marks/bruises (include size, shape, color, location of injuries and document if photographs were taken). Include child's explanation of the cause of the marks/injuries.
CPS assessed SC to be free from any suspicious marks or bruises.
- Describe, if any immediate medical treatment sought for child and doctor's findings on cause of injuries.
N/A
- Medical Care

Investigation
Progress Notes

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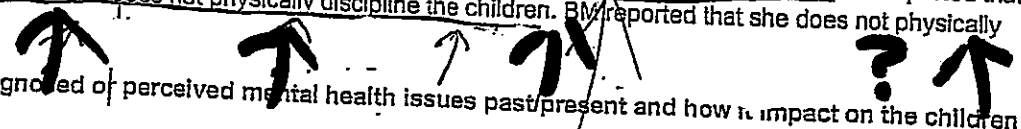
CASE NAME: Ingoglia, Margaret
STAGE NAME: Ingoglia, Margaret

CASE ID: 26871553
STAGE ID: 32053647

- o Resident status: Citizen
- o Culture/ethnicity: Caucasian
- o Religion: Other
- o Record type of health care insurance and carrier: no health insurance

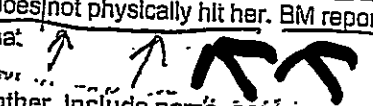
Alleged/confirmed subject's account of the reasons for child welfare involvement:
 CPS spoke with BM about the reported concerns of mental health for SC Joe and domestic violence between BM and BF. CPS asked BM about SC mental health concerns. BM reported that SC was seeing a therapist after the things went on with his father. CPS asked BM to explain what happen between SC Joe and his father. BM reported that on December 30th she found a room in a shared apartment for herself and SC Joe in Harlem, or he was going to end up in the system. BM reported that SC stated that his father had a stroke or was acting weird, but he never called 911, but family. BM reported that she was informed that SC BF lost oxygen to the brain and on February 12th SC Joe was arrested. BM reported that BF informed the police that SC physical abused him and that's why he was in that situation. BM reported that she could not afford to pay for the rent of the room she was renting and she had to leave out. BM reported that on February 15th, 2018 she had court with BF and that's when they decided to end whatever problems they were having so BM and SC Joe can have somewhere to stay. BM reported that she would have not gone back to BF if it wasn't for SC Joe. BM reported that she had to make sure he had somewhere to go. BM reported that while all that was transpiring SC went through so much he was prescribed medication for. BM reported that on April 27th, 2018 SC wrote a suicidal note and BM called EMS and went to the hospital. BM reported that she wanted SC to stay at the hospital for observations. BM reported that SC stayed at the hospital for a month and was discharged the end of May. BM reported that SC stopped taking his medication because it was affecting his breathing. BM reported that SC use to have asthma and she did not his asthma to come back because of the medication. BM reported that she did not speak to a doctor before taking SC's off his medication. BM reported that they still had the medication. BM reported that she has been working with Ms. Gibbs to get SC an evaluation. BM reported that they went to Interborough and the people working there was very rude to her. BM reported that Ms. Gibbs is helping her look for another agency.

BM reported that she has been verbally and mentally abused by BF. BM reported that BF controls everything within the family. BM reported that she cannot do anything with BF permission. BM reported that she is told not to answer the door. BM reported that BF makes her lock the door from the inside of the home. BM reported that BF verbally abuse her and curse at her in front of subject children. BM reported that BF verbally abuse SC Joe. BM reported that she is staying there, because she has nowhere else to go at the moment. BM reported that she has SC Joe taking some of their items little by little to storage that she has that BF doesn't know about. BM reported that she wants all her stuff out of the home before she leave. BM also reported that she wants to take SC Margaret with her, but BF is possessive of SC Margaret and she does not want things to get worse if she takes her. BM reported that she has no fear for SC Margaret and that BF would not hurt her. BM reported that she is afraid of BF. BM reported that BF does not physically discipline the children. BM reported that she does not physically discipline the children.

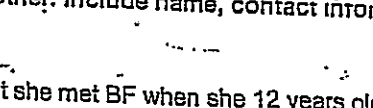
Describe if there are any diagnosed or perceived mental health issues past/present and how it impact on the children safety. 

BM stated that she does not have any diagnosis. BM receives counselling from PPKS Catholic charities Ms. Gibbs.

Describe if there is domestic violence in the home and how it impacts on children's safety (separate interviews and mandatory complete DV screening).

BM stated that BF is verbally and emotionally abusive towards her. She stated that he controls the money and does not let her go anywhere. BM reported that BF monitors where she goes and don't really support her in anything. BM reported that BF verbally abuses her in the presence of the children, and SC Margaret now says curse words and thinks it's fine. BM reported that SC Margaret gets the bad words from BF. BM reported that BF does not physically hit her. BM reported that BF keeps them in the house and tell her not to answer the door. BM reported that 

Describe relationship between parents/caretakers & significant other. Include name, contact information and relationships with fathers of all children.

They have been together for about 4 years on and off. BM stated that she met BF when she 12 years old and he was 23 years old. She stated that he was arrested for dating her. She stated that in 2014 BF wrote her a letter, and they got back together. BM reported that BF lied to her when she was younger and said he was 19 years old. BM reported that BF wants everything done his way and for BM to listen to him. BM reported that BF talks down to her in front of the children. BM reported that 

NOT TRUE

Investigation
Progress Notes

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AUTHORIZED PERSONNE

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

CASE ID: 26871553
STAGE ID: 32053647

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

Event Date: 6/30/2018
Entry Date: 7/5/2018
Author: Hudson, Ardaisha Z
Method: Face To Face
Location: Hospital/Health Facility
Type(s): Casework Contact
Purpose(s): Investigation
Other Participant(s):
Family Participant(s): Malek, Robert
Focus: Malek, Robert

Event Time: 12:00 AM
Dist.Agy: A66

Duration:
Note Status: Final
Entered By: Hudson, Ardaisha Z

Progress Notes Narrative:

Interview with BF

CPS tried to speak with BF. BF reported that since he is at a hospital, he does not want to speak and rather speak in private.
BF reported that he also wanted to sit by his family and support them during this time.

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

Event Date: 7/5/2018
Entry Date: 7/5/2018
Author: Fortune, Michelet
Method:
Location:
Type(s): Supervisor/Managerial Review
Purpose(s): 5 Day
Other Participant(s):
Family Participant(s):
Focus:

Event Time:
Dist.Agy: A66

Duration:
Note Status: Final
Entered By: Fortune, Michelet

Progress Notes Narrative:

The case discussed face to face with the CPS.

Synthesizing the information - ?

During the H/V, the CPS observed the child Margaret to have what appears to be a rash in a private area. After consultation with the CPM and the Dep. Dr. the CPS took the child to Brookdale Hospital where she was assessed and determined to be fine.

The mother expressed experiencing D/V by the father but not physical. She appears to be torn as to what to do next. The mother said she rents a storage place unbeknown of the father as she plans her departure from the C/A. Ms. Ingoglia confirmed her son Joe no longer takes his meds because he does not feel well after taking them. She informed that she is working with the CP to have the child seen with another mental health facility.

The child Joe was observed to be physically well. He narrated the history with the father that led to his mental illness. He also informed about the father's behavior in the home, he does not feel comfortable with him.

CONNECTIONS
STAGE SUMMARY

****WARNING****
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AUTHORIZED PERSONNEL ONLY

CASE ID: 26192658
CASE NAME: Ingoglia, Margaret
CD: K18

STAGE: Investigation
STAGE ID: 30362838
STAGE NAME: Ingoglia, Margaret
REPORT DATE: 9/3/2015

INTAKE NARRATIVE

Call Narrative

?

Narrative: Robert (father) has physically assaulted Margaret (mother) while M[REDACTED] (10 months) was in the home. Further details are unknown. Robert is also verbally abusive to the mother and uses the baby in order to control her. The mother has an unknown role.

Investigation
Progress Notes

*****WARNING*****
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AUTHORIZED PERSONNEL ONLY

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

CASE ID: 26871553
STAGE ID: 32234721

DPD

CPS also observed that MO allowed SC to play with her toys and would answer her questions whenever she asked one. CPS also observed that at one point SC began taking off her shorts and MO urgently told her not to and she promptly obeyed. Later on, she took the shorts off while continuing to hold onto her panties then told MO she wanted to put on pampers. CPS observed that MO took SC to the bathroom and returned with SC in her pull-ups.

Child(ren) Interview

Child's Account and Willingness to Share Information: Separate out each child's account and identify the child. Document child's account of the circumstances leading up to the reported concerns. What does child believe is the root cause of the problem? Note: Inconsistencies between child's account and those obtained from the parents, collaterals, and source.) Assess child's willingness to share information with you. Did the child appear comfortable, timid or forthcoming talking with you about his/her family?

Joe Palomino 3/15/04

CPS engaged sibling and addressed concern of Inadequate Guardianship as reported on ADD INFO. Sibling denies that he or his mother have ever made statements to SC regarding anything that his step-father did to his mother. Sibling reports that SC was around when BF would continuously yell and scream at their mother. Sibling reports that sometimes SC would start crying and cover her ears. Sibling reports that on occasion he has tried to defend his mother by stepping between them. Sibling reports that BF has pushed him into a dresser and was in his face yelling at him.

Infant Interview (use How to Interview a Baby Palm Card): NO INFANT IN THE HOME

Safe Sleep N/A

- For any child under the age of 1 please answer the following:
- Is there adequate sleeping arrangements: Yes No
- Was the crib/bassinet/play pen free of clutter: Yes No
- If No, please explain and describe next steps to correct the issue:
Click here to enter text.
- Describe safe sleep conversation with all adults in the home as well as expecting mothers/fathers. Click here to enter text.

Toddler Interview (use Talking with Toddlers Palm Card): Margaret Malek 10/29/14: CPS observed that SC has a speech impediment which MO reports she is receiving therapy. CPS observed that SC is otherwise meeting her developmental goals. CPS observed SC putting together a 3-dimensional puzzle. CPS observed that SC partially completed the puzzle but was told by MO that 2 pieces were missing after SC returned from her visit with BF. CPS observed that SC's speech was sometimes indiscernible but at other times very clear.

Physical Injuries and Outcomes

Document any physical injuries to the child and whether medical attention is/was required. Note the size, age, shape, location of injuries and document if photographs were taken. Describe any immediate medical treatment needed/sought and the reason. (Note: Immediate medical attention is required when children are in an unstable physical state including injuries, high fever and underweight / malnourished children).

~~Margaret Malek 10/29/14~~

CPS did not observe any marks, bruises, welts, or lacerations on arms, legs, back, stomach, face or neck. MO gave permission and was present at time of body check.

Joe Palomino ~~DPD~~

CPS did not observe any marks, bruises, welts, or lacerations on arms, legs, back, stomach, face or neck. MO gave permission and was present at time of body check.

Discipline Methods Used in Home and Daily Routine:

Family Services
Progress Notes

*****WARNING*****
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AUTHORIZED PERSONNEL ONLY

Case Name: Ingoglia, Margaret

Case ID: 26871553

DDO

Margaret M. Ingoglia	child	[REDACTED]	Same	
Joe Palomino	child	[REDACTED]	same	

** JOE IS SLEEPING WITH MARGARET??!!*

Home Assessment

(Physical description of the home, sleeping arrangements, food, clothing, etc) .

The CPS visited the shelter and noted that the sleeping arrangements are very adequate. The children are sleeping on a Queens size bed while their mother sleeps on a sofa bed. The home is a studio apartment that is relatively well furnished. The CPS noted that the home was clean, and that the CPS did not notice anything that will suggest that the children are not safe at home.

Parents Account and discussion of prior history: Be sure to indicate who you are describing.
Describe parent/caretaker's account of the events that led to the current reported concerns including their understanding of the root cause of the problem. Describe how the prior history was discussed with the parent/caretaker. Was NOE was provided to the parent/caretaker and how.

Home visit

The mother informed the CPS that the they have been staying at the shelter since August 1, of 2018. She stated that they decided to move because they were afraid of the father of the child, Margaret. The mother that the man was too abusive and that he was threatening to harm the entire family. She stated that the man was very controlling and sometimes, he would take away the food in the home. The mother went to say that the man pushes them around whenever he wants.

NOT STATED IN PETITION OR NOTES.

The CPS asked the mother if the 4-year-old has ever been counched on what to say. The motner stated that the child saw so many abuse happened in the home when they were staying with her father. She stated that the child's father poured cold water on the child as a form of punishment when he thinks that the child was not listening to him. The mother also stated that the child witnessed the father shoving her whenever he was angry.

The mother stated that she has the entire family has order of protection against the man for doing those things to them. She stated that the father has supervised visitation with the child at the ACS field office. The mother stated that the ACS worker always argue with the father whenever they see each other. She stated that they do not get along well. The name of the worker is Ms. Hudson and her phone number is (646) 484-0713.

Assessment of Domestic Violence/Substance Abuse/Mental Illness

Describe any information obtained from family members, source or initial collateral contacts that sugges's the presence or history of domestic violence, mental illness or substance use in the home. If present, describe how this was discussed with the parent/caretaker. The mother admitted DV in the home when she was living with the father. She also denied mental health issues. The mother stated that she does not take any illegal drugs.

Current Stressors

Case Name: Ingoglia, Margaret

DD

Case ID: 26871553

How do you feel about the current situation? Describe parent's/caretaker's current feelings about being a parent. What do they enjoy? What do they find most challenging about being a parent? Describe current family stressors, changes in the family or crises. How have the stressors/changes impacted the family?

The mother denied any stress in the home. She stated that she has some family members she could call in case there is any emergencies.

Informal and Formal Resources

Describe supports such as family members, friends, others who help to care for the children? Who can the family rely on in an emergency? (Names and contact information).

The mother stated that she has the help of her family in helping her. She stated that section 8 voucher has been approved for her and that she is currently looking for a place the family could move into. The mother also stated that the child, Joe gets S.S.I but his father is currently getting the money. The mother stated that she plans of asking the field office CPS to help change her as the payee.

Current relationships/Domestic Violence/Identify Secondary Caretaker

Document brief history of parent's/caretaker's current relationships. Include the history of the relationships with the parent(s) of all children in the household. If parent(s) are residing out of the household, describe their relationship with the children.

The mother admitted DV in the home when she was living with the father. She also denied mental health issues. The mother stated that she does not take any illegal drugs.

Daily Routine (this is important for assisting the borough office in locating a family when CPS cannot make contact the following day)

Place of employment, work schedule; children daily routine: school, camp, after school, babysitting, BF/BM home for visitation other than the case address.

The mother stated that she is currently not working. She stated that section 8 voucher has been approved for her and that she is currently looking for a place the family could move into. The mother also stated that the child, Joe gets S.S.I but his father is currently getting the money. The mother stated that she plans of asking the field office CPS to help change her as the payee.

Parent/Child Interactions:

Describe initial observations of caretaker's interactions with children. How do the children respond to the caretaker and the caretaker to the children?

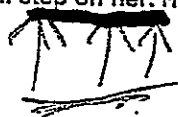
The child appeared to be getting along well with her mother.

Child(ren) Interview

Child's Account and Willingness to Share Information: Separate out each child's account and identify the child. Document child's account of the circumstances leading up to the reported concerns. What does child believe is the root cause of the problem? Note: inconsistencies between child's account and those obtained from the parents, collaterals, and source.) Assess child's willingness to share information with you. Did the child appear comfortable, timid or forthcoming talking with you about his/her family?

Meeting with the subject child Joe

The child Joe informed the CPS that he was not getting along with the father of his sister. The child stated that the man likes to yell at every one including his half-sister who is the man's own child. Joe stated that he has witnessed the man pushed his mother around and sometimes he will step on her. He stated that he is happy that they are no longer staying together. The child



NEVER STATED BEFORE!

LOL!

- 53 - 65

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Family Services
Progress Notes

*****WARNING*****
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AUTHORIZED PERSONNEL ONLY

Case Name: Ingoglia, Margaret

Case ID: 26871553

DDO

- o Contact 2:
KAFI INA, KAFI
 - o Placement Start Date:
08/02/2018
 - o Name:
CCS MANHATTAN HOTELS
 - o City, State, Zip:
NEW YORK, NY 10001
 - o Unit/Bed #:
723
- 48)

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

Event Date: 1/6/2019 Event Time: **DRAFT**
 Entry Date: 1/6/2019 Dist. Agy: A66 Duration:
 Author: Velasquez, Nuvia V Note Status: Draft
 Method: Entered By: Velasquez, Nuvia V
 Location:
 Type(s): Supervisor/Managerial Review
 Purpose(s): Review Case
 Other Participant(s):
 Family Participant(s):
 Focus:

Progress Notes Narrative:

Post-Supervisor Conference:

CONFIDENTIAL
EMERSON

CPS Nwenyi contacted CPSSII from the field and reported that he arrived to the case address @ 1:00pm and met with Ms. Ingoglia, Joe and ~~Margaret~~ and the shelter located @ 371 7th Ave., NY, NY. According to the CPS, Margaret was asleep and could not be awakened. CPS stated that both the mother and Joe reported that the father, Mr. Malek, did use physical discipline when they all resided in the same home in Brooklyn. The family also stated that he used to hide food from them.

CPS reported that the children did not have any visible marks/ bruises. However, CPS learned from staff at the shelter that Joe has not been attending school. When asked about this, John confirmed and explained that he did not like school.

At this point in time face to face contact has been established with this family and the children are not in imminent risk of harm at this time. This case will be forwarded to the local borough office for further investigation.

V. Velasquez, CPSSII

ECS Unit 577

66

EXHIBIT E

imum degree of care

finding made where child-
resent and were frightened
incident); In re Elijah C.,
40, 852 N.Y.S.2d 764 (1st
] (where "much larger"
ed legally blind mother, no
edical testimony required
airment or risk thereof to
e Karissa NN., 19 A.D.3d
Y.S.2d 442 (3d Dep't 2005)
ie where child cried and
ly in reaction to respon-
act); In re Daniel GG., 17
2, 792 N.Y.S.2d 710 (3d
no neglect finding where
mother pushed her mother
but there was no evidence
harm suffered by grand-
child was in another room
es or watching tele-
incident occurred, and
no evidence of any impact,
r physical, on the child); In
R., 14 A.D.3d 410, 788
17 (1st Dep't 2005) (finding
e father's repeated acts of
olence caused child to ex-
er and distress); In re
., 13 A.D.3d 1106, 787
13 (4th Dep't 2004) (finding
e five-year-old subject child
gator that she was scared
r mother and father had
g in her presence); In re
., 12 A.D.3d 986, 785
19 (3d Dep't 2004) (younger
sibly crying and shaking,
child also was visibly upset);
Div. of Youth and Family
S.S., 372 N.J. Super. 13,
(App. Div. 2004) (finding
ere there was no evidence
r held by mother during
suffered emotional harm,
appeared happy, healthy,
nally secure; court refuses
licial notice of causal rela-
etween witnessing domestic
d emotional distress in the
resent controversy re-
e).

Conduct designed to alienate the child from another parent or interfere with custody or visitation also may constitute neglect.¹⁵

Also falling within the scope of the "catch-all" provision is a parent's verbal abuse of a child.¹⁶

§ 2:22 Abandonment

Under Family Court Act § 1012(f)(ii), a finding of neglect may be made when the child has been "abandoned, in accordance with the definition and other criteria set forth in [Social Services Law § 384-b(5)], by his parents or other person legally responsible for his care." Social Services Law § 384-b(5) in turn provides that a child is abandoned "if [the] parent evinces an intent to forego his or her parental rights and obligations as manifested by his or her failure to visit the child and communicate with the child or agency, although able to do so and not prevented or discouraged from doing so by the agency."

Social Services Law § 384-b(4)(b), which requires a six-month period of abandonment in termination of parental rights cases, is not cited in Family Court Act § 1012(f)(ii). Nevertheless, it ap-

¹⁵See In re Christine II., 13 A.D.3d 922, 787 N.Y.S.2d 182 (3d Dep't 2004) (finding made where mother, among other things, encouraged child to fabricate abuse allegations, prompted child to steal from father, and intimidated child into providing evidence favorable to mother); In re Dyandria D., 303 A.D.2d 233, 757 N.Y.S.2d 12 (1st Dep't 2003) (finding made where mother demonized father and fabricated sexual abuse charges). See also DRL § 240(1)(a) ("if a parent makes a good faith allegation based on a reasonable belief supported by facts that the child is the victim of child abuse, child neglect, or the effects of domestic violence, and if that parent acts lawfully and in good faith in response to that reasonable belief to protect the child or seek treatment for the child, then that parent shall not be deprived of custody, visitation or contact with the child, or restricted in custody, visitation or contact, based solely on that belief or the reasonable actions taken based on that belief. If an allegation that a child is abused is supported by a preponderance of the evi-

dence, then the court shall consider such evidence of abuse in determining the visitation arrangement that is in the best interest of the child, and the court shall not place a child in the custody of a parent who presents a substantial risk of harm to that child").

¹⁶See In re Lindsey BB., 70 A.D.3d 1205, 896 N.Y.S.2d 186 (3d Dep't 2010) (father behaved in emotionally abusive fashion by threatening to remove daughter's possessions from her bedroom as punishment, forcing her to hide prized possessions at school out of fear that father would destroy them); In re Kathleen K., 66 A.D.3d 683, 886 N.Y.S.2d 497 (2d Dep't 2009) (father subjected daughters to repeated and extreme verbal abuse which upset them to point where each expressed desire to run away from home); In re Patrice S., 63 A.D.3d 620, 882 N.Y.S.2d 409 (1st Dep't 2009) (mother stated that she could not handle daughter and suggested, in front of daughter, that others should take her if they thought they could do better job of raising her).

EXHIBIT F

1/11/2016

MARGARET INGOGLIA

1110 EAST 101ST.

BROOKLYN, NEW YORK 11236

917-923-4243 / margaretingoglia79@yahoo.com

COMMANDING OFFICER

70 PRECINCT

154 LAWRENCE AVE.

BROOKLYN, NEW YORK 11230

Dear Commanding Officer of the 70th Precinct,

I have gone to your precinct with the hope and belief that your officers would protect my son, Joe Palomino Ingoglia D.O.B. 3-15-04, and I from being victimized further by his father. Sadly, no action has been taken by your officers. Henceforth, I am writing this letter to you. Please keep my address confidential in regards to my sons father, Juan Palomino, exhibit _____.

VICTIMS STATEMENT:

CRIMES COMMITTED RECENTLY AGAINST ME, MARGARET INGOGLIA, BY MY SONS FATHER, JUAN CARLOS PALOMINO:

1. ILLEGAL EVICTION

2. THEFT OF CONTROLLED SUBSTANCE (SCHEDULE 2)

3. LARCENY

1. On December 13, 2014, Juan Carlos Palomino unlawfully locked me out of my apartment that I lived at with him and our son, Joe Palomino for approx 100 days. Juan stole my keys from me that I paid for and refused to let me back into the apartment, with exception to get my belongings. He took some of my possessions and threw them out which my 11.5 year old son, Joe, witnessed and he stole from me my medication that I have a prescription for, oxycodone, which is a controlled substance.

- a) I lived there for more than 30 days
- b) I was an immediate family member
- c) I had cable there in my name, exhibit _____
- d) I worked as a mother and "housewife" there approx 8-9 hours every day.

WITNESS: MY SON, JOE PALOMINO.

CRIMES COMMITTED IN THE PAST AGAINST ME, MARGARET INGOGLIA, BY MY SONS FATHER, JUAN CARLOS PALOMINO, FOR WHICH HE WAS ARRESTED FOR.

ASSAULT: EXHIBIT _____.

CRIMES COMMITTED IN THE PAST AGAINST MY MOTHER, BY MY SONS FATHER, JUAN CARLOS PALOMINO.

ASSAULT: EXHIBIT _____.

CRIMES COMMITTED IN THE PAST BY MY SONS FATHER, JUAN CARLOS PALOMINO, WHICH INCLUDED BEING CHARGED WITH ATTEMPTED MURDER, LARCENY, MARIJUANA POSSESSION.

EXHIBIT _____.

CRIMES COMMITTED RECENTLY AGAINST MY SON BY JUAN CARLOS PALOMINO:

1. ASSAULT

2. ENDANGERING THE WELFARE OF A CHILD

3. FORCING A CHILD TO AID AND ABET SHOPLIFTING / LARCENY

4. HARASSMENT

5. CRUELTY TO ANIMALS

1. Due to abuse of my son, I petitioned the family court and made a complaint with child protective services who sent me to your precinct. Family court issued my son an order of protection against his father, exhibit ____.

Before order of protection was issued, within the past 100 days I have lived with my son and his father. I have witnessed the following abuse of my son which encompassed the 5 crimes listed above:

I have seen Juan Carlos Palomino hit my son with his hands and objects such as his cane and a green back scratcher/combo shoe horn on other end. Also on the morning of december.13, 2015 at approximately 1am my son joe went into the living room to help his father with his medical needs while i was in the bedroom. I heard juan yelling at my son. Afterwards my son came into the bedroom and told me his father punched him in the arm because my son could not find the ben gay. His arm was red and a little swollen. My son told me not to say anything to his father as he was scared so i put rubbing alcohol on his arm to ease the pain and swelling. One morning while juan was getting our son joe ready for school in the living room i could hear from the bedroom his father yelling and cursing at my son. I could also hear my son saying stop and why are you pushing me. I as a mother though i am afraid of juan as he has attacked me and my own mother in the past (Jennie Ingoglia) of which I have police reports on, exhibits _____, came out of the room and demanded that he stop treating my son this way. He then got very nasty towards me and said that if i dont like it i could leave. I was scared to further defend my son or myself and did the next best thing at the time which was help my son put his outer wear on, give him a hug and kiss good bye and tell him i loved him. My son walked out sad and later told me that he walked to school crying but he wiped his tears when he got close to to his school so school officials would not ask questions. He also told me to try and stay out of it because he was afraid his father would hurt me for defending him. I also witnessed juan forcing my son joe to help him shoplift from stores such as duane reade on flatbush ave and parkside ave and target at the barkleys center on atlantic ave. If my son does not help his father shoplift his father becomes very mean and abusive both physically and verbally. I also witnessed juan hitting my son in the spine with his cane in the pioneer supermarket on parkside ave between ocean ave and flatbush ave. There are cameras in this store and it may have been caught on recording. This incident took place the beginning of november. 2015 at approximately 6pm. I have also witnessed juan forcing my son joe to be his nurse, demanding that he take his blood sugar readings , inject insulin and massage him. He wakes him up in the nighttime to have him perform these tasks and then yells at my son asking him why isnt he sleeping. He has criticized my son by telling him he is not helping him good enough or that he smells and forces him to take frequent showers. My son had a small turtle I bought for him in september 2015. In late October, it was missing. I asked my sons father about it and he said he threw it away because his son doesn't deserve it. My son is emotionally breaking down by calling himself stupid, i cant do anything right, no one would care if i disappeared, etc. I have given my son pep talks trying to convince him otherwise and let him know how much i love him and for him to think he's great. December.14, the day after juan threw me out, my son joe told me on the phone while at the day care he goes to that he couldnt take the abuse from his father juan c. palomino anymore. He asked me if i could pick him up from school the next day which was december.15, 2015 at 2:40PM so i could bring him to the police for help. When we went to your police station, your police officers would only make a report on just the last incident which was juan punching my son in the arm because he couldn't find the bengay. They called acs about it but they said they werent going to

investigate, undoubtedly because they weren't told all the details. Your officers then told me i must return my son to his abusive father with the exception of holding him overnight and bring him to brooklyn family court in the morning, which i did. When we went to file for an order of protection for my son we saw his father there also filing papers. When my son and I saw his father we both panicked and were scared to death. My son hid from his father in the womens restroom while I spoke to court officers about the situation. They then placed my son joe in the childrens room and the judge would decide who he goes home with. The judge who handled the case chose to put my son back with his father with an order of protection for my son against his father. I am concerned for the welfare and safety of my son while being with his father juan c.palomino.

AFTER THE ORDER OF PROTECTION WAS ISSUED, MY SONS FATHER, JUAN PALOMINO VIOLATED IT BY COMMITTING THE FOLLOWING:

1. CONTEMPT OF COURT
2. ENDANGERING THE WELFARE OF A CHILD
3. ASSAULT
4. INTIMIDATION
5. LARCENY

On december. 18, 2015 in court, it was ruled that i have visitation every saturday from 10am to 6pm. I have to keep my son longer because his father recieves dialysis and is not home at 6pm. When i called his father to see if he was home, he said yes. I tried to drop my son joe off at his fathers home on december 19 but my son began showing signs of fear, crying, trembling, dragging his feet and repeating " i dont want to go back, i dont want to go back. " I then asked my son what was wrong and he told me that the day they made him go back with his father from the court on december.18, his father around 11pm that night started beating my son up with the green plastic back scratcher/shoe horn. He said his father beat him because he was mad that he went with me to report the abuse. Then he also told me that on the morning of december.19 around 10am when he was getting ready for visitation with me he was waiting near the apartment door for his father and his father hit him in his spine with his cane because my son did not realize his father was ready and my son was in the way of the door. My son said once the door was opened his father pushed him out of way. When my son told me of the abuse since the order of protection was in place i immediately brought him to your 70th precinct to file a report but your officers said he had to go back to his father. They did say, however, that i had the right to take my son to the emergency room for his in grown toe nail that was infected due to medical neglect and hurt more cause his father injured it while beating him with the green plastic back scratcher on december.16. I brought him to long island jewish hospital and stood there all night with my son, waiting till morning to speak with a social worker. The social worker told

That acs would investigate the matter in 2-4 hours but i have not even heard from them to this day, weeks later. There is medical neglect in regards to infections on both big toes, for which his father was supposed to make an appointment with a foot doctor of which his primary care doctor gave a referral for but his father neglects to make the appointment , leaving my son joe with ingrown toe nails, infection and pain. In addition, he's also supposed to take my son to an eye doctor as my son and his teacher are complaining that he can't see from far away but he never makes the appointment for my son, neglecting him. My son has told me his vision problems started after his father punched him in the eye which occurred before the order of protection was in place. His injured eye needs to be examined by an ophthamologist. Regardless, his father does nothing.

He keeps being forced to go home into the arms of his abuser giving less hope and causing him fear to report future abuse. I fear to have any contact with my son's father juan palomino. He insists that he must see me when i have to pick up my son. I told him to let my son come down to meet me by himself but he wont, even though he agrees at first to do so and then deceives me , causing me to leave without seeing my son. Juan Palomino is also suicidal / mentally unstable since he drinks rubbing alcohol daily and sucks on alcohol prep pads. Such may be the cause for him needing kidney dialysis. The judge also ordered that my son and I could have frequent talk and text conversations but his father monitors our conversations forcing my son to put me on speaker phone. I gave my son a recorder so he can record his father if he is abusing him. However, the school stole it from him and contacted his father. The school gave the recorder to his father. I have requested it back from his father, Juan Palomino. Regardless, he does not give it back to me or my son and makes my son have all conversations with me on speakerphone so he can listen and record with property that belongs to my son and I.

I went to your police precinct about Juan Palomino violating my sons order of protection but nothing was done. As a matter of fact, if you view the report written on december 19, 2015, you will see where an officer wrote the following three offenses:

1. criminal contempt
2. assault
3. endangering the welfare of a child

THEN, ALL THREE WERE CROSSED OUT AND INITIALED ! ALSO, UNDER QUESTION TO THE RIGHT AS TO WHETHER OR NOT THERE WAS AN ORDER OF PROTECTION IN PLACE, YOUR OFFICER INDICATED NO !? FURTHERMORE, PAGE 1 WAS MARKED PAGE 2 AND PAGE 2 WASN'T EVEN WRITTEN AS PAGE 1 OR 2, JUST BLANK. EXHIBIT _____.

VIOLATION OF COURT VISITATION ORDER:

Family court has issued unsupervised visitation to me every saturday between the hours of 10am - 6 pm. Exhibit _____. Juan Carlos Palomino is violating court order by only allowing me to pick up my son in his presence or he isn't allowing the visitation to take place. Due to this, I have been unable to see my son for the past three weeks. He allows my son walk to school by himself, demands that he go to stores for him, bank, etc., after dark by himself. However, at time of

visitation, he will not allow him to see me without him being there and demanding that only I can pick him up. The court order in no way gives him authority to make such provisions. He VIOLATES THE ORDER OF PROTECTION IN THIS MANNER AS WELL BY INTIMIDATING MY SON, FORBIDDING HIM TO EXIT THE BUILDING TO SEE HIS MOTHER WITHOUT HIM OR FOR MY SON TO MEET ANYONE ELSE BUT ME, AGAINST MY WISHES AND MY SONS WISHES.

ENDANGERING THE WELFARE OF A CHILD:

Juan Palomino has my son walk to school by himself and demands that he go to stores for him, bank, etc., after dark by himself.

OTHER WITNESSES TO MY SONS ABUSE OVER THE YEARS:

My mother, Jennie Ingoglia.

Joe's half sister, Coralys, who no longer lives with Juan from another relationship Juan Carlos Palomino had.

TO NOTE:

Joe has 6 other half brothers and sisters Juan had with different women. No other child lives with him.

The neighbor of Juan Carlos Palomino, at apt. 3c had an order of protection against him.

Sincerely,


Margaret Ingoglia

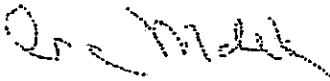
7/22/2017

IRA MALEK
3801 SHORE PARKWAY
BROOKLYN, NEW YORK 11235
7184903861

TO WHOM THIS MAY CONCERN:

IN DECEMBER OF 2015, I WAS WITH MARGARET INGOGLIA AND HER SON AT THE 70TH POLICE PRECINCT. MARGARET WAS TRYING TO HAVE HER SONS FATHER ARRESTED BY SHOWING INJURY UPON HER SON BY THE FATHER. I WAS THERE AND WITNESSED THE POLICE OFFICER ASKING HER SON WHERE HIS FATHER HIT HIM, HOW, WHAT THE SITUATION WAS. IN MY OPINION, THE SON WAS EVASIVE AND NOT CONSISTENT WITH HIS ANSWERS. THE INJURY HER SON CLAIMED OF HIS BACK, WHEN VIEWED BY THE POLICE OFFICER AND I WAS NOT VISIBLE OR APPARENT. WE SAW NOTHING.

SINCERELY,



IRA MALEK

JENNIBA SILLA
NOTARY PUBLIC-STATE OF NEW YORK
No. 01814297329
Qualified in Kings County
My Commission Expires 07/20/18

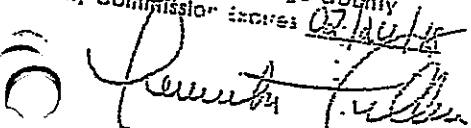


EXHIBIT G

At a term of the Family Court of the State of New York, held in and for the County of Kings, at 330 Jay Street, Brooklyn, NY 11201, on October 16, 2018

PRESENT: Hon. Jacqueline D. Williams

In the Matter of

Joe Palomino Ingoglia (DOB: ~~XXXXXXXXXX~~)
M ~~XXXXXXXXXX~~ M ~~XXXXXXXXXX~~ (DOB: ~~XXXXXXXXXX~~)

Children under Eighteen Years of Age
Alleged to be Neglected by

File #: 235429
Docket #: NN-19411-18
NN-19410-18

CPS #: 5236894

ORDER

Robert Malek,

Respondent.

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

IT IS ORDERED that :

- 1) Mr. Malek shall participate in CFS visits with the Subject Child, M ~~XXXXXXXXXX~~ going forward. The current visits at the agency shall continue 2x a week on Thursdays and Fridays, supervised at the ACS' office. ACS shall make a referral for the CFS therapeutic visits and Mr. Malek, the Respondent Father, shall engage in the initial intake process for the visits. Until such time as the visits have a start date, Respondent Father may continue to visit through the ACS field office.
- 2) As part of the visits at both the Field Office and through CFS, Mr. Malek shall be the only person attending the visits. He shall not bring additional individuals to the visits with the Subject Child, M ~~XXXXXXXXXX~~. The Respondent Father shall not record the visits either through electronic means or through audio devices. Mr. Malek shall not engage in interviews of the supervising personnel during the visits. If he wishes to inquire, he shall do so after the visits. Mr. Malek shall also not take notes during the visits with the Subject Child, M ~~XXXXXXXXXX~~.

This matter is adjourned to 10/30/2018 in Part 6 for an AM Call.

Dated: October 16, 2018

ENTER

20181016155631JWILLIAMS05E232898A694C31B9A9F821ACCB982

Hon. Jacqueline D. Williams

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: _____
- Order received in court on [specify date(s) and to whom given]: _____

78

At a term of the Family Court of the State of New York, held in and for the County of Kings, at 330 Jay Street, Brooklyn, NY 11201, on December 4, 2018

PRESENT: Hon. Jacqueline D. Williams

In the Matter of

File #: 235429
Docket #: NN-19410-18
NN-19411-18

~~M. M. M. M.~~ (DOB:),
Joe Palomino Ingoglia (DOB:)

CPS #: 5236894

Children under Eighteen Years of Age
Alleged to be Neglected by

ORDER

Robert Malek,

Respondent.

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

IT IS ORDERED that :

- The Court reiterates that Mr. Malek may continue with CFS therapeutic visit process but he is directed to not file any unnecessary complaints or ORTs in this matter.
- ACS to submit a report on the CFS visits on or before 1/07/2019 to all parties.

*W/O INVESTIGATING W. HERRING
FIRST*

case adj. to 1/18/2019 at 2:15pm in Part 6 for a conf.

Dated: December 4, 2018

ENTER

2018120416512010WILLIAMS/5787967291450962717C8FF87C15C

Hon. Jacqueline D. Williams

Check applicable box: .

- Order mailed on [specify date(s) and to whom mailed]: _____
- Order received in court on [specify date(s) and to whom given]: _____

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Fw: Malek (got this from attny zimmerman today)

1 message

robert malek <abc75abc@gmail.com>
Cc: w.roesch@goldbergandcohn.com

Sun, Apr 21, 2019 at 3:56 PM

acs has ignored attorney request for discovery and didn't pay for my visitation for two months after their fraudulent claim on oct 19!!!! That they have no evidence of.

Sent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Brian Zimmerman <bzimmerman116@gmail.com>
Sent: Sunday, April 21, 2019 3:26 PM
To: robert malek
Subject: Fwd: Malek

You can send it to your lawyer. You were cc'd on this one.

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

From: robert malek <abc75abc@gmail.com>
Date: Sun, Jan 13, 2019 at 12:06 PM
Subject: Re: Malek
To: Brian Zimmerman <bzimmerman116@gmail.com>

Great brian. Thank you.

Brian,

On oct.19, there were 3 people taking notes. 1 acs person and two social workers that were minnies. Getting notes from 1 person is not the complete record. I do not trust anyone from acs.

Your stating:

I am therefore asking for all the handwritten records pertaining to this case as well.

Is in my opinion wonderful....

Now let's see what they do...

There was a visit on the 10th. I think the other visit was in jan and not december.

Nov 2 was the last one and then I saw my daughter after the new year.

ent from my BlackBerry 10 smartphone on the Verizon Wireless 4G LTE network.

From: Brian Zimmerman
Sent: Sunday, January 13, 2019 11:49 AM
To: Almonte, Rosmil (ACS)
Subject: Malek

fs

Rosmil,

I just had an opportunity to skim the records you provided last week looking for specific dates and entries.

I am not sure why this is happening, but the records do not contain the records for visits. This is very problematic.

Please provide me immediately the rest of the records including the handwritten notes for the visits of October 18, 19 and the visits in December.

I, along with my client is entitled to them.

I specifically asked for the October 19 records before and they are not in there.

I am therefore asking for all the handwritten records pertaining to this case as well.

Can you provide them by Wednesday as I would like them before the Friday date.

Brian

--

This transmission and any accompanying attachments are intended for the person to whom it is addressed. This transmission and any attachments may be or is being sent by or on behalf of an attorney and may contain information which is privileged, confidential or otherwise protected from disclosure by state and federal law. If you have received this transmission, but are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this information is strictly prohibited, unless authorized. If you have received this transmission in error, please respond immediately to the sender and delete and/or destroy the original message and all copies, including any accompanying attachments. Thank you.

--

This transmission and any accompanying attachments are intended for the person to whom it is addressed. This transmission and any attachments may be or is being sent by or on behalf of an attorney and may contain information which is privileged, confidential or otherwise protected from disclosure by state and federal law. If you have received this transmission, but are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or use of the contents of this information is strictly prohibited, unless authorized. If you have received this transmission in error, please respond immediately to the sender and delete and/or destroy the original message and all copies, including any accompanying attachments. Thank you.

IGNORED

At a term of the Family Court of the State of New York, held in and for the County of Kings, at 330 Jay Street, Brooklyn, NY 11201, on January 18, 2019

PRESENT: Hon. Jacqueline D. Williams

In the Matter of

Joe Palomino Ingoglia (DOB: 3/15/2004),
Margaret Michelle Malek (DOB: 10/29/2014),

Children under Eighteen Years of Age
Alleged to be Neglected by

Robert Malek,

Respondent.

File #: 235429
Docket #: NN-19411-18
NN-19410-18

CPS #: 5236894

ORDER

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

IT IS ORDERED that :

- CFS visits to continue.
- All prior orders continued, including the previously court ordered Imminent Risk Assessment for the Subject Child
- Court orders the Subject Child to be independently evaluated by a psychiatrist or psychologist before the 3/4/2019 conference date. ACS to provide a report to all counsel by 3/1/2019

case adj. to 3/4/2019 at 9:30am in Part 6A for conf.

IGNORED

Dated: January 18, 2019

ENTER

2019011817132810WEL/TA/ECCA7497FCC45926SA3ECC8A7ASB7809

Hon. Jacqueline D. Williams

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: _____
- Order received in court on [specify date(s) and to whom given]: _____

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At a term of the Family Court of the State of New York, held in and for the County of Kings, at 330 Jay Street, Brooklyn, NY 11201, on July 31, 2018

PRESENT: Hon. Jacqueline D. Williams

In the Matter of

Joe Palomino Ingoglia (DOB: ~~XXXXXXXXXX~~)
~~Maria M. M.~~ (DOB: ~~XXXXXXXXXX~~)

File #: 143675
Docket #: NN-19411-18
NN-19410-18

Children under Eighteen Years of Age
Alleged to be Neglected by

CPS #: 5236894

Robert Malek,

**ORDER
INTAKE**

Respondent.

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

IT IS ORDERED that This case is adjourned to Part 6a on 9/25/18 at 10am for a Conference. Attorneys of record, authorized to act on behalf of the parties or accompanied by the party or other person empowered to act on behalf the party, shall appear at the preliminary and all future conferences (§205.12(c) of the Uniform Rules of the Trial Courts).

A. Investigations /Documents/Service of Papers

ACS shall forthwith conduct an FCA §1017 investigation and submit a written report of the results of its investigation to all counsel within one week of the date of this Order.

ACS shall forthwith serve a summons and a copy of the petition with notice of pendency on the non respondent parent.

ACS shall forthwith conduct an Indian Child Welfare Act inquiry and obtain copies of each child's birth certificate and putative father registry.

ACS shall cause any Temporary Orders of Protection that were issued but not delivered in court today to be served forthwith on the Respondent[s] who is the subject[s] of such orders. Further copies shall be provided to any adult on behalf of whom the order is issued, and/or on the care giver for any Temporary Order of Protection issued on behalf of a child(ren).

B. Discovery /Evidence

ACS shall provide case records to all counsel within two weeks of the date of this order including hand written notes.

ACS shall issue subpoenae and file all motions as needed for records it may seek to offer into evidence within two weeks of the date of this Order. Copies of such subpoenae shall be served on all parties in accordance with CPLR §2303(a) and affirmations/affidavits of service shall be filed with the Court no later than the first conference.

All counsel shall review such documents and prepare a witness and exhibit list after receipt of such and be prepared with such at the conference.

All counsel shall determine if any of the parents are married and whether there are orders of custody or visitation or orders of protection in place from this Court or any court. All counsel shall be notified timely

ps

of such and be provided with copies of all such orders if available.

ACS and the Attorneys for the Respondent[s] and the Child[ren] shall discuss possible settlement options before the first conference and be prepared to discuss this at the conference.

C. Visitation/ Planning Conferences

ACS or the foster care agency (whomever has case planning responsibilities) shall meet with the parent[s] within one week of the date of this Order to discuss what services, if any, may be beneficial for the family, the child[ren], or parent[s]. ACS shall provide counsel for the parent(s) and the attorney(s) for the child(ren) at least 24-hour notice prior to all out of court conferences. Counsel for the parent[s] and the Attorney[s] for the child[ren] shall be provided with at least 24-hours prior notice of all out-of-court conferences. ACS/Agency shall submit a written report of all such meetings to the Court at the next scheduled conference.

In any case in which a child has been removed from a parent's care, ACS/Agency shall arrange for visits between such child and parent in conformance with FCA §§ 1015-a and 1030 and in conformance with ACS Visitation Guidelines, subject to any orders issued by the Court.

At The Conference

A. Documents/ Evidence

ACS shall provide the Court and all counsel with:
Copies of each subject child's birth certificate and putative-father registry response and any ICWA investigation report;
Any updated FCA § 1017 report;
Reports of meetings with the parent[s], including recommendations as to services that may be beneficial for the family, parent[s], child[ren], as well as all referrals that have been made for any such services;
provide a list of evidentiary materials not yet received.

Each party and counsel including the Attorney for the child[ren] shall:
provide a preliminary list of witnesses s/he intends to call;
identify any experts s/he intends to call and provide the information specified in CPLR 3101(d);
a list of documents s/he intends to offer at trial.

Ongoing Responsibilities:

A. Evidence and Witnesses

All counsel shall provide each other with periodic updates concerning trial witnesses and evidence. Court attorney assistance may be sought but only if all counsel are included in any communication with the court attorney. There is to be no ex parte communication with the Court.

B. Contact Information

ACS shall ensure that all counsel have current contact information for the ACS and/or foster care agency worker(s).

ACS shall provide the attorney for the child(ren) with contact information for all foster care and release resources, and update the attorney timely of any changes, as required by law, regulation and ACS policy.

The attorney for the parents shall provide all counsel with current contact information for their clients.

If a new attorney is assigned to the case within an agency, they shall ensure that all counsel and the court are notified that he/she is replacing the prior attorney.

These are ongoing obligations and attorneys shall update each other promptly after obtaining the updated information

The provision of such information is for ministerial purposes or for distribution to the parties as appropriate, and shall not be utilized in any manner that is inconsistent with any regulations or laws governing confidentiality or direct communications between attorney and parties.

RECORDS, REPORTS, PHOTOGRAPHS OR OTHER DOCUMENTS PROVIDED PURSUANT TO THIS ORDER, SHALL NOT BE DISCLOSED TO COUNSEL NOT ASSIGNED TO THIS MATTER, ABSENT COURT ORDER.

Failure to comply with this Order may result in the imposition of sanctions.

Dated: July 31, 2018

ENTER

20180731180928J0WTL1@NYC.US.GOVBF02F518CF4FD68D1556714211C962

Hon. Jacqueline D. Williams

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: _____
- Order received in court on [specify date(s) and to whom given]: _____

85

0291



robert malek <abc75abc@gmail.com>

the court said I should email you my discovery request

abc75abc@gmail.com <abc75abc@gmail.com>

Fri, Feb 21, 2020 at 8:38 AM

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

Sent from my Verizon LG Smartphone

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

From: abc75abc@gmail.com

Date: Thu, Feb 20, 2020 9:19 PM

To: Rosmil Almonte, (ACS);

Cc:

Subject:the court said I should email you my discovery request

well, along with Zimmerman doing it and my ignored motion to compel, ok.....
along with my hopes of me winning the lottery 4 times in the same month,
I am asking for both children, all acs records from jan 7 2019 forward, all school and medical records, handwritten notes of October 19, 2018, hudson conversation with coralys palomino,
records not redacted for both children,
and the assessment of my daughter to have been done by March 1, 2019, all assessments of my daughter and Joe.

sincerely,
Robert malek

Sent from my Verizon LG Smartphone



robert malek <abc75abc@gmail.com>

malek, Robert

2 messages

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

Fri, Feb 21, 2020 at 4:50 PM

To: "Johnson, Travis" <TMJohnson@legal-aid.org>, robert malek <abc75abc@gmail.com>, Robert Maes <rmaes@bds.org>

Good Afternoon,

Attached is the picture taken at the field office of child Ma [redacted] after the alleged incident on 2/18/2020.

Rosmil Almonte | Team Leader

Division of Family Court Legal Services

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

THIS WAS ALL THAT I RECEIVED.



20200218_125808.jpg
3176K

robert malek <abc75abc@gmail.com>

Fri, Feb 21, 2020 at 6:34 PM

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

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

Bcc: robert malek <abc75abc@gmail.com>

good afternoon,

discovery ! I must be dreaming. maybe a mistake it was sent to me.

please forward Hudson's picture of minnie's face where it was claimed in October of 2019 that it was " just lipstick...." and any other photos , videos, audio you may have in regards to this case.

Robert malek

[Quoted text hidden]

87

**USE OF ELECTRONICS
FOR PHOTOGRAPHY,
VIDEO OR
AUDIO TAPING IS
PROHIBITED**

FAILURE TO ADHERE TO THIS SIGNIFICATION
WILL RESULT IN BEING ASKED TO LEAVE
THE PREMISES

EXHIBIT J



BRIGHTPOINT HEALTH

Janie Groff, LCSW
NPI # 1639125917
LIC # 055655

TREATMENT UPDATE- ~~MA 10/15/2020~~ MA 10/15/2020
FROM: JANIE GROFF, LCSW , TREATING THERAPIST

~~Maggie~~ Maggie presented with her mother to our Bedford clinic in February 2020 to initiate treatment and following her psychiatric assessment by our child psychiatrist, Dr. Varma, was admitted with the following dx: Separation anxiety disorder of childhood, intellectual disability, domestic abuse of adult, adjustment disorder with mixed disturbance of emotions and conduct. (~~Maggie~~ at that point had an IEP and was receiving speech and occupational therapy at school.) The family was residing in a DV shelter due to extensive physical /emotional abuse by father, specifically to mother with children's extensive exposure to abuse. (The family continues living at the same shelter.) It has been reported that ~~Maggie~~ also experienced strict parenting interventions by father (eg In just one instance, it was reported that while living with father ~~Maggie~~ was placed in a closet as a punishment intervention initiated by father). ~~Maggie~~'s separation anxiety diagnosis stems from ~~Maggie~~'s anxiety regarding periods when mother was separated from ~~Maggie~~ and she was living with her father. ~~Maggie~~'s presenting issues also involved difficulty regulating emotions, tantrums and "general meltdowns."

Due to the Pandemic, treatment process was suspended and ~~Maggie~~ did not begin therapy again till May 29th,2020. At that time, sessions were held through televideo in the room inhabited by the family in the shelter. In addition to engaging with ~~Maggie~~ for child therapy, mother also received additional help with parenting skills, focusing on helping ~~Maggie~~ manage her emotions, specifically, "emotional meltdowns and temper tantrums." ~~Maggie~~ initially experienced anxiety regarding separating from her mother, however, beginning in October, sessions have been held individually, through video, with ~~Maggie~~ in a secure location at the shelter.

~~Maggie~~ engages well in play therapy and since beginning treatment, has responded well to her mother's consistency in parenting and providing safety in her current environment. She has engaged well in school and has reduced temper tantrums/"meltdowns" with mother's help in managing disruptions. However, she is again re-experiencing trauma that threatens her mental health through her interactions with her father who appears to be utilizing his time with ~~Maggie~~ to re-traumatize ~~Maggie~~ through threatening behavior and verbal assaults on her mother and other staff at ACS. There is no indication that ~~Maggie~~'s father is able to separate his relationship with his daughter to that of his "ex" which places ~~Maggie~~ in an untenable position. (It has been noted that she is again experiencing fears of loss of mother and re-occurring nightmares of "being taken.") A resilient and bright little girl, ~~Maggie~~'s progress continues to depend on appropriate parenting and ability to feel safe and secure. Pt's progress in being threatened by her interactions with her father.

Should you need additional information, I may be contacted at 718-681-8700.

EXHIBIT K

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
In the Matter of

~~Maureen 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. Petitioner 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 ~~Mr. Robert 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 M. [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.

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ould be noted by the Court that based on the information in the Order to Show Cause filed by



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



BEAU DIETL & ASSOCIATES

1 Penn Plaza
Suite 2611
New York, NY 10119

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

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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.

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."



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

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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



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. Oblg. 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

0306

EXHIBIT L

At a term of the Family Court of the State of New York, held in and for the County of Kings, at 330 Jay Street, Brooklyn, NY 11201, on November 18, 2020

PRESENT: Hon. Jacqueline D. Williams

In the Matter of

File #: 235429

~~M. [REDACTED] M. [REDACTED] M. [REDACTED]~~ (DOB: ~~[REDACTED]~~)

Docket #: NN-19410-18

CPS #: 5236894

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

ORDER ON MOTION #33

Robert Malek,

Respondent.

The Court has granted the request for a date for arguments to be heard on the request to suspend all visits between the ****Pro Se**** respondent father and the subject child.

Interim relief for the suspension of visits in their entirety during the pendency of this application is denied; however, the Court will allow the agency ****supervised only**** electronic visits to continue only to the extent the subject child is consenting to participate in a visit and only to the extent the language and actions of the respondent father are appropriate during the visit. The respondent father shall not discuss the NRM of the child or disparage the non-respondent mother during the time of any visit with the subject child. The Court is granting ACS the discretion to stop the visit at any time if the subject child becomes upset or if the subject child indicates that she is uncomfortable with the words or actions of the respondent father during a visit. ACS is also independently granted the discretion to stop or suspend a visit if upon hearing the language or words of the respondent father, or upon hearing disparaging comments by the respondent father about the non-respondent mother or upon hearing that the respondent father is engaging inappropriate behavior and the ACS person supervising becomes concerned for the well being and comfort of the subject child .

The Court requires ACS supervision to be present at all times when an electronic supervised visit occurs between the ****Pro Se**** respondent father and the subject child . If ACS exercises this discretion to end a visit as a result of the behavior or statements of the respondent father all subsequent visits for the respondent father with the subject child shall be suspended until such time as the parties appear in court to address this pending application for a suspension of visits.

Only this ACS application to permanently suspend visits shall be heard 12/2/20 @ 9:30 am in Virtual Chambers. A link for this appearance shall be provided to all parties.

Pro Se Respondent and Counsel shall appear on the motion to permanently suspend visits between the SC and the Pro Se Respondent Malek.

The Court will not be responding to notes or communications from parties until the next appearance date unless such communications are appropriately filed. If there is a question as to how to file motions; those questions can be directed to the Kings County Family Court Clerk's Office.

Dated: November 20, 2020

ENTER

20201123102010JDWILLIAMS07F16DC53174BE4B72BABEEEFDFEEE

Hon. Jacqueline D. Williams

Check applicable box:

- Order mailed on [specify date(s) and to whom mailed]: _____
- Order received in court on [specify date(s) and to whom given]: _____

EXHIBIT M

ROBERT MALEK
1936 HEMPSTEAD TURNPIKE # 109
EAST MEADOW, NY 11554
929 441 8429
ACSCOMPLAINTS@YAHOO.COM
ACS COMPLAINTS.COM

U.S. ATTORNEY GENERAL
445 BROADWAY
ALBANY, NY 11554

HELLO. I AM WRITING TO PROVIDE YOU WITH EVIDENCE OF NYC ADMINISTRATION FOR CHILDRENS SERVICES TAKING PART IN ISSUING FRAUDULENT PSYCHE REPORTS UPON PARENTS AND THEIR CHILDREN WITH THE INTENT OF THE REMOVAL AND KIDNAPPING OF THEIR CHILDREN IN VIOLATION OF 18 US 1201 AND 18 US 241 AND THEN TRAFFICING THEM THROUGHOUT THE COUNTRY IN THE FOSTER CARE SYSTEM... AS I PROCEED WITH THIS PRESENTATION I AM NOT GOING TO REFER TO VARIOUS CRIMINAL CODES UNLESS I KNOW THEM OFF THE TOP OF MY HEAD. I CANT SPEND THE TIME TO DO THAT RESEARCH SINCE MY RESEARCH IS ON CIVIL. AS YOU KNOW I CANNOT UNDERTAKE THE PROSECUION OF FEDERAL CRIMINAL CODE.

WHAT IS HAPPENING WITH ACS AND SUN RIVER HEALTH / BRIGHTPOINT HEALTH (THE SAME CORP) CONDUCT HAS BEEN KNOWN BY VARIOUS STATE OFFICIALS AND THEY HAVE TAKEN NO ACTION. I HAVE PROVIDED THE EVIDENCE OF SUCH WITHIN.

IN ADDITION THE NEW YORK STATE UNIFIED COURT SYSTEM, BASED IN ALBANY, HAD TAKEN PART IN WITHHOLDING EVIDENCE FROM ME REGARDING THIS CRIMINAL MATTER WHICH IN PART RESULTED IN MY FILING CASE NUMBER 22 CV 167 IN YOUR COURTHOUSE.

WITHIN THIS PRESENTATION I HAVE PROVIDED THE DOCUMENTARY EVIDENCE OF

VARIOUS PSYCHE REPORTS BETWEEN MY DAUGHTER AND I.

I HAVE ALSO PROVIDED A FLASH DRIVE WITH SUCH PRESENTATION SO THAT YOU CAN REVIEW THE ELECTRONIC FILES YOURSELF.

THE FALSE PSYCHE REPORTS WERE WRITTEN BY ACS WORKERS THEMSELVES SUCH AS CHRISTOPHER C ESCOBAR AND A GRAPHIC ARTIST BY THE NAME OF ROBERT RUSS LACHANSE.

SUCH DOCUMENTS WERE ISSUED AFTER JUDGE WILLIAMS OF THE NEW YORK STATE UNIFIED COURT SYSTEM WROTE AN ORDER THAT ONLY ALLOWED VISITATION IF MY 6 YEAR OLD DAUGHTER CONSENTED TO VISIT WITH HER FATHER. SUCH ORDER WAS UNLAWFUL SINCE MY DAUGHTER WAS ONLY 6. THUS SAID THERE WAS NOTHING TO APPEAL FROM IN THE ORDER BECAUSE THERE IS NO QUESTION MY DAUGHTER WANTS TO SEE HER FATHER. I WOULD NOT APPEAL TO FORCE MY DAUGHTER TO SEE ME BECAUSE THE FORCING WOULD BE A FRAUD TO BEGIN WITH. THE ORDER WAS FINE, THE ACTIONS OF ACS AND WILLIAMS HOWEVER PREVENTED ME FROM APPEALING SINCE THERE WAS NOTHING WRONG OF WHICH TO APPEAL FROM. AM I SUPPOSED TO MAKE BELIEVE MY DAUGHTER DOESNT WANT TO SEE ME AND PROCEED TO FORCE HER TO UPON FRAUDULENT PSYCHE REPORTS ? NO SINCE MY DOING SO WOULD VALID THE FRAUDULENT REPORTS AS BEING TRUE.

THE RECORDS ROOM IS PREVENTING ME FROM OBTAINING RECORDS OF WHICH HAS RECENTLY SPAWNED CASE NUMBER 22 CV 167.

THE JUDGE WAS PART OF THE FALSE PSYCHE REPORTS CRIME AND FURTHERMORE, IN CIVIL COURT 21 CV 1230, ACS IS USING SUCH DEFENSE THAT THE JUDGE SUSPENDED MY VISITATION AS AN EFFORT TO TERMINATE A PRE EXISTING RELIGIOUS RELATIONSHIP AND THE ATTENDANCE OF CHURCH BY PARENT AND CHILD. JUDGE SANNES IS PRESIDING AND I NOW AM BRINGING THE PERJURY OF THEIR DEFENSE TO THE COURT. THE DEFENDANTS CANNOT USE AS A DEFENSE IN FEDERAL CIVIL COURT, A DEFENSE THEY CONSTRUCTED OUT OF CRIMINAL ACTIVITY. UPON REVIEW OF THESE PSYCHE REPORTS SOME WERE NOT EVEN SIGNED THOUGH ACCEPTED BY THE JUDGE.

NORTHERN DISTRICT DEFENDANTS HAVE BEEN INFORMED AND HAVE DONE NOTHING IN VIOLATION OF 42 USC 1986. THEY ARE , IN PART, LETTITA JAMES, SHEILA POOLE AND JANET DIFIORE.

THE ACTIONS OF THE DEFENDANTS HAVE BEEN FURTHER FUELED IN THIS CASE BY THE ASSERTION BY ACS THAT I AM JEWISH AND NOT AMERICAN UNLIKE MY CHILDS MOTHER. SUCH EVIDENCE CAN BE FOUND IN MY AMENDED COMPLAINT UPON 21 CV 1230.

TO MAKE MATTERS WORSE, THE ABUSE OF MY DAUGHTER ON MY WEBSITE IS ABSOLUTELY APPALLING AND IS IN VIOLATION OF 18 US 3283. PARTICULARLY BEFORE AND AFTER EACH SUPERVISED VISITATION AT ACS THEY WOULD HAVE MY DAUGHTER

UNDRESS AND TAKE PICTURES OF HER.

EXHIBIT J, IS THE DOCUMENTARY EVIDENCE OF MY CONTACT TO GOVERNMENTAL AUTHORITIES AND THEIR EMPLOYEES. ALL OF WHICH HAS BEEN EITHER IGNORED OR IN THE CASE OF FOIL, NOTHING PROVIDED. FURTHERMORE, AS PER CASE NUMBER 22 CV 167, THE NEW YORK STATE UNIFIED COURT SYSTEM IS NOT PROVIDING RECORDS TO HINDER MY ABILITY TO OBTAIN FURTHER EVIDENCE OF SUCH CRIMINAL ACTIVITY.

THE FOLLOWING IS THE ANALYSIS OF THE DOCUMENTS PROVIDED...

1) EXHIBIT A,B,C.

ACS MADE A MISTAKE AND FIRST SENT ME A UNREDACTED ONE AND THEN AFTERWARDS SENT ME A REDACTED ONE. YOU CAN VIEW HOW THEY ERASED META DATA FROM THE REDACTED VERSION.

IF YOU VIEW THE REPORT, NOTICE THE DATE WHEN THIS WAS SUPPOSEDLY WRITTEN FROM THE DOCTOR.

NOTICE ON THE FIRST PAGE WHERE THE DOCTOR STATES THAT SHE AGREES WITH THE ASSESSMENT OF THE LCSW BELOW...

ONE BIG PROBLEM THOUGH, IS HOW CAN THE DOCTOR AGREE WITH WHAT THE LCSW STATED IN 2021 IF THE LETTER IS FROM 2020 ?

FURTHERMORE, IF YOU VIEW THE SIGNATURE WHICH IS HARD TO SEE IN THE PRINTED BUT EASILY SEEN IN THE ELECTRONIC FILE IS THERE IS A MASSIVE AMOUNT OF EXTEMPORANEOUS PIXELATION, CHARACTERISTIC OF SIGNATURE EXTRACTION.

THIS LETTER WAS WRITTEN BY JANIE GROFF AND NOT DR. VARMA.

2) EXHIBIT D, H

IS APRIL 13, 2021 PSYCHE REPORT WITH NO SIGNATURE. IT WAS WRITTEN BY ROBERT RUSS LACHANSE AND NOT JANIE GROFF OF WHICH IT IS CLAIMED TO BE FROM. LACHANSE HAS NOT WORKED FOR BRIGHTPOINT / SUNRIVER ACCORDING TO HIS LINKEDIN PAGE SINCE 2016 AND HAS INFORMED ME BY TEXT THAT HE DOES NOT WORK WITH ACS NEW YORK CITY. WELL IF HE DOES NOT THEN WHY IS HE WRITING REPORTS FOR THEM ? WHY IS HE WRITING REPORTS AT ALL IF HE IS NOT A LCSW AND WHY IS HE WRITING REPORTS FOR A LCSW REGARDING A COURT CASE OF WHICH IS CLAIMED TO BE FROM SOMEONE ELSE - JANIE GROFF ? THE DOCUMENTS PROVE THAT GROFF DID NOT WRITE THIS DOCUMENT. LACHANSE DID. IF YOU VIEW HIS LINKEDIN PAGE AND THE TEXT MESSAGE COMMUNICATION, LACHANSE IS IN NO WAY LICENSED AS A MENTAL

HEALTH PROVIDER.

3) EXHIBIT E.

IS PSYCHE REPORT DATED 7-22-2021 OF WHICH THE META DATA WAS WIPED CLEAN. HOWEVER IF YOU VIEW OTHER INFORMATION FROM THE DOCUMENT, YOU FIND OUT THAT THIS DOCUMENT CAME FROM THE SAME EXACT PRINTER, XEROX WORK CENTER 7535 AND SAME PDF VERSION AS WELL, (1.4 ACROBAT 5X) AS A COURT REPORT THAT HAD COME FROM ACS !

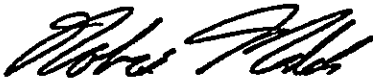
4) EXHIBIT F, I.

IS PSYCHE REPORT 11-12-2021. IT WAS WRITTEN BY CHRISTOPHER ESCOBAR WHO WORKS FOR ACS. NOT JANIE GROFF. THERE IS NO SIGNATURE.

5) EXHIBIT G, I

IS PSYCHE REPORT OF 2-18-2022. IT WAS ALSO WRITTEN BY CHRIS ESCOBAR, ACS AND NOT JANIE GROFF. THE JAGGED LINES ON THE SIGNATURE ARE ALSO VERY SUSPICIOUS WHICH POINT TO YET ANOTHER EXTRACTION.

SINCERELY,



ROBERT MALEK, MISSISSIPPI LICENSED PRIVATE INVESTIGATOR, NYC LICENSED
PROCESS SERVER, NOTARY PUBLIC

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NY 11554

ACS COMPLAINTS.COM, ACS COMPLAINTS@YAHOO.COM

929 441 8429

7/11/2022

PLEASE NOTE : IF YOU DONT INTEND TO TAKE ACTION REGARDING THIS PLEASE RETURN TO

EXHIBIT A



robert malek <abc75abc@gmail.com>

NN-19411-18 INGOGLIA, MARGARET

4 messages

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

Tue, Nov 16, 2021 at 9:35 AM

To: robert malek <abc75abc@gmail.com>

Cc: "Johnson, Travis" <TMJohnson@legal-aid.org>, Robert Maes <rmaes@bds.org>, "akramlouis09@gmail.com" <akramlouis09@gmail.com>, "hbrathwa@nycourts.gov" <hbrathwa@nycourts.gov>

Good Morning,

Attached is the child's M... M... psychiatric evaluation.

Rosmil Almonte | Team Leader

Division of Family Court Legal Services

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

Rosmil.almonte@acs.nyc.gov

From: Almonte, Rosmil (ACS)

Sent: Tuesday, November 16, 2021 9:05 AM

To: 'robert malek' <abc75abc@gmail.com>

Cc: Johnson, Travis <TMJohnson@legal-aid.org>; Robert Maes <rmaes@bds.org>; akramlouis09@gmail.com; hbrathwa@nycourts.gov

Subject: RE: [EXTERNAL] Re: Next court date ?

Good Morning,

Updated therapist letter.

Rosmil Almonte | Team Leader

Division of Family Court Legal Services

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

Rosmil.almonte@acs.nyc.gov

From: robert malek <abc75abc@gmail.com>

Sent: Tuesday, November 16, 2021 8:48 AM

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

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

Subject: Re: [EXTERNAL] Re: Next court date ?

GA

I NEED A LINK FOR TODAYS HEARING



ROBERT MALEK

On Fri, Nov 12, 2021 at 12:15 PM Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov> wrote:

Family service notes

Rosmil Almonte | Team Leader

Division of Family Court Legal Services

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

Rosmil.almonte@acs.nyc.gov

From: Almonte, Rosmil (ACS)

Sent: Friday, November 12, 2021 12:13 PM

To: robert malek <abc75abc@gmail.com>; Johnson, Travis <TM.Johnson@legal-aid.org>

Cc: Robert Maes <rmaes@bds.org>; akramlouis09@gmail.com

Subject: RE: [EXTERNAL] Re: Next court date ?

Here are the investigation notes again for Mr. Malek's legal advisor

Rosmil Almonte | Team Leader

Division of Family Court Legal Services

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

Rosmil.almonte@acs.nyc.gov

From: robert malek <abc75abc@gmail.com>

Sent: Friday, November 5, 2021 4:28 PM

To: Johnson, Travis <TM.Johnson@legal-aid.org>

Cc: Henderson Brathwalte <hbrathwa@nycourts.gov>; Robert Maes <rmaes@bds.org>; Almonte, Rosmil (ACS)

<Rosmil.Almonte@acs.nyc.gov>; akramlouis09@gmail.com

Subject: [EXTERNAL] Re: Next court date ?

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

Thank you.



On Fri, Nov 5, 2021, 10:14 AM Johnson, Travis <TM.Johnson@legal-aid.org> wrote:

7A

We are scheduled for continued fact finding on Nov 16th at 9am.

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

From: robert malek <abc75abc@gmail.com>
Sent: Thursday, November 4, 2021 2:22 PM
To: Henderson Brathwaite <hbrathwa@nycourts.gov>
Cc: Robert Maes <rmaes@bds.org>; Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>; Johnson, Travis <TM.Johnson@legal-aid.org>
Subject: Next court date ?

Rmalek

 MalekPsychiatric- R.pdf
228K

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

Tue, Nov 16, 2021 at 9:54 AM

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

Subject: ~~Malek~~ ~~Malek~~ Psychiatric evaluation.

[Quoted text hidden]

 MalekPsychiatric- R_Redacted.pdf
1039K

Henderson Brathwaite <hbrathwa@nycourts.gov>

Tue, Nov 16, 2021 at 3:28 PM

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

Counsel, it seems that the Court has been receiving conversation from all parties this afternoon. The Court will remind all parties that the subject matter of the case should and will be discussed in Court. The arguing through email will not be tolerated. Thank you very much for your time and have a wonderful day!

[Quoted text hidden]

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

JA

7/12/22, 6:42 AM

Gmail - NN-19411-18 INGOGLIA, MARGARET

robert malek <abc75abc@gmail.com>
To: Victoria Navarro <vikkinavarro@hotmail.com>

Sat, Feb 12, 2022 at 2:59 PM

[Quoted text hidden]

 MalekPsychiatric- R.pdf
228K

9A



robert malek <abc75abc@gmail.com>

NN-19411-18 INGOGLIA, MARGARET

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

Tue, Nov 16, 2021 at 9:54 AM

To: robert malek <abc75abc@gmail.com>

Cc: "Johnson, Travis" <TMJohnson@legal-aid.org>, Robert Maes <rmaes@bds.org>, "akramlouis09@gmail.com" <akramlouis09@gmail.com>, "hbrathwa@nycourts.gov" <hbrathwa@nycourts.gov>

Subject: ~~Malak~~ ~~Malak~~ Psychiatric evaluation.

[Quoted text hidden]

 MalakPsychiatric- R_Redacted.pdf
1039K

10A

EXHIBIT B

Sun River Health



~~Maria, M...~~

5Y 3M old Female, DOB: ~~10/1/2014~~

Account Number: 1324926

2520 TILDEN AVE, APT 7N, BROOKLYN, NY-11226-9624

Home: 347-294-8962

Guarantor: ~~Maria~~

~~Maria~~ Insurance: Healthfirst MCD BH & Oasas

Payer ID: 80141

Appointment Facility: Bedford Health Center A31

Patient's Default Facility: Bedford Health Center A31

02/18/2020

Psychiatric Assessment: Shilpika Varma, MD

Current Medications

None

Past Medical History

Sometimes urinary infections, given antibiotics.

Surgical History

denies

Family History

Father: alive

Mother: alive

Siblings: alive

1 brother(s).

Mother reports that daughter has been through "lot of trauma, through primarily father." Mother attempted leaving father, few times and would threaten mother if she planned to leave him. Tried to resolve relationship. Family had been living in "ex's" father's house in Canarsie. Mother reports mental and emotional abuse of family, "he controlled everything." Son has another father. From Feb. 2018 until July 2018 son was living with them and her father put son through hell. Push him against wall and threatened to "put him in hospital." Threatened mother, "he would punch me so hard I would die." Mother reports .. pt. saw threats, screaming yelling, at four, he took her away and would grab her and tell mother ". you can't have her." Mother reports he would take her to grandfather for days to keep her. Mother reports going back and forth between two houses that grandfather owned with "stuff scattered everywhere, never knew where I lived..."

Mother reports that pt. is "scared of him, only wants toys from him." Mother reports father obsessed.

Additional family support includes mother's mother who lives in assisted living facility, however, mother fights often with her. (Mother is only child.)

Mother notes that pt. is close to friend of mother, "Martin," who lives in assisted living facility.

Reason for Appointment

1. New PSA, seen for intake on 1/31/2020

History of Present Illness

BH Health Monitoring:

External PCP Documentation:

Data incorporated in EMR via: *scanned document*

Primary Care Provider Information: *Pediatrician Cheryl*

Clark 212-2016-5200

MH - History of Present Illness:

HPI I AGREE WITH THE LCSW ASSESSMENT AS DOCUMENTED BELOW.

PT HAS A HX OF SPEECH AND LANGUAGE IMPAIRMENT. PATIENT IS IN KG, HAS AN IEP FOR SPEECH AND GETS SPEECH AND OCCUPATIONAL THERAPY SERVICES AT SCHOOL. DOES NOT MEET CRITERIA FOR MED MX AT THIS TIME, NO IMMIMENET SAFETY CONCERNS AT THIS TIME. CAN PROCEED WITH ADMITTIOSN TO ARTICLE 31 CLINIC FOR TRAUMA INFORMED/FOCUSED PLAY THERAPY ONLY.

"Pt. is a 5 yo female presents for psych eval accompanied by mother for

mental health eval

Pt's mother is a single, [REDACTED]

[REDACTED] Caucasian . Pt is being seen because of mother's concern of pt's aggressive behavior following years of experience with father's DV of mother which mother feels has affected pt. .

[REDACTED] mother reports receiving counseling with the family at the Family Center . Mother reports that two children have different father's, having her oldest at the age of 25. (She reports that their relationship was rocky, reports that her oldest son's father is diagnosed with Bipolar disorder). Mother reports five y/old 's father engaged in DV with mother and describes father as exceptionally controlling, "treated me like I was the maid taking care of children, he took over everything." Pt's mother stated discipline was doled out by

12 10322

Social History

Psychosocial:

Family/Social Support/Significant

Relationships: Emergency

Contact: mother, Margaret at.

Housing Status: [REDACTED]

Military

Did you or family member serve in the

Military? No

Date Assessed

Date: 01/31/2020

Legal

Have you had any encounters with the police? No

Legal hx obtained? No

Sexual/Physical/Emotional: Domestic Violence. Child witnessed extensive fighting by parents..

Language

Primary language: English

Language used in evaluation: English

Interpreter Used? No

Domestic Violence

Have you ever been in a relationship in which you have been physically, emotionally, or sexually hurt or felt threatened? Mother reports *du experience and is living in regular family shelter.*

Child & Adolescent

Presenting Problem: Behaviors.

Oppositional at aggressive, throwing things, hits mother and son if she doesn't get her way or she just freaks out, harmed in head what he allowed, fell off airbed. He punished her by putting her in bathroom in dark. And fell out of car seat, maybe hit her head.. according to mother.

Family Composition: Yes

Primary care giver and sibling: mother, receiving services at Church Ave. clinic

Do both parents share custody? No
Mother reports overall having full custody, father sees children currently under supervision.

Current/previous ACS

involvement: Yes

ACS workers name and

number: Paula Garcia, ACS, "previous worker left because she could not work with "ex". ACS case has been open, "basically, Dec. 2017." Mother reports "when her father got arrested, twice, for destruction of father's property and family reported. ("Before we left, he was doing pizza delivery jobs, etc."); Left July 31, 2018 "me and kids and help with ACS and courts." (Very scary, doesn't have gun, but very evil and manipulative person, he'll threaten and if you make complaint, you will go to jail, but finally luck is running out...father and sisters don't like him and don't talk with him, "according to mother.

Education: Yes

Name of

School: Kindergarten...Public School,

father and once he "had my daughter stay in closet for punishment." Mother reports that at age four, father would take pt. away, grabbing her and telling mother "you can't have her." Father would also take pt. away for days to stay with grandfather.

Pt's mother reported need to leave children a few years earlier to get away from, husband Mother reports that current father, through ACS, sees child supervised visitation twice weekly. Mother reports that pt has nightmares dreaming that father grabs mother and takes mother away. Mother states that goal of father is to attain full custody. Mother reports at school, she is "an angel, saves all the acting out at home. Mother reports that pt, who is in kindergarten, "hits, spits and curses at me and really responds when you say no to her." Pt's mother notes leaving father/child at one point "a few years earlier,". Mother reports separations from mother when pt. was "almost one year old, I left about four times as he threatened me and I was afraid of him hurting my son." Mother stated she left in September for about a month and then at two years old, "didn't see her for a few months." Mother reports that pt. has been with her continually since August 2018. to get out of house. Mother notes daughter is also experiencing loss of father's father, "who was very close to her but now does not want anything to do with his son and has also included us in this."

Past Psychiatric History:

Currently in Treatment no.

Past Psychiatric History

Initial mental health contact: Bedford,

Hx of Mania/Hypomania: No

Hx of Depression: No

Hx of Psychosis: No

Hx Impulsive/hyperactive/inattentive symptoms No

Trauma Symptoms: Yes Pt witnessed DV with mother and exhibited controlling behavior by father. Pt. is currently acting out with mother.

Anxiety Symptoms: No

Past Psychiatric Hospitalizations:

Hospitalizations for psych? No

Past Psychiatric Outpatient Treatment :

Has patient had previous mental health treatment? No

Hx of Suicidal Bx/Ideation:

Has there been a suicide attempt in the last 48 hours? No

Has there been a suicidal event within the last 2 months? No

Is there a prior history of suicidal behavior from more than 2 months ago? No

Is the patient having any suicidal feelings, ideation, or intent arising from this psychiatric interview? No

Columbia rating scale completed? No

Hx of Violence or Homicidal Bx/Ideation:

Has the patient ever fought physically or hurt another person? No

Has the patient ever been hospitalized or arrested for engaging in any violent acts, including participation in domestic

13A
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PIAK at MS 2.

Current Grade: Kindergarten
Type of school: public
Does Patient have an Individualized Education Program (IPE)? *yes-IEP: learning disabilities, behind "a lot," gets speech, occupational therapy and counseling.*

Educational
Classification: *Speech/Language Impairment, Developmental Delay, Emotional disturbance*
Classroom setting: *mother not sure; "probably about 12"*

Attendance? *ok*
Services provided at School: *Individual Counseling, Speech Therapy, Occupational Therapy*
Current academic

functioning? *Mother reports doing good, teachers state she can "get off topic, but they love her."*
Grade Retentions? *denies*
Peer relationships/bullying: *gets along good with peers*
Hobbies/extra curricular activities: *plays videos, "sometimes play actual video games with son, enjoys arts and crafts."*

Did the patient experience any losses, separations or any other disruptions in attachment between ages 0-5? *Separations: Mother reports that at one point, she "almost breakdown at one point wouldn't let me go anywhere. "When i start walking away sometimes she can freak out." Strong attachment to grandfather, and grandfather walked away from situation. KEY IF SHE TALKS ABOUT DAD, DAD IS GRANDFATHER, DADDY IS HER FATHER.' Grandfather is 90 and broke ties with son and family; son stole from him. Lived with grandfather, Sheepshead bay house were he lived and other which he owned. Started when she was pregnant till about three years old and grandfather just left, no contact with family. Separations from mom": "Almost one year old; mom left about four times he threatened and mother afraid of hurting her son... plus ex hates mother and she was afraid he would hurt...she felt leaving her, maybe had chance... Mother would stay diffent times and places...Left in Sept when she was one year old, saw again in October...limited order of protection, mom would have visitations but father was there and court would fix it. Two years old, didn't see for a few months. "Just with me, Augs 2018, before that with father... father continues with ACS supervised visits."*

Consent to contact school: *yes*
Have you ever been heldback any grade? *no*
Developmental/Neonatal History/Infant Feeding: *Yes*
Normal: *Mother reports "i have to*

violence? *No*

Has the patient ever been accused or convicted of child abuse or sexual abuse? *No*

Has there ever been an order of protection against the patient? *No*

Did the patient engage in violent acts as a child such as fire starting, abuse of animals, or repeated physical conflicts with other children? *No*

Does the patient currently have any violent ideation or plans? *No*

Does the patient have access to weapons or other methods to carry out a plan to harm another person? *No*

Hx of ACT/AOT Participation

Part of ACT? *No*

Part of AOT? *No*

Risk Assessment:

Safety Plan:

Was safety plan needed at this time? *No Pt. does not meet criteria for safety plan.*

Vital Signs

NEEDS VITALS.

Examination

MENTAL STATUS EXAM:

Appearance: *appears stated age.*

Clothing/Grooming: *appropriate.*

Motor Activity: *appropriate.*

Mannerisms: *none.*

Attitude: *cooperative.*

Speech: *spontaneous, normal rate and volume.*

Thought Form: *appropriate/rational/coherent.*

Thought Content: *no delusions present.*

Suicidal/Self Destructive Ideation: *denies current ideation or plan.*

Homicidal or Harm to Others Ideations: *denies.*

Hallucinations: *denies.*

Affect: *Mood: neutral/euthymic.*

Cognitive Functioning: *alert.*

Orientation: *person, place, time, situation.*

Concentration: *good.*

Fund of Knowledge: *good.*

Short Term Recall: *good.*

Insight: *good.*

Impulse Control: *good.*

Recall/Retention: *good.*

Long Term Recall: *good.*

Intellectual Functioning: *good.*

Judgement: *good.*

Assessments

1. Separation anxiety disorder of childhood - F93.0 (Primary)

2. Adjustment disorder with mixed disturbance of emotions and conduct - F43.25

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0324

feed her because if she feeds herself, too big portions and doesn't chew..."

Did patient's mother have a medically healthy pregnancy? *No pre-clampsia*

Did patient's mother use drugs/alcohol during pregnancy or have any mental health problems during pregnancy? *No*

Was patient born full-term (40 weeks) *Yes*

Type of delivery: *C-section*

Were there any complications during the patient's birth? *Yes*

Were there any neo-natal complications or illnesses for the individual or the mother? *Yes "blood pressure going up while I was pregnant, and throwing up a lot."*

Were there any illnesses/hospitalizations during infancy or early childhood? *Yes after delivery, low blood sugar*

Was the patient bottle-fed/breast-fed? *Bottle-fed*

Developmental Milestones: *Yes*

Sitting up - by 8 months? *No "Not sure delayed, she was behind in walking, talking, everything." Mother reports "he directed everything, I was like babysitter, ..."*

Approximate age:

Talking- using one or more words- by 18 months? *No*

Approximate Age: *"One words, - definitely before first b'day saying "no"*

Toilet training- Completely potty trained by age 5? *Yes "She demands a diaper, terrified to "poo" in toilet. She will p in it and that's it. Will only poo in diaper. In school, sent diaper but don't use it."*

Were there any delays or differences noted in the individual's gross motor development? *Yes getting occupational, some things manually, zipping up coat, etc. Therapy for walking, "use to walk on toes and fall down, now she is doing better, even climbs stairs."*

Were there any delays or differences noted in the individual's social development? *No Outgoing...sometimes gets a little shy*

Is anyone in the house smoking? *No*

Suspensions/expulsions: *none*

Food Insecurity
Within the last 12 months did you run out of food before you were able to buy more? *No*

Do you have difficulty making ends meet at the end of the month? *No*

Allergies

N.K.D.A.

Hospitalization/Major

Diagnostic Procedure

mother reports difficult delivery, pre-clampsic and pt. was breech, emergency CSection, low blood sugar at birth
10/29/2014

Preventive Medicine

MH Tx/Meds/Recommendations:

Formulation: **I AGREE WITH THE LCSW ASSESSMENT AS DOCUMENTED BELOW. PT HAS A HX OF SPEECH AND LANGUAGE IMPAIRMENT. PATIENT IS IN KG, HAS AN IEP FOR SPEECH AND GETS SPEECH AND OCCUPATIONAL THERAPY SERVICES AT SCHOOL. DOES NOT MEET CRITERIA FOR MED MX AT THIS TIME, NO IMMINENET SAFETY CONCERNS AT THIS TIME. CAN PROCEED WITH ADMITTOSN TO ARTICLE 31 CLINIC FOR TRAUMA INFORMED/FOCUSED PLAY THERAPY ONLY..**

Article 31 Admission Date:

Patient Admitted to A31 *Yes*

Admission Date: *02/18/2020*

Admission Type: *New*

Tx/Recommendations **DOES NOT MEET CRITERIA FOR MED MX AT THIS TIME, NO IMMINENET SAFETY CONCERNS AT THIS TIME. CAN PROCEED WITH ADMITTOSN TO ARTICLE 31 CLINIC FOR TRAUMA INFORMED/FOCUSED PLAY THERAPY ONLY..**

Care Plan:

Care Plan Completed and Signed: *to be completed by therapist at next visit.*

Visit Codes

90792 New A31 PSY--Initial Assessment wth Medical Services.
Modifiers: AF

Follow Up

THERAPY CP (Reason: THERAPY CP ONLY)

Electronically signed by 06000,20a Shilpika Varma ,
MD on 02/18/2020 at 05:05 PM EST

Sign off status: Completed

Bedford Health Center A31
1669 Bedford Avenue A31
Brooklyn, NY 112252009
Tel: 855-681-8700
Fax: 718-299-1420

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Document Properties

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Advanced

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Dublin River

18/2020

Irrelevant Medical

Medical History

sometimes urinary in

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Medical History

16A

External PCP Documentation:
Data incorporated in EMR via: scanned document
Primary Care Provider Information: Pediatrician Cheryl

Clark-019-2016-5200

Description S MalePsychiatric- P.pdf

Description
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Document Title:

Author: Jane Groff

Author Title:

Description:

Description Writer:

Keywords:

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External PCP Documentation:

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Primary Care Provider Information: Pediatrician Cheryl

Clark-919-2016-5200

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Description Security Fonts Initial View Custom Advanced

Description

File MalekPsychiatric-R

Title

Author Janie Groff

Subject

Keywords

Created: 11/10/2021 5:24:28 PM

Modified: 11/10/2021 5:24:30 PM

Application: Acrobat PDFMaker 21 for Word

Advanced

PDF Producer: Adobe PDF Library 21.7.131

PDF Version: 1.6 (Acrobat 7.x)

Location: C:\Users\robertmalek\Documents\PSYCHE DOCS

File Size: 227,054 B (232,500 Bytes)

Page Size: 9.50 x 11.00 in

Number of Pages: 5

Tagged PDF: Yes

Fast Web View: Yes

Additional Metadata...

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Primary Care Provider Information: Pediatrician Cheryl

Clark 313-2016-5200

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Primary Care Provider Information: Pediatrician Cheryl

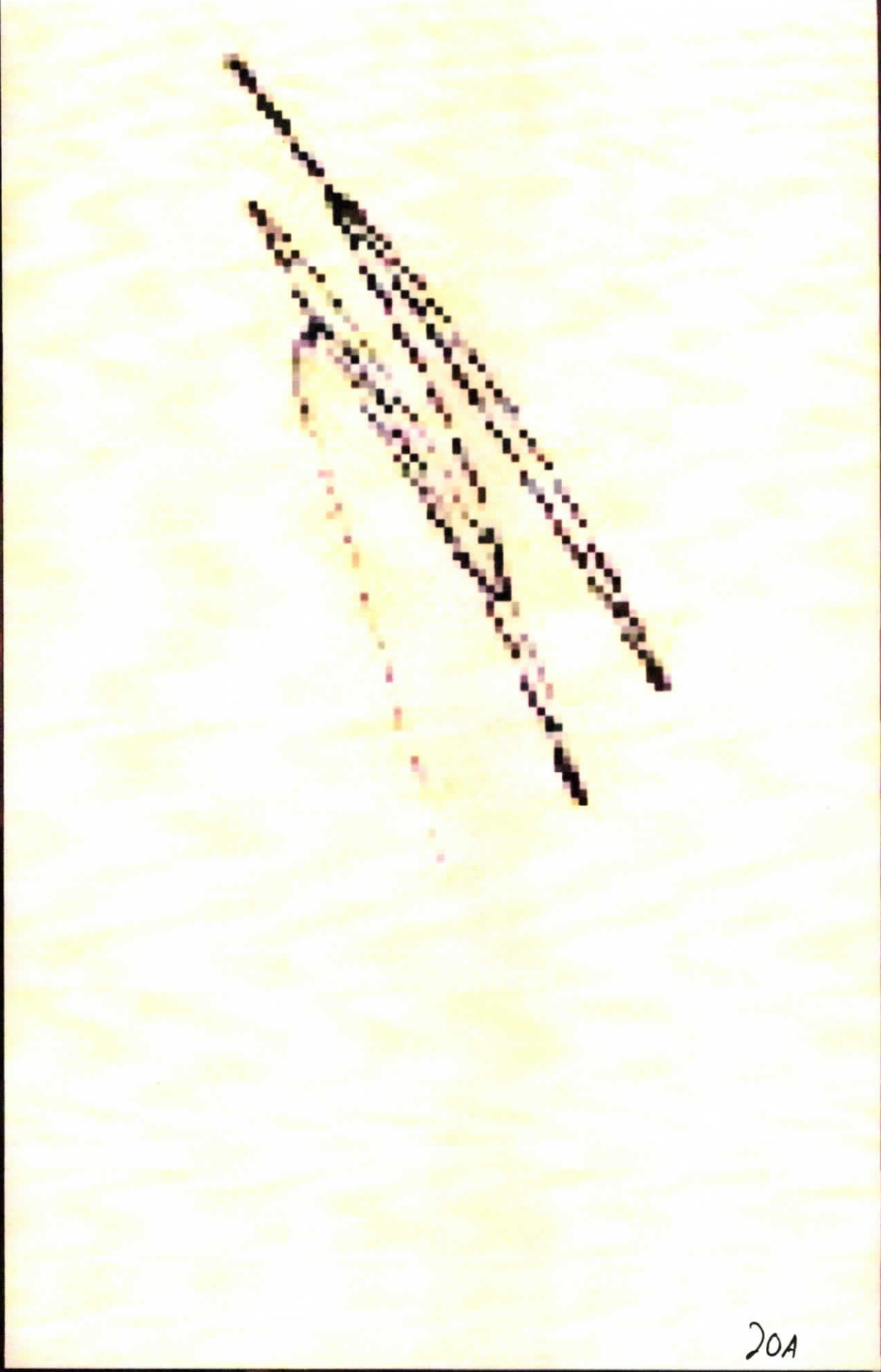
Clark 919-2016-5200

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EXHIBIT C

Sun River Health



~~Made, Margaret~~

5Y 3M old Female, DOB: 10/25/2014

Home: 347-294-8962

Guarantor: ~~Made~~

Insurance: Healthfirst MCD BH & Oasas

Payer ID: 80141

Appointment Facility: Bedford Health Center A31

Patient's Default Facility: Bedford Health Center A31

02/18/2020

Psychiatric Assessment: Shilpika Varma, MD

Current Medications

None

Past Medical History

Sometimes urinary infections, given antibiotics.

Surgical History

denies

Family History

Father: alive

Mother: alive

Siblings: alive

1 brother(s).

Mother reports that daughter has been through "lot of trauma, through primary father." Mother attempted leaving father, few times and would threaten mother if she planned to leave him. Tried to resolve relationship. Family had been living in "ex's" father's house in Canarsie. Mother reports mental and emotional abuse of family, "he controlled everything." Son has another father. From Feb. 2018 until July 2018 son was living with them and her father put son through hell. Push him against wall and threatened to "put him in hospital." Threatened mother, "he would punch me so hard i would die." Mother reports .. pt. saw threats, screaming yelling, at four, he took her away and would grab her and tell mother . "you can't have her." Mother reports he would take her to grandfather for days to keep her. Mother reports going back and forth between two houses that grandfather owned with "stuff scattered everywhere, never knew where I lived..."

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Additional family support includes mother's mother who lives in assisted living facility, however, mother fights often with her. (Mother is only child.)

Mother notes that pt. is close to friend of mother, "Martin," who lives in assisted living facility.

Reason for Appointment

1. New PSA, seen for intake on 1/31/2020

History of Present Illness

BH Health Monitoring:

External PCP Documentation:

Data incorporated in EMR via: scanned document

Primary Care Provider Information: Pediatrician Cheryl

Clark 212-2016-5200

MH - History of Present Illness:

HPI I AGREE WITH THE LCSW ASSESSMENT AS DOCUMENTED BELOW.

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Caucasian . Pt is being seen because of mother's concern of pt's aggressive behavior following years of experience with father's DV of mother which mother feels has affected pt. .

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22A
0332

Social History

Psychosocial:

Family/Social Support/Significant

Relationships: Emergency

Contact: mother, Margaret at.

Housing Status: [REDACTED]

Military

Did you or family member serve in the

Military? No

Date Assessed

Date: 01/31/2020

Legal

Have you had any encounters with the police? No

Legal hx obtained? No

Sexual/Physical/Emotional: Domestic Violence. Child witnessed extensive fighting by parents..

Language

Primary Language: English

Language used in evaluation: English

Interpreter Used? No

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Oppositional at aggressive, throwing things, hits mother and son if she doesn't get her way or she just freaks out, "harmed in head what he allowed, fell off airbed. He punished her by putting her in bathroom in dark. And fell out of car seat, maybe hit her head," according to mother.

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Education: Yes

Name of School: Kindergarten...Public School,

father and once he "had my daughter stay in closet for punishment." Mother reports that at age four, father would take pt. away, grabbing her and telling mother "you can't have her.". Father would also take pt. away for days to stay with grandfather.

Pt's mother reported need to leave children a few years earlier to get away from, husband Mother reports that current father, through ACS, sees child supervised visitation twice weekly. Mother reports that pt has nightmares dreaming that father grabs mother and takes mother away. Mother states that goal of father is to attain full custody. Mother reports at school, she is "an angel, saves all the acting out at home. Mother reports that pt, who is in kindergarten, "hits, spits and curses at me and really responds when you say no to her." Pt's mother notes leaving father/child at one point "a few years earlier,". Mother reports separations from mother when pt. was "almost one year old, I left about four times as he threatened me and I was afraid of him hurting my son." Mother stated she left in September for about a month and then at two years old, "didn't see her for a few months." Mother reports that pt. has been with her continually since August 2018. to get out of house. Mother notes daughter is also experiencing loss of father's father, "who was very close to her but now does not want anything to do with his son and has also included us in this."

Past Psychiatric History:

Currently in Treatment no.

Past Psychiatric History

Initial mental health contact: Bedford,

Hx of Mania/Hypomania: No

Hx of Depression: No

Hx of Psychosis: No

Hx Impulsive/Hyperactive/inattentive symptoms No

Trauma Symptoms: Yes Pt witnessed DV with mother and exhibited controlling behavior by father. Pt. is currently acting out with mother.

Anxiety Symptoms: No

Past Psychiatric Hospitalizations:

Hospitalizations for psych? No

Past Psychiatric Outpatient Treatment :

Has patient had previous mental health treatment? No

Hx of Suicidal Bx/Ideation:

Has there been a suicide attempt in the last 48 hours? No

Has there been a suicidal event within the last 2 months? No

Is there a prior history of suicidal behavior from more than 2 months ago? No

Is the patient having any suicidal feelings, ideation, or intent arising from this psychiatric interview? No

Columbia rating scale completed? No

Hx of Violence or Homicidal Bx/Ideation:

Has the patient ever fought physically or hurt another person? No

Has the patient ever been hospitalized or arrested for engaging in any violent acts, including participation in domestic

23
0333

PAIK at MS 2.

Current Grade: Kindergarten
Type of school: public
Does Patient have an Individualized Education Program (IEP)? *yes--IEP: learning disabilities, behind "a lot," gets speech, occupational therapy and counseling.*

Educational
Classification: *Speech/Language Impairment, Developmental Delay, Emotional disturbance*
Classroom setting: *mother not sure; "probably about 12"*
Attendance? *ok*
Services provided at

School: *Individual Counseling, Speech Therapy, Occupational Therapy*
Current academic

functioning? *Mother reports doing good, teachers state she can "get off topic, but they love her."*

Grade Retentions? *denies*
Peer relationships/bullying: *gets along good with peers*

Hobbies/extra curricular activities: *plays videos, "sometimes play actual video games with son, enjoys arts and crafts."*

Did the patient experience any losses, separations or any other disruptions in attachment between ages 0-5? *Separations: Mother reports that at one point, she "almost breakdown at one point wouldn't let me go anywhere. "When i start walking away sometimes she can freak out." Strong attachment to grandfather, and grandfather walked away from situation. KEY IF SHE TALKS ABOUT DAD, DAD IS GRANDFATHER, DADDY IS HER FATHER.' Grandfather is 90 and broke ties with son and family; son stole from him. Lived with grandfather, Sheephead boy house were he lived and other which he owned. Started when she was pregnant till about three years old and grandfather just left, no contact with family. Separations from mom": "Almost one year old; mom left about four times he threatened and mother afraid of hurting her son...plus ex hates mother and she was afraid he would hurt...she felt leaving her, maybe had chance... Mother would stay diffent times and places...Left in Sept when she was one year old, saw again in October...limited order of protection, mom would have visitations but father was there and court would fix it. Two years old, didn't see for a few months. "Just with me, Augs 2018, before that with father... father continues with ACS supervised visits."*

Consent to contact school: *yes*
Have you ever been heldback any grade? *no*
Developmental/Neonatal History/Infant Feeding: *Yes*
Normal: *Mother reports "I have to*

violence? *No*

Has the patient ever been accused or convicted of child abuse or sexual abuse? *No*

Has there ever been an order of protection against the patient? *No*

Did the patient engage in violent acts as a child such as fire starting, abuse of animals, or repeated physical conflicts with other children? *No*

Does the patient currently have any violent ideation or plans? *No*

Does the patient have access to weapons or other methods to carry out a plan to harm another person? *No*

Hx of ACT/AOT Participation

Part of ACT? *No*

Part of AOT? *No*

Risk Assessment:

Safety Plan:

Was safety plan needed at this time? *No Pt. does not meet criteria for safety plan.*

Vital Signs

NEEDS VITALS.

Examination

MENTAL STATUS EXAM:

Appearance: *appears stated age.*

Clothing/Grooming: *appropriate.*

Motor Activity: *appropriate.*

Mannerisms: *none.*

Attitude: *cooperative.*

Speech: *spontaneous, normal rate and volume.*

Thought Form: *appropriate/rational/coherent.*

Thought Content: *no delusions present.*

Suicidal/Self Destructive Ideation: *denies current ideation or plan.*

Homicidal or Harm to Others Ideations: *denies.*

Hallucinations: *denies.*

Affect: *mood: neutral/euthymic.*

Cognitive Functioning: *alert.*

Orientation: *person, place, time, situation.*

Concentration: *good.*

Fund of Knowledge: *good.*

Short Term Recall: *good.*

Insight: *good.*

Impulse Control: *good.*

Recall/Retention: *good.*

Long Term Recall: *good.*

Intellectual Functioning: *good.*

Judgement: *good.*

Assessments

1. Separation anxiety disorder of childhood - F93.0 (Primary)

2. Adjustment disorder with mixed disturbance of emotions and conduct - F43.25

feed her because if she feeds herself, too big portions and doesn't chew..."

Did patient's mother have a medically healthy pregnancy? *No pre-clampsia*

Did patient's mother use drugs/alcohol during pregnancy or have any mental health problems during pregnancy? *No*

Was patient born full-term (40 weeks) *Yes*

Type of delivery: *cesarean*

Were there any complications during the patient's birth? *Yes*

Were there any neo-natal complications or illnesses for the individual or the mother? *Yes "blood pressure going up while I was pregnant, and throwing up a lot."*

Were there any illnesses/hospitalizations during infancy or early childhood? *Yes after delivery, low blood sugar*

Was the patient bottle-fed/breast-fed? *Bottle-fed*

Developmental Milestones: *Yes*

Sitting up - by 8 months? *No "Not sure delayed, she was behind in walking, talking, everything." Mother reports "he directed everything, I was like babysitter, ..."*

Approximate age:

Talking- using one or more words- by 18 months? *No*

Approximate Age: *"One words, definitely before first b'day saying "no"*

Toilet training- Completely potty trained by age 5? *Yes "She demands a diaper, terrified to "poo" in toilet. She will p in it and that's it. Will only poo in diaper. In school, sent diaper but don't use it."*

Were there any delays or differences noted in the individual's gross motor development? *Yes getting occupational, some things manually, zipping up coat, etc. Therapy for walking, "use to walk on toes and fall down, now she is doing better, even climbs stairs."*

Were there any delays or differences noted in the individual's social development? *No Outgoing...sometimes gets a little shy*

Is anyone in the house smoking? *No*

Suspensions/expulsions: *none*

Food Insecurity

Within the last 12 months did you run out of food before you were able to buy more? *No*

Do you have difficulty making ends meet at the end of the month? *No*

Allergies

N.K.D.A.

Hospitalization/Major

Diagnostic Procedure

mother reports difficult delivery, pre-clampic and pt. was breech, emergency CSection, low blood sugar at birth 10/29/2014

Preventive Medicine

MH Tx/Meds/Recommendations:

Formulation: **I AGREE WITH THE LCSW ASSESSMENT AS DOCUMENTED BELOW. PT HAS A HX OF SPEECH AND LANGUAGE IMPAIRMENT. PATIENT IS IN KG, HAS AN IEP FOR SPEECH AND GETS SPEECH AND OCCUPATIONAL THERAPY SERVICES AT SCHOOL. DOES NOT MEET CRITERIA FOR MED MX AT THIS TIME, NO IMMINENT SAFETY CONCERNS AT THIS TIME. CAN PROCEED WITH ADMITTOSN TO ARTICLE 31 CLINIC FOR TRAUMA INFORMED/FOCUSED PLAY THERAPY ONLY. .**

Article 31 Admission Date:

Patient Admitted to A31 *Yes*

Admission Date: *02/18/2020*

Admission Type: *New*

Tx/Recommendations **DOES NOT MEET CRITERIA FOR MED MX AT THIS TIME, NO IMMINENT SAFETY CONCERNS AT THIS TIME. CAN PROCEED WITH ADMITTOSN TO ARTICLE 31 CLINIC FOR TRAUMA INFORMED/FOCUSED PLAY THERAPY ONLY. .**

Care Plan:

Care Plan Completed and Signed: *to be completed by therapist at next visit.*

Visit Codes

90792 New A31 PSY--Initial Assessment wth Medical Services.
Modifiers: AF

Follow Up

THERAPY CP (Reason: THERAPY CP ONLY)



Electronically signed by 06000,20a Shilpika Varma ; MD on 02/18/2020 at 05:05 PM EST

Sign off status: Completed

Bedford Health Center A31

1669 Bedford Avenue A31

Brooklyn, NY 11225-2009

Tel: 855-681-8700

Fax: 718-299-1420

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Data incorporated in EMR via: scanned document

Primary Care Provider Information: Pediatrician Cheryl

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Primary Care Provider Information: Pediatrician Cheryl

Clark-012-2016-5200

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Page Size 8.50 x 11.00 in

Number of Pages 5

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Primary Care Provider Information: Pediatrician Cheryl

Clark-212-2016-5000

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Primary Care Provider Information: Pediatrician Cheryl

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EXHIBIT D



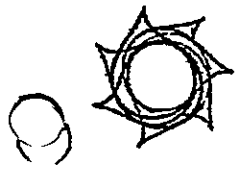
BRIGHTPOINT HEALTH

TREATMENT UPDATE- MARGARET MALEK
FROM: JANIE GROFF, LCSW , TREATING THERAPIST
DATE: April 13, 2021

Margaret Malek presented with her mother to our Bedford clinic in February 2020 to initiate treatment and following her psychiatric assessment by our child psychiatrist, Dr. Varma, was admitted with the following dx: Separation anxiety disorder of childhood, intellectual disability, domestic abuse of adult, adjustment disorder with mixed disturbance of emotions and conduct. The family was residing in a DV shelter due to extensive physical /emotional abuse by father, specifically to mother with children's extensive exposure to abuse. strict parenting interventions by father (eg in just one instance, it was reported that while living with father Margaret was placed in a closet as a punishment intervention initiated by father). Margaret's separation anxiety diagnosis stems from Margaret's anxiety regarding periods when mother was separated from Margaret and she was living with her father. Margaret has also experience residual anxiety regarding the time period where she lived with father and was subjected to punishments, such as placing Margaret in closet as punishment as well as physical abuse. At the time of initiating treatment at our clinic, Margaret presented with difficulty regulating emotions, experiencing tantrums and what can be described as "general meltdowns," at home and in the public arena. (Due to the Pandemic, after our initial evaluation, treatment process was suspended and Margaret did not begin therapy again till May 29th, 2020.)

Sessions since that time have been held through Video, primarily in the room inhabited by the family. (For a short period of time, Margaret utilized a room at the shelter for video sessions, however, this became extremely problematic as staff was unavailable to provide coverage for sessions and Margaret was left w/o supervision.) Over the past month, individual therapy at the clinic has been made available to Margaret and Margaret was recently seen in person in the clinic. In addition to engaging with Margaret for child therapy, mother also received additional help with parenting skills, focusing on helping Margaret manage her emotions, specifically, "emotional meltdowns and temper tantrums."

Margaret continues to engage well in play therapy and since beginning treatment, has responded well to her mother's consistency in parenting and providing safety in her current environment. She has engaged well in school and has reduced temper tantrums/" meltdowns" with mother's help in managing disruptions. She has also begun verbalizing her feelings regarding her experiences with her father and emphasizes general fears regarding her father "finding her," and "having to live with him again." As her father continues to make unsubstantiated reports against the mother (ie. There has been no indication that Margaret nor her brother are mistreated by the mother), resulting in visitations by ACS workers, Margaret has expressed her wish "not for daddy to bother us." She has indicated no interest in having father's involvement in life, stressing at times fears regarding being taken and separation again from mother. (And although Margaret was not at school when her father broke the order of



protection by requesting to school officials to see his daughter, it is clear that his presence would cause significant trauma for ~~Maggie~~.) ~~Maggie~~ experiences a keen intellect and resiliency and responds well to the living situation with mother and brother. There is no indication that ~~Maggie's~~ father is able to separate his relationship with his daughter to that of his "ex" which places ~~Maggie~~ in an untenable position; additionally, there is not indication that he is able to provide any positive parenting ability to his daughter. (It has been noted that she is again experiencing fears of loss of mother and re-occurring nightmares of "being taken.") ~~Maggie's~~ progress continues to depend on appropriate parenting and ability to feel safe and secure. And there is every indication that ~~Maggie's~~ father's involvement in her life will cause significant distress and re traumatization.

Should you need additional information, I may be contacted at 718-681-8700.



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BRIGHT P HEALTH

TREATMENT UP
FROM: JANIEGF
DATE: April 13, 2

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Margaret letter April 2021 - thepart.pdf

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 Application: Microsoft® Word for Office 365
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Copyright Status: Unknown
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Document Title:
 Author: Russ LaGrasse
 Author Title:
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 Keywords:

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anxiety diagnosis stems from Margaret's anxiety regarding periods when mother was separated from Margaret and she was living with her father. Margaret has also experience residual anxiety regarding the time period where she lived with father and was subjected to punishments, such

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BRIGHT HEALTH

TREATMENT UP
FROM: JANIEGF
DATE: April 13, 2

Margaret Malek
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File: Margaret letter April 2021 - therapist

Title:

Author: Russ LaChance

Subject:

Keywords:

Created: 4/19/2021 3:10:21 PM

Modified: 4/19/2021 3:10:21 PM

Application: Microsoft® Word for Office 365

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PDF Producer: Microsoft® Word for Office 365

PDF Version: 1.07 (Acrobat 5.x)

Location: C:\Users\robertmalek\Documents\PSYCHE DOCS

File Size: 121.52 KB (124,439 Bytes)

Page Size: 8.50 x 11.00 in

Tagged PDF: Yes

Number of Pages: 2

Fast Web View: No

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BRIGHTPI HEALTH

TREATMENT UP
FROM: JANIE GF
DATE: April 13, 2

Margaret Malek
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anxiety diagnosis stems from Margaret's anxiety regarding periods when mother was separated from Margaret and she was living with her father. Margaret has also experience residual anxiety regarding the time period where she lived with father and was subjected to punishments, such

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EXHIBIT E



Janie Groff, LCSW
NPI # 1699125917
LIC # 055655

TREATMENT UPDATE- ~~MARGARET MARGARET~~ 7/22/2021
TO: Paula Garcia | Child Protective Specialist
Division of Child Protection | Family Service Unit
FROM: JANIE GROFF, LCSW , TREATING THERAPIST

Since the last treatment update in April, 2021, ~~Margaret Margaret~~ (DOB: ~~03/22/2014~~) continues weekly child therapy sessions, primarily through remote telehealth with collateral interactions with the child's mother. Sessions have been consistent and Margaret continues to exhibit a positive mood with no signs of regressions. ~~Margaret Margaret~~ has also successfully completed the school year and is attending summer school. ~~Margaret Margaret~~ has been promoted to second grade and is attending a new school as reported by mother "she is too advanced to continue at this current school."

During play therapy sessions, ~~Margaret Margaret~~ is age appropriate and during play exhibits a caring response to play figurines and animals and is well engaged throughout sessions. Collateral interactions with her mother focus on ~~Margaret Margaret~~'s progress and updates regarding her day to day activities. Through remote sessions, family interactions with ~~Margaret Margaret~~ have been positive with ~~Margaret Margaret~~ exhibiting a warm relationship with her mother and brother. Her mother has reported, however, ~~Margaret Margaret~~ becoming upset with disruptions in the household from ACS visitations stemming from reports from ~~Margaret Margaret~~'s father.

Should you need additional information, I may be reached at 718-681-8700.

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Author:

Author Title:

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Application: Xerox WorkCentre 7535

Format: application/pdf



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Sun River Health

TREATMENT UPDA
By: Paula Garcia
Division of Child
Development
Name: JANIE GROF

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...nce the last treatment update in April, 2021, Margaret Malek (DOB10/29/2014) continues



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xmp:CreatorTool: Xerox WorkCentre 7535

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Sun River Health

TREATMENT UPDA
By: Paula Garcia
Division of Child
Adm: JANIE GROF

Once the last treatment update in April, 2021, Margaret Malek (DOB10/29/2014) continues

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File Size: 35,229 KB (36,674 Bytes)

Page Size: 9.50 x 11.00 in

Number of Pages: 1

Tagged PDF: No

Fast Web View: Yes

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Sun River Health

TREATMENT UPDATES
by: Paula Garcia
Division of Child
Psychiatry
FROM: JANIE GROFF

...ce the last treatment update in April, 2021, Margaret Malek (DOB10/29/2014) continues

44A



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

Name of Case: Margaret Ingolia

Date: 03/13/2020

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

Judge: Honorable Judge Jaqueline Williams

Subject Child
Dates of Birth
(DOB): Joe Palomino (03/15/2004)
~~Ma~~ ~~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 on the supervised visits between the respondent father Robert Malek and subject child ~~Margaret~~ "Minnie" ~~Malek~~.

Field Office Supervised Visits commencing January 2020:

January 2nd visit was supervised by CPS Bell for a duration of 2 hours, 4pm - 6pm. This visit began 4:17 due to Mr. Malek arriving late.

January 7th, the RF canceled the visit, reported to be in the hospital.

January 9th supervised visit was covered by CPS Bell for a duration of 2 hours, 4pm-6pm.

January 14th supervised visit was covered by CPS Garcia for a duration of 2 hours, 4:15pm-6:17pm.

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January 16th supervised visit was covered by CPS Garcia for a duration of 1 hour 15mins, 4:45pm -6pm. This visit began late due to Mr. Malek arriving late after filing at court.

January 21st supervised visit was covered by CPS Garcia for a duration of 2hours, 4:05pm-6:05pm.

January 23rd supervised visit was covered by CPS Garcia for a duration of 1hour 25mins, 5:35pm to 7pm. This visit began late due to Ms. Ingoglia having an emergency with her mother. As a result, the visit was extended to 7pm and the remaining 35 minutes will be made up on 1/28/20 visit.

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)

January 30th supervised visit was covered by CPS Garcia for a duration of 2hrs 35minutes, 4pm to 6:35pm. This visit was extended due to the visit on January 23rd which began late.

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.

February 11th supervised visit was covered by CPS Garcia for a duration of 3 hours, 4:07pm to 7:07pm. This visit was extended for 1 hour as part of the 4 hours to be made up on Mr. Malek behalf. 3 more hours left to be made up.

February 13th supervised visit was covered by CPS Garcia for a duration of 3 hours, 4:05 pm to 7:05pm. This visit was extended for 1 hour as part of the remaining 3 hours left to be made up. 2 more hours left to be made up. This visit Mr. Malek was wearing a shirt advertising his website, that complaints against ACS can be posted. Mr. Malek threaten to hand out flyers with information about his website outside the office, that did not happen.

February 18th supervised visit was covered by CPS Garcia for a duration of 3 hours, 12:20 pm to 3:20 pm. Ms. Ingoglia was late for the visit due to Margaret throwing a tantrum as she did not want to stop playing video games and get ready for the visit with Mr. Malek. During the tantrum, her brother Joe picked the child up from the floor asking her to cooperate and she headed him in

the face. ~~Margaret~~ sustained a circular pink spot on her forehead. The mark was barely visible. Mr. Malek became angry upon seeing the mark that he immediately made negative comments about Joe and Ms. Ingoglia in front of ~~Margaret~~. Mr. Malek insisted Joe did something to Margaret after she butt-headed him which is how she sustained that mark as per Margaret. CPS prevented Mr. Malek from questioning the child any further after witnessing his response. Mr. Malek took a picture of the mark and continued his irrational behavior. Mr. Malek further threaten to call in a report to SCR to investigate the incident as he believes subject child Joe harmed ~~Margaret~~ in some way. CPSS11 was summoned to come down stairs to speak with Mr. Malek for him to calm down. This visit was extended for 1 hour. One more hour is left to complete the 4 hours owed to Mr. Malek.

February 20th supervised visit was covered by CPSS11 Begho for the duration of 3 hours, 4pm to 7pm. All 4 hours has been made up to Mr. Malek. As per case notes, the father was warned not to whisper in the child's ears and not engage the child about her mother and brother.

February 25th supervised visit was canceled due to ~~Margaret~~ having a high fever and Joe nosebleed. Doctors note was provided. Mr. Malek was informed of the cancelation and was assured the hours will be made up. Mr. Malek went off on CPS during the phone call, followed by a series of lengthy text filled with accusations and dissatisfaction with the entire ACS team. By the way, after each visit Mr. Malek would send CPS a series of lengthy texts venting, accusing CPS of whatever to him is injustice.

February 27th supervised visit was covered by CPS Garcia for a duration of 3 hours, 4pm to 7pm. This visit was extended for 1 hour due to canceled visit on February 25th; 1 more hour to be made up. Mr. Malek went off again because CPS did not allow him to administer liquid "vitamin" to ~~Margaret~~. The bottle was open, and half of the liquid was used, Mr. Malek stated, that's his calcium vitamin and he can feed it to ~~Margaret~~. CPS explained to Mr. Malek, he was told he can bring a bottle of children's multivitamin, one that is not open, and CPS will give Ms. Ingoglia. CPS received a series of lengthy texts from Mr. Malek with accusations and threats later that night.

March 2nd supervised visit was covered by CPS Garcia for a duration of 3 hours, 4pm to 7pm. This visit was extended for by 1 hour due to the cancelation on February 25th; all 2 hours has been made up. The visit started off well, Mr. Malek was in a good mood, he was hilarious as he played with ~~Margaret~~ pretending that the family was having a day at the pool; the family always consist of the non-respondent mother, Ms. Ingoglia, Mr. Malek, Joe and ~~Margaret~~. Mr. Malek told the child a story of when the mother was 15years old, same age as Joe. He stated that the mother came out of the bathroom wrapped in towel and him (Mr. Malek) threw water on her and ruin her make up and the mother was upset. Mr. Malek was hilarious after telling that story to the child. The child then told her father, if he can remember when he used to lose her hairclips when she was small. Mr. Malek became upset and told the child her mother is a "liar". During this visit he gave the child a \$20 bill and told her to pay for her food, the mother's food and Joe's when they go out to McDonalds. Mr. Malek bought Alfredo chicken from Pizza Hut, Hard-boiled eggs and Vitamin water to have dinner with the child. The child took a few bites of the Alfredo chicken and spat out the Vitamin water.

March 5th supervised visit was covered by CPS for a duration of 2 hours; 4pm to 6pm.

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.

After the visit CPSSII had a meeting with Mr. Malek, and asked him not to generate a report, because the issue can be addressed with us FSU, and we can find out what happened to Margaret. CPSSII also discussed services with Mr. Malek, and he agreed for CPS to refer him to therapy.

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:

CPS continues to conduct announce and unannounced visit to the home. During CPS initial visit, the home was observed with no apparent safety concern and there were adequate provisions and sleeping arrangement for the children. The children appeared to be well cared for, they are always in a jovial mood during visits and seems comfortable in their mother's presence. The children and the non-respondent mother enjoy doing arts and craft and preparing healthy meals together, such as putting together the family's signature salad. As well as, assisting the mother decorate the home with all the art projects they did together. During face to face contacts with the mother and children, the children were observed with no suspicious bruises, marks or lacerations.

School:

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:

The subject children Joe and ~~Ms. Ingoglia~~ 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:

The non-respondent mother and children have Preventive Services in place. The family has been referred to therapy, which they are all fully engaged. The mother and Joe have therapy once a week with their respective therapist and reported to be consistent in participation. Subject child ~~Ms. Ingoglia~~ has been referred to Play Therapy and her first intake was on 01/31/2020.

The respondent father Mr. Malek had participated in SCO Father's Program, which began on 12/02/2019 and completed 02/08/2020. CPS contacted SCO on 03/02/20, and the director reported that Mr. Malek completed Parenting and Anger Management and was issued certificate of completion. However, he was not issued a certificate of completion for Domestic Violence, based on his participation and not displaying appropriate level of understanding of accountability. Reportedly, Mr. Malek has filed complaint against the program Director for not issuing him a certificate for the DV program. Furthermore, Mr. Malek has also threatened to sue SCO.

On 03/05/2020, CPS asked Mr. Malek to give consent for the agency to speak to his therapist, by signing a HIPPA form. Mr. Malek stated, he will think about it, and asked to take the HIPPA form home for the weekend.

On 03/05/2020, CPSSII and CPS had a meeting with Mr. Malek at the Borough office, and ongoing issues were addressed. Mr. Malek was candid and shared about his experiences as a child and adult with his mother and father. Mr. Malek shared in detailed what he felt was important to know about his relationship with the non-respondent mother and SC Joe. CPSSII explained to Mr. Malek the agency wants to work with him and he must stop calling in unnecessary reports to SCR. He agreed to participate in therapy to work on himself. Mr. Malek agreed for CPS to refer him to therapy. CPS requested a mental health consult and has a schedule for 03/25/20.

Contact with Preventive:

As per Case Planner, their agency is doing casework monitoring with Ms. Ingoglia to reduce the risk of placement. The case planner has worked with Ms. Ingoglia on the cycle of domestic violence. She is currently working on planning and scheduling, as well as developing a behavioral chart to address the children's behavior. The case planner reported the Ms. Ingoglia is engaged in therapy, as well as Joe and ~~Ms. Ingoglia~~. 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. Margaret 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.


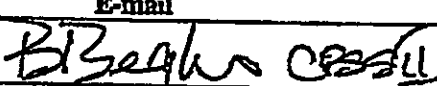
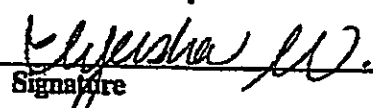
Summary:

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. CPS has not observed any unusual marks, bruises or lacerations on the children. Overall the children appear with no signs of abuse or maltreatment during visits.

The non-respondent mother has complied with agency's recommendations, she has been consistent with bringing subject child Margaret to visits with her father Mr. Malek; except, when there's medical reasons, to which doctor's notes has always been provided.

CPS has observed Mr. Malek and the subject child to have a close bound, each visit she reports any event that occurred with her, the mother and brother. When the child does not report, the father questions the child, and ignores when CPS asks him not to question the child about what's going on in her home. When the father questions the child, he gets really agitated and threatens to generate SCR reports. Resulting, in CPSS11 having to counsel him about his behaviors. During all the visits, CPS is always re-directing or coaching the father. If left unsupervised, the father will not set boundaries or set limits for the child. One thing that is consistent, the father always tells the child he loves her and misses her and one day they will be together.

Respectfully submitted,

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

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ey Jackson, LCSW
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oklyn Borough Office
East Office
Bedford Avenue
New York, 11216

Judge: Honorable Judge Jaqueline Williams

Subject Child Joe Palomino (03/15/2004)



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Commissioner

am Fletcher, LCSW
Deputy Commissioner

ita Thomas
Deputy Commissioner

ey Jackson, LCSW
Deputy Commissioner

Division of Child Protection
524

Klyn Borough Office
East Office

100 Ford Avenue
Brooklyn, New York, 11216

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Judge: Honorable Judge Jaqueline Williams

Subject Child Joe Palomino (03/15/2004)

EXHIBIT F



TREATMENT UPDATE- M ██████████ M ██████████ 11/12/2021

TO: **Paula Garcia | Child Protective Specialist**
Division of Child Protection | Family Service Unit
FROM: JANIE GROFF, LCSW , TREATING THERAPIST

Since the last treatment update in July, 2021, M ██████████ M ██████████ (DOB ██████████) continues weekly child therapy sessions, through remote video telehealth as well as direct service in the clinic with collateral interactions with M ██████████'s mother. Attendance has been consistent with M ██████████ and her mother. M ██████████ continues to exhibit a positive mood with improvement in behavior (mother has reported significant reduction in "meltdowns," exhibited when she began treatment) and, despite leaving her previous school which she enjoyed, has made a successful transition to a new school. (M ██████████ has been advanced to second grade and to a new school as the previous school was "not advanced enough to meet her needs.")

Throughout play therapy sessions, M ██████████ exhibits age appropriate behavior with emphasis on exhibiting caring behaviors to play figurines she is responsible for and more significantly, improved impulse control in response to limit setting. M ██████████ also indicated upsetment at ACS visitations (eg. reports requiring home visits at often late times in evening) wishing "they would stop," as well as indicating during sessions having no interest in visitations with father as "he is mean." (Note: Reports regarding neglect/abuse which have been made have been unfounded, however, visits responding to reports continue to upset M ██████████; M ██████████ has also indicated in session fears that reports would lead to loss of mother and her brother is "too young to take care of me."). Collateral interactions with her mother focus on M ██████████'s progress, updates regarding her day to day activities, including school and any challenges Margaret may be experiencing. Through telehealth and direct service, family interactions with Margaret have been positive with M ██████████ exhibiting a warm relationship with her mother and brother with no indication that visitations with her father are welcomed and would prove beneficial to M ██████████.

Should you need additional information, I may be reached at 718-681-8700.

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Document Properties

Description Security Fonts Initial View Custom Advanced

Description

File: MargaretLetterNov202110021-therapist letter

Title

Author: cescobar

Subject

Keywords

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Tagged PDF: Yes

Number of Pages: 1

Fast Web View: Yes

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TREATMENT UPD
TO: Paula Garro
Division of Chi
FROM: JANIE GR

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Since the last treatment update in July, 2021, Maria Garro continues to provide therapy services (both in-person and virtual) consistently. She continues to provide weekly child therapy sessions, through remote video telehealth as well as direct service in the clinic with collateral interactions with Margaret's mother. Attendance has been consistent with Margaret and her mother. Margaret continues to exhibit a positive mood with improvement in

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Company	Hudson River HealthCare

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TREATMENT UPD
TO: Paula Garc
Division of Chi
FROM: JANIE GR

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56A

Since the last treatment update in July, 2021, Maria Garcia, RN, MD, continues to provide weekly child therapy sessions, through remote video telehealth as well as direct service in the clinic with collateral interactions with Margaret's mother. Attendance has been consistent with Margaret and her mother. Margaret continues to exhibit a positive mood with improvement in

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TO: Paula Garc
Division of Chi
FROM: JANIE GR

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Format: application/pdf



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Since the last treatment update in July, 2021, Maria Garcia-Vivian (U0010/20/2021) continues weekly child therapy sessions, through remote video telehealth as well as direct service in the clinic with collateral interactions with Margaret's mother. Attendance has been consistent with Margaret and her mother. Margaret continues to exhibit a positive mood with improvement in

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TREATMENT UP
TO: Paula Garc
Division of Chi
FROM: JANIE GR

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Since the last treatment update in July, 2021, Margaret's mother continues to exhibit a positive mood with improvement in weekly child therapy sessions, through remote video telehealth as well as direct service in the clinic with collateral interactions with Margaret's mother. Attendance has been consistent with Margaret and her mother. Margaret continues to exhibit a positive mood with improvement in

MargaretLatterNov2021 (002) - therapist letter.pdf

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pdfx:Company: Hudson River HealthCare

EXHIBIT G



TREATMENT UPDATE- M██████████ M██████████-2/18/2022

TO: **Paula Garcia | Child Protective Specialist**
Division of Child Protection | Family Service Unit
FROM: JANIE GROFF, LCSW , TREATING THERAPIST

Since the last treatment update in November 2021, M██████████ M██████████ (DOB ██████████) continues weekly child therapy sessions, through remote video telehealth as well as direct service in the clinic with collateral interactions with M██████████ mother. Attendance has been consistent with M██████████ and her mother. Throughout play therapy sessions, M██████████ exhibits age appropriate behavior, highlighting play with dolls and animals figurines which she continues to exhibit maternal care in positive manner. M██████████ in play references positive relationship with brother and mother and generally dismisses discussion regarding father. Impulse control has improved with mother setting typical limit setting with M██████████, however, Christmas holidays saw some recurrence of anxiety, with M██████████ relating expectation of interventions by father on holidays to disrupt family through reporting to ACS. (As M██████████ noted, father had not outreached during holiday season and M██████████ expressed having "good holiday," and noted that "father didn't bother us.").

M██████████ is also doing well in school academically and behaviorally. Although the current living poses significant space challenges, M██████████ enjoys the various services she receives ██████████, most significantly security measures provided to the family and does not express eagerness to leave as the same security features will not be present ██████████. Most significantly, M██████████ is very close to her brother who she lives with and expressed anger in recent intervention by father alluding to brother needing to leave ██████████ upon upcoming birthday. M██████████ has thrived in her current family living situation as she is very close to both mother and brother and with reduction of interventions from ACS(as precipitated by father) exhibits a calmer demeanor. Again, there has been no indication from M██████████ to resume visitations with father.

Should you need additional information, I may be reached at 718-681-8700.

Janie Groff

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0370

Document Properties

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Author: cescobar

Subject

Keywords

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Number of Pages: 2

Tagged PDF: Yes

Fast Web View: Yes

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TREATMENT UPD
TO: Paula Garc
Division of Chi
FROM: JANIE GR

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Since the last treatment update in November 2021, we have been providing video telehealth as well as direct continues weekly child therapy sessions, through remote video telehealth as well as direct service in the clinic with collateral interactions with Margaret's mother. Attendance has been consistent with Margaret and her mother. Throughout play therapy sessions, Margaret exhibits

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Author: GESSODAR

Author Title:

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Description Writer:

Keywords:

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Modified: 2/22/2022 12:45:37 PM

Application: Acrobat PDFMaker 21 for Word

Format: application/pdf



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TREATMENT UPC
TO: Paula Garc
Division of Chi
FROM: JANIE GRI

Since the last treatment update in November 2021, Maria Garcia Vivian (U0001/001/0017) continues weekly child therapy sessions, through remote video telehealth as well as direct service in the clinic with collateral interactions with Margaret's mother. Attendance has been consistent with Margaret and her mother. Throughout play therapy sessions, Margaret exhibits

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Document Properties

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Sun Ri
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TREATMENT UPD
TO: Paula Garc
Division of Chi
FROM: JANIE GR

Since the last treatment update in November 2021, Ivig Garcia (DOB 01/27/2017) continues weekly child therapy sessions, through remote video telehealth as well as direct service in the clinic with collateral interactions with Margaret's mother. Attendance has been consistent with Margaret and her mother. Throughout play therapy sessions, Margaret exhibits

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TREATMENT UP:
TO: Paula Garcia
Division of Child
FROM: JANIE GR

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MargaretLetterFeb2023 (2).pdf

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OK Cancel

Since the last treatment update in November 2023, WIAIGIC is in direct communication with the provider as well as direct continues weekly child therapy sessions, through remote video telehealth as well as direct service in the clinic with collateral interactions with Margaret's mother. Attendance has been consistent with Margaret and her mother. Throughout play therapy sessions, Margaret exhibits

EXHIBIT H



Russ LaChanse, MBA

Creative Director / Senior Level Design, Writing and Marketing



AbbVie



SUNY Polytechnic Institute

Brooklyn, New York, United States · Contact info

500+ connections

Connect

Message

More

About

I am a tremendous asset in more ways than my extensive experience and multiple degrees demonstrate. I have a wide variety of skills and experiences that I can access to assist with any project - not just ones that fit into my job description.

...see more

Featured

Link

Document



66A



Home



My Network



Jobs

Russ LaChanse Portfolio on Behance
Behance
Highlights of my creative work

Russ LaChanse info sheet
A small sample of what I have
Contact me for more information

Activity

1,418 followers

+ Follow

Russ hasn't posted lately

Russ' recent posts and comments will be displayed here.

Show all activity →

Experience



Senior UI/UX Designer

AbbVie · Contract

Mar 2018 - Present · 4 yrs 5 mos

Madison, NJ

Senior designer working directly with brands, senior management and IT agencies focusing on digital design.

...see more

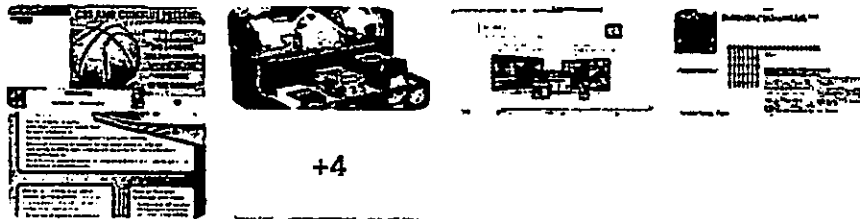
Freelance Creative Director and Marketer

Russ LaChanse · Freelance

Mar 2012 - Mar 2018 · 6 yrs 1 mo

Greater New York City Area

Projects: catalogs, analytics design, brochures, ads, presentations, animation, illustrations, logos, web, digital, UI/UX, social media, packaging, etc ...see more



+4



Creative Director

Shoptalk

Jan 2017 - Jun 2017 · 6 mos

Greater New York City Area

67A



Home



My Network



Jobs



Creative Director

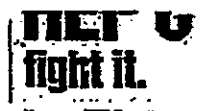
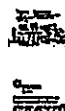
Brightpoint Health

May 2014 - Apr 2016 · 2 yrs

New York, NY

Integrated, hands-on Creative Director, working directly with every department and level of employee.

[...see more](#)



VP of Marketing & Business Development

AboutMe247 Social Media Corporation

Oct 2012 - Jul 2013 · 10 mos

Greater New York City Area

Develop, write and design marketing materials, websites and promotional products. Write press releases and company policies. Consult ow [...see more](#)

[Show all 11 experiences →](#)

Education



SUNY Polytechnic Institute

MBA in Technology Management, Technology Management and Marketing
2008 - 2011

Formerly known as SUNY IT



State University of New York College at Oswego

Dual Degree BA, Graphic Design and Biology
1992 - 1998

Activities and societies: Shaun Cassidy Fan Club, Alpha Phi Omega



Fashion Institute of Technology

Continuing education courses

[Show all 4 education →](#)

BJA



Home



My Network



Jobs



Taproot Foundation
Mar 2010 - Jan 2011 · 11 mos
Education



Member at SUNY Oswego
Alpha Phi Omega National Service Fraternity
Jan 1993 - May 1998 · 5 yrs 5 mos
Education

Participated in numerous volunteer projects at SUNY Oswego and the surrounding area.

Skills

Adobe Creative Suite

Endorsed by 2 colleagues at Brightpoint Health

34 endorsements

Graphic Design

Endorsed by 3 colleagues at Brightpoint Health

35 endorsements

Advertising

Endorsed by Liz Solomon who is highly skilled at this

Endorsed by 3 colleagues at Brightpoint Health

20 endorsements

Show all 50 skills →

Recommendations

Received

Given



Juan-Paulo Afable RN, MBA
Vice President, Infection Prevention and Control, Laboratory Services and

69A



Health - from high-level creative concepts to designing policies, every i and crossing every t on the final deliverables. He was a joy to work with from start to finish. Russ is very creative, intelligent, detail-oriented and dedicated

James Christopher

MSN, RN

May 25, 2016, Russ was senior to James but didn't manage James directly

Russ was one of the greatest people I have ever worked with. He is one of the most talented people I have ever met and his creative and graphic skills are extraordinary. My first job out of college was working with Russ and I was able to build a solid professional foundation under his guidance and



Gail Rosen

Director of Project Management at Sun River Health

May 23, 2016, Gail worked with Russ on the same team

I don't think I can say enough positive things about Russ LaChanse. He is an extremely talented creative director. His creativity and dedication is apparent in every project he undertakes as is his love for the creative process. He also has great understanding of the business process which not

Show all 5 received →

Languages

English

Native or bilingual proficiency

Interests

Companies

Groups

Schools



Lab Alley

1,423 followers



ACLU

107,856 followers

Show all 1,011 companies →

70 A

Me

Hi russ. How are you? Do you work with acs new york city ? Thank you, robert

2:15 PM

Me

I was referred to you by a colleague of mine.

2:16 PM

+17182160388

Hi I do not. What do you need? Who is this? Thanks

2:18 PM

Me

I was referred to you by sun river health in that you could be of assistance in writing psychological update reports. I have many clients and could use assistance to ease the workload. Do you have a mental health services educational background ?

2:24 PM

Me

Russ if you dont work with acs new york city, why did brightpoint / sunriver inform me that you do ? I sincerely am in need of your assistance.

3:34 PM

+17182160388

I'm a graphic and web designer and can do creative writing.

5:07 PM

71A

EXHIBIT I

Fiscal Year	Payroll Number	Agency Name	Last Name	First Name	Mid Init	Agency Start Date	Work Location	Title Description	Leave Status as of June 30	Base Salary	Pay Basis	Regular Hours	Regular Gross Pay
2021	67	ADMIN FOR CHILDREN'S SVCS	ESCOBAR	LYNETTE	A	11/14/2016	BROOKLYN	CHILD PROTECTIVE SPECIALIST	ACTIVE	\$60,327.00	per Annum	1,820	\$59,753.4
2020	67	ADMIN FOR CHILDREN'S SVCS	ESCOBAR	CHRISTOPHER C		05/20/2019	BROOKLYN	YOUTH DEVELOPMENT SPECIALIST	CEASED	\$44,426.00	per Annum	70	\$2,116.71
2021	67	ADMIN FOR CHILDREN'S SVCS	ESCOBAR	LYNETTE	A	11/14/2016	BROOKLYN	CHILD PROTECTIVE SPECIALIST	ACTIVE	\$60,327.00	per Annum	1,820	\$58,041.1
2020	67	ADMIN FOR CHILDREN'S SVCS	ESCOBAR	LYNETTE	A	11/14/2016	BROOKLYN	CHILD PROTECTIVE SPECIALIST	ACTIVE	\$57,070.00	per Annum	1,735.32	\$54,583.1
2021	67	ADMIN FOR CHILDREN'S SVCS	ESCOBAR	CHRISTOPHER C		05/20/2019	BROOKLYN	YOUTH DEVELOPMENT SPECIALIST	ACTIVE	\$44,426.00	per Annum	227	\$3,201.05
2018	67	ADMIN FOR CHILDREN'S SVCS	ESCOBAR	LYNETTE	A	11/14/2016	BROOKLYN	CHILD PROTECTIVE SPECIALIST	ACTIVE	\$54,720.00	per Annum	1,779.3	\$51,265.4
2021	465	ADMIN FOR CHILDREN'S SVCS	ESCOBAR	LYNETTE	A	11/14/2016	BROOKLYN	CHILD PROTECTIVE SPECIALIST	ACTIVE	\$51,315.00	per Annum	1,140.73	\$29,225.1
2021	465	COMMUNITY COLLEGE (KINGSBORO)	ESCOBAR	ANDRES	A	02/01/2016	BROOKLYN	ASSOCIATE ADMINISTRATOR	ACTIVE	\$140,000.00	per Annum	1,820	\$139,613
2020	465	COMMUNITY COLLEGE (KINGSBORO)	ESCOBAR	ANDRES	A	02/01/2016	BROOKLYN	ASSOCIATE ADMINISTRATOR	ACTIVE	\$140,000.00	per Annum	1,820	\$139,235
2019	465	COMMUNITY COLLEGE (KINGSBORO)	ESCOBAR	ANDRES	A	02/01/2016	BROOKLYN	ASSOCIATE ADMINISTRATOR	ACTIVE	\$140,000.00	per Annum	1,825	\$139,616
2018	465	COMMUNITY COLLEGE (KINGSBORO)	ESCOBAR	ANDRES	A	02/01/2016	BROOKLYN	ASSOCIATE ADMINISTRATOR	ACTIVE	\$140,000.00	per Annum	210	\$16,109.2
2018	465	COMMUNITY COLLEGE (KINGSBORO)	ESCOBAR	ANDRES	A	02/01/2016	BROOKLYN	HIGHER EDUCATION ASSOCIATE	CEASED	\$97,628.00	per Annum	1,615	\$86,135.5
2017		COMMUNITY COLLEGE (KINGSBORO)	ESCOBAR	ANDRES	A	02/01/2016	BROOKLYN	HIGHER EDUCATION ASSOCIATE	ACTIVE	\$94,248.00	per Annum	1,825	\$98,704.1
2016		COMMUNITY COLLEGE (KINGSBORO)	ESCOBAR	ANDRES	A	02/01/2016	BROOKLYN	HIGHER EDUCATION ASSOCIATE	ACTIVE	\$82,299.00	per Annum	760	\$31,480.2
2018	836	DEPARTMENT OF FINANCE	ESCOBAR	JEFFREY		05/01/2017	BROOKLYN	CLERICAL ASSOCIATE	ACTIVE	\$33,875.00	per Annum	1,790	\$33,782.5
2017		DEPARTMENT OF FINANCE	ESCOBAR	JEFFREY		05/01/2017	BROOKLYN	CLERICAL ASSOCIATE	ACTIVE	\$33,875.00	per Annum	310	\$5,197.21
2021	816	DEPT OF HEALTH/MENTAL HYGIENE	ESCOBAR	LUIS	A	08/13/2013	BROOKLYN	CITY CUSTODIAL ASSISTANT	ACTIVE	\$36,915.00	per Annum	2,080	\$36,092.1
2020	816	DEPT OF HEALTH/MENTAL HYGIENE	ESCOBAR	LUIS	A	08/13/2013	BROOKLYN	CITY CUSTODIAL ASSISTANT	ACTIVE	\$36,915.00	per Annum	2,080	\$35,718.1
2021	816	DEPT OF HEALTH/MENTAL HYGIENE	ESCOBAR	LUIS	A	08/13/2013	BROOKLYN	CITY CUSTODIAL ASSISTANT	ACTIVE	\$35,840.00	per Annum	2,079.05	\$35,963.1
2018	816	DEPT OF HEALTH/MENTAL HYGIENE	ESCOBAR	LUIS	A	08/13/2013	BROOKLYN	CITY CUSTODIAL ASSISTANT	ACTIVE	\$34,364.00	per Annum	2,045.22	\$34,261.5

734

[Skip to main content](#)[Skip to footer links](#)



table

Citywide Payroll Data (Fiscal Year)

Based on

Based on [Citywide Payroll Data \(Fiscal Year\)](#)

Publishing to the public requires approval

Data is collected because of public interest in how the City's budget is being spent on salary and overtime pay for all municipal employees. Data is input into the City's Personnel Management System ("PMS") by the respective user Agencies. Each record represents the following statistics for every city employee: Agency, Last Name, First Name, Middle Initial, Agency Start Date, Work Location Borough, Job Title Description, Leave Status as of the close of the FY (June 30th), Base Salary, Pay Basis, Regular Hours Paid, Regular Gross Paid, Overtime Hours worked, Total Overtime Paid, and Total Other Compensation (i.e. lump sum and/or retro payments). This data can be used to analyze how the City's financial resources are allocated and how much of the City's budget is being devoted to overtime. The reader of this data should be aware that increments of salary increases received over the course of any one fiscal year will not be reflected. All that is captured, is the employee's final base and gross salary at the end of the fiscal year.

NOTE: As a part of FISA-OPA's routine process for reviewing and releasing Citywide Payroll Data, data for some agencies (specifically NYC Police Department (NYPD) and the District Attorneys' Offices (Manhattan, Kings, Queens, Richmond, Bronx, and Special Narcotics)) have been redacted since they are exempt from disclosure pursuant to the Freedom of Information Law, POL § 87(2)(f), on the ground that disclosure of the information could endanger the life and safety of the public servants listed thereon. They are further exempt from disclosure pursuant to POL § 87(2)(c)(iii), on the ground that any release of the information would identify confidential sources or disclose confidential information relating to a criminal investigation, and POL § 87(2)(e)(iv), on the ground that disclosure would reveal non-routine criminal investigative techniques or procedures.

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Columns required for this view are missing

74A

EXHIBIT J

[OpenRecords] Request FOIL-2022-067-00028 Submitted to Administration for Children's Services (ACS)

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Wednesday, February 16, 2022 at 03:13 AM EST

Your request FOIL-2022-067-00028 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: all documents and records that pertain to steps taken by acs to ensure authenticity

Request Description: robert malek, acs complaints.com is requesting all documents and records that pertain to the steps that acs takes to ensure that all documents filed and or presented in court by acs in reference to children are authentic ? robert malek, acs complaints.com is requesting all documents / records that pertain to the steps that acs takes to ensure that all documents filed and or presented in court by acs in reference to parents are authentic ?

Requester's Contact Information

Name:

Robert Malek

Title:

JOURNALIST

Organization:

ACS COMPLAINTS.COM

Email:

acscomplaints@yahoo.com

Phone Number:

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 HEMPSTEAD TURNPIKE,

Street Address (line 2):

109

City:

EAST MEADOW

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00028>.

76A

Open RECORDS

FOIL-2022-067-00028 ⓘ

Title:

all documents and records that pertain to steps taken by acs to ensure authenticity

Open

Administration for Children's Services (ACS)

Due Date:

08/19/2022

Contact the Agency

Responses ⓘ

77A



Directory of City Agencies (<http://www1.nyc.gov/nyc-resources/agencies.page>)

Contact NYC Government (<http://www1.nyc.gov/home/contact-us.page>)

City Employees (<https://a127-ess.nyc.gov>)

Notify NYC (<http://www.nyc.gov/notifynyc>)

CityStore (<http://a856-citystore.nyc.gov/>)

Stay Connected (<http://www1.nyc.gov/connect/social-media.page>)

NYC Mobile Apps (<http://www1.nyc.gov/connect/applications.page>)

Maps (<http://www1.nyc.gov/nyc-resources/nyc-maps.page>)

Resident Toolkit (<http://www1.nyc.gov/nyc-resources/resident-toolkit.page>)

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Terms of Use (<http://www1.nyc.gov/home/terms-of-use.page>).



78A

False psyche reports regarding a child

From: ROBERT MALEK (acscomplaints@yahoo.com)

To: jsabel@legal-aid.org; jdifiore@nycourts.gov; letitia.james@ag.ny.gov; sheila.poole@ocfs.ny.gov; hevesia@nyassembly.gov; jess.dannhauser@acs.nyc.gov

Date: Wednesday, May 18, 2022 at 11:47 AM EDT

To Janet difiore / excellence initiative
To letitia james,
To Sheila poole,
To Andrew hevesi,
To jess dannhauser
to Janet sabel,

I am writing to inform you that in case number mn 19410-18 / nn 19411-18
Psyche documents in regards to my daughter were filed unto this case the contained forged signatures, and written by
acs workers and others and not the social worker or psychiatrist whom signed such documents....
I ask that you contact me for the evidence of this and take immediate action in regards to this matter.

Thank you,
Robert Malek
Acs Complaints. Com

 Sent from Yahoo Mail on Android

False psyche reports regarding a child

From: ROBERT MALEK (acscomplaints@yahoo.com)

To: jsabel@legal-aid.org; jdifiore@nycourts.gov; letitia.james@ag.ny.gov; sheila.poole@ocfs.ny.gov; hevesia@nyassembly.gov; jess.dannhauser@acs.nyc.gov

Date: Wednesday, May 18, 2022 at 11:47 AM EDT

To Janet difiore / excellence initiative
To letitia james,
To Sheila poole,
To Andrew hevesi,
To jess dannhauser
to Janet sabel,

I am writing to inform you that in case number mn 19410-18 / nn 19411-18
Psyche documents in regards to my daughter were filed unto this case the contained forged signatures, and written by
acs workers and others and not the social worker or psychiatrist whom signed such documents....
I ask that you contact me for the evidence of this and take immediate action in regards to this matter.

Thank you,
Robert Malek
Acs Complaints. Com

 Sent from Yahoo Mail on Android

JB A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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

VS.

NEW YORK STATE UNIFIED COURT SYSTEM

NYC CHILDREN, AKA ACS (ADMINISTRATION FOR CHILDRENS SERVICES)

NY STATE OFFICE OF CHILDREN AND FAMILY SERVICES

NEW YORK STATE OFFICE OF THE INSPECTOR GENERAL

JANET DIFIORE

CASE NUMBER : 21CV1230

SHEILA POOLE

JACQUELINE WILLIAMS

BEVERLY STANLEY

DUTY TO PRESERVE DOCUMENTS

ROSMIL ALMONTE

AND ELECTRONICALLY STORED INFORMATION

TRAVIS JOHNSON

(PSYCHE REPORTS)

MARGARET INGOGLIA

RE : SUBPOENA TO BE REQUESTED WITHIN -14 DAYS

TO: LEGAL AID " ATTORNEY FOR THE CHILD " / TRAVIS JOHNSON,

TO : NYC CHILDREN / ACS

TO: N.Y.S. ATTORNEY GENERAL / JACQUELINE WILLIAMS

TO : DEFENDANTS

YOU ARE HEREBY ON STRICT NOTICE TO PRESERVE ALL DOCUMENTS AND

8/A

ELECTRONICALLY STORED INFORMATION PURSUANT TO FRCP 37 E IN REGARDS TO PSYCHE REPORTS ISSUED FROM SUN RIVER HEALTH, BRIGHTPOINT, BRIGHTPOINT HEALTH, SUN RIVER AND ANY OF THEIR SUBSIDIARIES, SERVED UPON ROBERT MALEK BY EMAIL.

FURTHERMORE, ANY OTHER PARENTS THAT HAVE BEEN SERVED WITH SIMILAR ELECTRONIC DOCUMENTS.

ANY DOCUMENTS OR RECORDS THAT ACS HAS REGARDING PSYCHE REPORTS ON CHILDREN, REGARDLESS OF PROVIDER IS ON NOTICE TO PRESERVE.

SUCH ELECTRONIC DOCUMENTS HAVE BEEN FOUND TO BE FRAUDS THAT CONTAINED FORGED SIGNATURES, FALSE DATES AND WRITTEN BY ACS WORKERS AND OTHERS RATHER THAN THE THERAPISTS THEMSELVES.

WRITTEN RECORD NOTES FROM DANA GRIERSON AND GWYNETH HORTON, TAKEN DURING OCTOBER 2018 SUPERVISED VISIT, WITH MY DAUGHTER ALONG WITH ACS WORKER OF UNKNOWN NAME, JANE DOE. AT THIS VISIT MY DAUGHTER CRIED AND BEGGED NOT TO GO HOME WITH HER MOTHER MARGARET INGOGLIA AND JOSEPH PALOMINO.. THAT SHE WAS AFRAID OF THEM.

A SUBPOENA REQUEST WITH SUPPORTING EVIDENCE PURSUANT TO FRCP 45 WILL BE FILED UPON THE COURT REGARDING THIS MATTER WITHIN ~ 14 DAYS.

I HAVE CALLED THE US ATTORNEY GENERALS OFFICE AND INFORMED THEM THAT FALSE PSYCHE DOCUMENTS ARE BEING ISSUED BY THE CITY OF NEW YORK AND THEIR CONTRACTED RESOURCES TO TRAFFIC CHILDREN IN VIOLATION OF 18 US 1201, 18 US 242, 18 US 1591 .

THEY WANT MY EVIDENCE.

PRESERVE YOURS.....

ADDITIONALLY, ACS IS AS USUAL NOT COOPERATING WITH FOIL REQUEST FOR MONTHS ON THIS ISSUE. SUCH IS ATTACHED.

RESPECTFULLY,


ROBERT MALEK



robert malek <abc75abc@gmail.com>

Fw: [OpenRecords] Request FOIL-2022-067-00026 Submitted to Administration for Children's Services (ACS)

3 messages

ROBERT MALEK <acscomplaints@yahoo.com>
To: **ROBERT MALEK** <abc75abc@gmail.com>

Mon, Feb 14, 2022 at 11:11 PM

— Forwarded Message —

From: donotreply@records.nyc.gov <donotreply@records.nyc.gov>

To: "acscomplaints@yahoo.com" <acscomplaints@yahoo.com>

Sent: Sunday, February 13, 2022, 01:00:12 AM EST

Subject: [OpenRecords] Request FOIL-2022-067-00026 Submitted to Administration for Children's Services (ACS)

Your request FOIL-2022-067-00026 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: what steps does acs take to ensure documents filed in court upon parents are authentic ?

Request Description: robert malek, acs complaints.com is requesting all documents / records that indicate what steps acs takes to ensure documents filed upon parents in court are authentic ?

Requester's Contact Information

Name:

Robert Malek

Title:

Not provided

Organization:

acs complaints.com

Email:

acscomplaints@yahoo.com

Phone Number:

(718) 757-4473

Fax Number:

Not provided

Street Address (line 1):

1936 Hempstead Turnpike

Street Address (line 2):

109

City:

East meadow

State:

NY

Zip Code:

11554

You can view the request and take any necessary action at the following webpage: <https://a860-openrecords.nyc.gov/request/view/FOIL-2022-067-00026>.

PBA

[OpenRecords] Request FOIL-2022-067-00026 Extended

From: donotreply@records.nyc.gov

To: acscomplaints@yahoo.com

Date: Monday, March 21, 2022, 06:51 PM EDT

The Administration for Children's Services (ACS) has extended the time to respond to your FOIL request FOIL-2022-067-00026 for the following reasons:

You can expect a response on or about Friday, June 10, 2022.

Additional Information:

Public Officer's Law Section 89(3)(a) states that where a determination cannot be made within twenty days, the agency may provide a date certain within a reasonable period, depending on the circumstances, by which a determination will be made. According to FOIL, circumstances for determining a reasonable period include available staffing and complexity of pending FOIL requests. Based on other complicated FOIL requests currently being handled, ACS needs additional time to respond to your request. ACS anticipates responding to your request on or about June 10, 2022.

Please visit FOIL-2022-067-00026 to view additional information and take any necessary action.

84A



robert malek <abc75abc@gmail.com>

Fw: [OpenRecords] Request FOIL-^_2022^_^_067^_-00028 Submitted to Administration for Children's Services (ACS)

1 message

ROBERT MALEK <acscomplaints@yahoo.com>
Reply-To: **ROBERT MALEK** <acscomplaints@yahoo.com>
To: **ROBERT MALEK** <abc75abc@gmail.com>

Mon, May 2, 2022 at 2:19 AM

Sent from Yahoo Mail on Android

----- Forwarded Message -----

From: "ROBERT MALEK" <acscomplaints@yahoo.com>
To: "ROBERT MALEK" <abc75abc@gmail.com>
Sent: Wed, Feb 16, 2022 at 5:21 AM
Subject: Fw: [OpenRecords] Request FOIL-^_2022^_^_067^_-00028 Submitted to Administration for Children's Services (ACS)

----- Forwarded Message -----

From: ROBERT MALEK <acscomplaints@yahoo.com>
To: Victoria Navarro <vikkinavarro@hotmail.com>
Sent: Wednesday, February 16, 2022, 03:33:31 AM EST
Subject: Fw: [OpenRecords] Request FOIL-2022-067-00028 Submitted to Administration for Children's Services (ACS)

----- Forwarded Message -----

From: "donotreply@records.nyc.gov" <donotreply@records.nyc.gov>
To: "acscomplaints@yahoo.com" <acscomplaints@yahoo.com>
Sent: Wednesday, February 16, 2022, 03:13:36 AM EST
Subject: [OpenRecords] Request FOIL-2022-067-00028 Submitted to Administration for Children's Services (ACS)

Your request FOIL-2022-067-00028 has been successfully submitted to the Administration for Children's Services (ACS). The details of your request are shown below.

Request Title: all documents and records that pertain to steps taken by acs to ensure authenticity

Request Description: robert malek, acs complaints.com is requesting all documents and records that pertain to the steps that acs takes to ensure that all documents filed and or presented in court by acs in reference to children are authentic ? robert malek, acs complaints.com is requesting all documents / records that pertain to the steps that acs takes to ensure that all documents filed and or presented in court by acs in reference to parents are authentic ?

Requester's Contact Information

Name:
Robert Malek
Title:
JOURNALIST
Organization:

JSA



robert malek <abc75abc@gmail.com>

Fw: [OpenRecords] Request FOIL-2022-067-00028 Extended

1 message

ROBERT MALEK <acscomplaints@yahoo.com>
Reply-To: **ROBERT MALEK** <acscomplaints@yahoo.com>
To: **ROBERT MALEK** <abc75abc@gmail.com>

Mon, May 2, 2022 at 2:19 AM

Sent from Yahoo Mail on Android

— Forwarded Message —

From: "donotreply@records.nyc.gov" <donotreply@records.nyc.gov>
To: "acscomplaints@yahoo.com" <acscomplaints@yahoo.com>
Sent: Tue, Mar 22, 2022 at 5:33 PM
Subject: [OpenRecords] Request FOIL-2022-067-00028 Extended

The Administration for Children's Services (ACS) has extended the time to respond to your FOIL request FOIL-2022-067-00028 for the following reasons:

You can expect a response on or about Friday, June 10, 2022.

Additional information:

Public Officer's Law Section 89(3)(a) states that where a determination cannot be made within twenty days, the agency may provide a date certain within a reasonable period, depending on the circumstances, by which a determination will be made. According to FOIL, circumstances for determining a reasonable period include available staffing and complexity of pending FOIL requests. Based on other complicated FOIL requests currently being handled, ACS needs additional time to respond to your request. ACS anticipates responding to your request on or about June 10, 2022

Please visit FOIL-2022-067-00028 to view additional information and take any necessary action.



robert malek <abc75abc@gmail.com>

SERVING

1 message

robert malek <abc75abc@gmail.com>
To: "Kuryluk, Amanda" <amanda.kuryluk@ag.ny.gov>

Mon, May 2, 2022 at 3:23 AM

DUTY TO PRESERVE PSYCHE DOCUMENTS AND ELECTRONIC RECORDS.
SUBPOENA REQUEST.
FROM ROBERT MALEK

 1 DUTY TO PRESERVE PSYCHE DOCUMENTS AND SUBPOENA ALERT.pdf
1727K

87A



robert malek <abc75abc@gmail.com>

duty to preserve psyche docs and electronic records, subpoena

1 message

robert malek <abc75abc@gmail.com>

Mon, May 2, 2022 at 3:25 AM

To: Gregg Weinstock <G.Weinstock@vbnpnlaw.com>, Joseph Muscarella <j.muscarella@vbnpnlaw.com>

**DUTY TO PRESERVE PSYCHE DOCUMENTS AND ELECTRONIC RECORDS.
SUBPOENA REQUEST.
FROM ROBERT MALEK**

1 DUTY TO PRESERVE PSYCHE DOCUMENTS AND SUBPOENA ALERT.pdf
1727K

SJA

7/12/22, 10:01 AM

Gmail - duty to preserve psyche documents and electronic records



robert malek <abc75abc@gmail.com>

duty to preserve psyche documents and electronic records

1 message

robert malek <abc75abc@gmail.com>
To: MTOEWS@law.nyc.gov

Mon, May 2, 2022 at 3:28 AM

DUTY TO PRESERVE PSYCHE DOCUMENTS AND ELECTRONIC RECORDS.
SUBPOENA REQUEST.
FROM ROBERT MALEK

 1 DUTY TO PRESERVE PSYCHE DOCUMENTS AND SUBPOENA ALERT.pdf
1727K

89 A



robert malek <abc75abc@gmail.com>

What steps does legal aid and acs take to ensure documents filed to cases for children are authentic ?

2 messages

robert malek <abc75abc@gmail.com>

Fri, Apr 15, 2022 at 11:38 PM

To: jsabel@legal-aid.org, letitia.james@ag.ny.gov, jdiffiore@nycourts.gov, IG <ig@nycourts.gov>, jess.dannhauser@acs.nyc.gov, sheila.poole@ocfs.ny.gov

Mrs sabel,
Mr dannhauser,
Janet Difiore, excellence Initiative,
Inspector General,
Letitia James,
Sheila Poole,

Mrs sabel, What steps does legal aid take to ensure documents filed into family court regarding children whom legal aid represents are authentic ?

Mr dannhauser, What steps does acs take to ensure documents filed into family court regarding children whom acs represents are authentic ?

Janet difiore excellence initiative,, What steps does your excellence initiative take to ensure documents filed into family court upon children are authentic ?

Inspector General, What steps does the inspector General take to ensure documents filed into family court regarding children whom are authentic ?

Letitia James,
What steps does the attry General take to ensure documents filed into family court regarding children are authentic ?

Sheila poole, What steps does ocfs take to ensure documents filed into family court regarding children are authentic ?

Sincerely
Robert Malek

robert malek <abc75abc@gmail.com>

Tue, Apr 19, 2022 at 10:04 AM

To: HEVESIA@nyassembly.gov

Mr hevesi,
This is being addressed to you as well, sir.

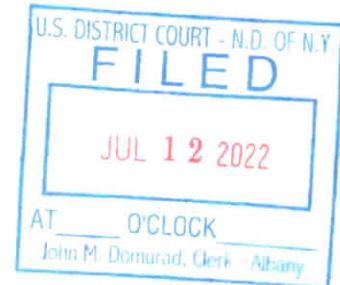
Regards
Robert Malek
[Quoted text hidden]

90A

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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

VS.



NEW YORK STATE UNIFIED COURT SYSTEM

NYC CHILDREN, AKA ACS (ADMINISTRATION FOR CHILDRENS SERVICES)

NY STATE OFFICE OF CHILDREN AND FAMILY SERVICES

NEW YORK STATE OFFICE OF THE INSPECTOR GENERAL

JANET DIFIORE

CASE NUMBER : 21CV1230

SHEILA POOLE

JACQUELINE WILLIAMS

CERTIFICATE OF SERVICE

BEVERLY STANLEY

ROSMIL ALMONTE

TRAVIS JOHNSON

MARGARET INGOGLIA

I, ROBERT MALEK, DECLARE UNDER PENALTY OF PERJURY SERVED THE FOLLOWING DOCUMENTS ON
KUIRYLUK, WEINSTOCK AND MUSCARELLA, TOWES, THAYER BY EMAIL ON 7-11-2022

1. LETTER, FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT.

RESPECTFULLY,



ROBERT MALEK

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NEW YORK 11554

929 441 8429

ACSCOMPLAINTS@YAHOO.COM



robert malek <abc75abc@gmail.com>

SERVING FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT

robert malek <abc75abc@gmail.com>

Mon, Jul 11, 2022 at 1:21 PM

To: letitia.james@ag.ny.gov, jdifiore@nycourts.gov, public.integrity@ag.ny.gov, HEVESIA@nyassembly.gov, sheila.poole@ocfs.ny.gov, paula.garcia@acs.nyc.gov, "Garcia, Paula S (ACS)" <paula.garcia2@acs.nyc.gov>, SCJC <cjc@cjc.ny.gov>, "Kuryluk, Amanda" <amanda.kuryluk@ag.ny.gov>, jsabel@legal-aid.org, jess.dannhauser@acs.nyc.gov, Joseph Muscarella <j.muscarella@vbpnplaw.com>, "Thayer, David (Law)" <dthayer@law.nyc.gov>, "Toews, Mark (Law)" <MTOEWS@law.nyc.gov>, "Rubin, Lauren (Law)" <lrubin2@law.nyc.gov>, Gregg Weinstock <G.Weinstock@vbpnplaw.com>, SHRADIX@nycourts.gov, "Johnson, Travis" <TMJohnson@legal-aid.org>, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov>, Jdwillia@nycourts.gov

SERVING FROM ROBERT MALEK



FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT.pdf
1643K

93A



robert malek <abc75abc@gmail.com>

SERVING FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT

robert malek <abc75abc@gmail.com>
To: SHRADIX@law.nyc.gov

Mon, Jul 11, 2022 at 1:26 PM

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

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

Date: Mon, Jul 11, 2022 at 1:21 PM

Subject: SERVING FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT

To: <letitia.james@ag.ny.gov>, <jdifiore@nycourts.gov>, <public.integrity@ag.ny.gov>, <HEVESIA@nyassembly.gov>, <sheila.poole@ocfs.ny.gov>, <paula.garcia@acs.nyc.gov>, Garcia, Paula S (ACS) <paula.garcia2@acs.nyc.gov>, SCJC <cjc@cjc.ny.gov>, Kuryluk, Amanda <amanda.kuryluk@ag.ny.gov>, <jsabel@legal-aid.org>, <jess.dannhauser@acs.nyc.gov>, Joseph Muscarella <j.muscarella@vbpnplaw.com>, Thayer, David (Law) <dthayer@law.nyc.gov>, Toews, Mark (Law) <MTOEWS@law.nyc.gov>, Rubin, Lauren (Law) <lrubin2@law.nyc.gov>, Gregg Weinstock <G.Weinstock@vbpnplaw.com>, <SHRADIX@nycourts.gov>, Johnson, Travis <TMJohnson@legal-aid.org>, Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>, <Jdwillia@nycourts.gov>

SERVING FROM ROBERT MALEK

 **FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT.pdf**
1643K

94A

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

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

VS.

NEW YORK STATE UNIFIED COURT SYSTEM

NYC CHILDREN, AKA ACS (ADMINISTRATION FOR CHILDRENS SERVICES)

NY STATE OFFICE OF CHILDREN AND FAMILY SERVICES

NEW YORK STATE OFFICE OF THE INSPECTOR GENERAL

JANET DIFIORE

CASE NUMBER : 21CV1230

SHEILA POOLE

JACQUELINE WILLIAMS

VERIFICATION

BEVERLY STANLEY

LETTER

ROSMIL ALMONTE

FALSE PSYCHE REPORTS

TRAVIS JOHNSON

MARGARET INGOGLIA

I, ROBERT MALEK, DECLARE UNDER PENALTY OF PERJURY THAT THE LETTER, FALSE PSYCHE REPORTS TO COMMIT A CRIME AND FURTHER THE COMMISSION IN FEDERAL COURT IS FACTUALLY TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

ANY OPINIONS STATED ARE HONESTLY MY OPINIONS.

ANY STATEMENTS MADE I HONESTLY BELIEVE TO BE CORRECT.

ANY RHETORICAL STATEMENTS I MAY HAVE MADE WERE INTENDED AS RHETORICAL

EXECUTED ON : 07-10-2022

NAME OF DECLARANT :

Robert Malek Robert Malek c/o m.m.

ROBERT MALEK

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NY 11554

ACSCOMPLAINTS@YAHOO.COM

929 441 8429

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

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

VS.

NEW YORK STATE UNIFIED COURT SYSTEM
NYC CHILDREN, AKA ACS (ADMINISTRATION FOR CHILDRENS SERVICES)
NY STATE OFFICE OF CHILDREN AND FAMILY SERVICES
NEW YORK STATE OFFICE OF THE INSPECTOR GENERAL

JANET DIFIORE

CASE NUMBER : 21CV1230

SHEILA POOLE

LETTER

JACQUELINE WILLIAM

FALSE PSYCHE REPORTS TO

TRAVIS JOHNSON

COMMIT A CRIME AND FURTHER THE COMMISSION IN

BEVERLY STANLEY

FEDERAL COURT

MARGARET INGOGLIA

HON BRENDA SANNES

HON DANIEL STEWART

HELLO.

I AM WRITING YOU TO INFORM YOU OF A SEVERE PROBLEM THAT EXISTS UPON MOST RECENT DOCUMENTS ACS HAS FILED. ACS IS STATING THAT VISITATION WITH MY CHILD WAS SUSPENDED. THIS IS DUE TO CRIMES HAVING BEEN COMMITTED BY ACS AS PART OF THE CRIMINAL CONSPIRACY WITH WILLIAMS.

WILLIAMS STATES THAT VISITATION WILL TAKE PLACE IF MY DAUGHTER WANTS TO SEE ME. MY DAUGHTER BEING AT THE TIME 6 YEARS OLD, WELL THIS ISNT EVEN LEGAL TO BEGIN WITH. SINCE THEY WORK TOGETHER, ACS PRODUCES FRAUDULENT PSYCHE REPORTS TO TAKE UP THE POSITION THAT MY DAUGHTER DOES NOT WANT TO SEE ME. HENCEFORTH, VISITATION DOES NOT TAKE PLACE. THE ORDER CANNOT BE APPEALED SINCE THERE WAS NOTHING WRONG WITH THE ORDER PER SE. IT WAS THE CRIMINAL ACTIONS OF ACS AND WILLIAMS THAT TERMINATED VISITATION IN A MANNER THAT WAS UNAPPEALABLE.

THE PSYCHE REPORTS WERE WRITTEN BY ACS WORKERS AND OTHERS WHOM DID NOT WORK FOR SUN RIVER HEALTH / BRIGHTPOINT. FURTHERMORE ACS FORGED SIGNATURES. ON SOME DOCS, THEY WERENT EVEN SIGNED AT ALL. NOW THATS A RED FLAG IN ITSELF. IF YOU WERE THE JUDGE OR EVEN JUST ADULT COMMON SENSE AND PSYCHE REPORTS COME THROUGH THAT A PARENTS CHILD DOESNT WANT TO SEE HER FATHER AND THEY WERENT SIGNED, WOULD THAT BE ACCEPTABLE TO YOU ?

THIS IS A CRIME. OR MORE CORRECTLY SAID, CRIMES. I AM SURE THAT I AM NOT THE ONLY ONE ACS HAS DONE THIS TO. I HAVE FILED TO PRESERVE DOCUMENTS ON THIS CASE. I HAVE ALSO REQUESTED OF THEM / ALL OF THEM RECORDS OF WHICH YOU KNOW RECORDS IS NOT PROVIDING, UPON WHICH SPAWNED CASE NUMBER 22 CV 167. DISCOVERY IS ONE THING. RECORDS IN REGARDS TO BEING A LITIGANT IN A STATE COURT CASE IS ANOTHER.

I HAVE NOT PROVIDED EVIDENCE HERE OF THE CRIMES. HOWEVER, I HAVE ATTACHED RELATED DOCUMENTS TO IT.

AS A PRIVATE INVESTIGATOR, I SHOULD NOT STATE AT THIS TIME WHY I WANT SUCH DOCUMENTS FROM RECORDS EVEN THOUGH I MAY ALREADY HAVE ALL OF THEM. I HAVE MY REASONS. THUS SAID, AFTER I RECEIVE ALL THE RECORDS I HAVE NO ISSUE STATING WHY I WANTED THEM.

I AM REQUESTING THAT THE COURT ASK ACS IF THE CRIME OF WHAT I AM STATING IS TRUE. IF THEY WANT TO CONFESS TO THE CRIMES THEN LET THAT SITUATION DEVELOP AS IT MAY. IF THEY WANT TO COMMIT FURTHER PERJURY AND STATE THAT THEY DID NOT FILE FALSE AND COUNTERFEIT PSYCHE DOCUMENTS TO NN19410-18, NN 19411-18 **AND NOW FILED IN PART A DEFENSE THAT WAS BASED ON THEIR CRIMINAL CONDUCT UPON THIS CASE IN FEDERAL COURT,** THEN I WILL FILE UPON THE COURT THE EVIDENCE I HAVE. I HAVE CALLED THE U.S. ATTORNEY AND THEY WANT MY EVIDENCE SINCE I INFORMED THEM THAT ACS IS TAKING AWAY CHILDREN FROM PARENTS BY MANUFACTURING FALSE PSYCHE REPORTS. I DONT KNOW IF THEY WANT MY EVIDENCE KNOWN TO ACS BEFORE THEIR INVESTIGATION SO THAT IS ANOTHER ISSUE AT HAND. I MAY HAVE TO FILE THE EVIDENCE TO THE COURT UNDER SEAL.

REGARDLESS, FOR ME TO ANSWER THIS FRAUD FROM ACS IN THEIR DOCUMENTS FILED

TO THE COURT AND FOR THE COURT TO CONSIDER THEIR DOCUMENTS THAT ARE FILED IN FURTHERANCE OF A CRIME IS CLOUDED IN CRIMINALITY THAT NEEDS TO BE INVESTIGATED BY THE COURT AND BY THE U.S. ATTORNEY. I AM BEING DOUBLE VICTIMIZED. FIRST BY THE PSYCHE REPORT CRIME AND NOW THEM IMPLIMENTING THEIR CRIME AS A DEFENSE WHICH IS A CRIME COMMITTED IN AND UPON YOUR COURT AS WELL.

TO MAKE THIS MATTER EVEN MORE DISCONCERTING IS THAT RADIX IS ALSO RESPONSIBLE TO WHAT WAS FILED AS WELL.

UPON THEM TAKING PART IN THIS I BELIEVE THE COURT HAS THE RIGHT TO SUA SPONTE NOT ACCEPT THEIR FILING.

THIS ALL SAID, MY LEGAL POSITION IS IT MAKES NO DIFFERENCE AS TO WHETHER WILLIAMS IN ACS COURT ORDERED VISITATION ZERO OR 100 TIMES A WEEK. THE STATE AND THE CHURCH ARE SEPARATE AND MY LEGAL POSITION ON THIS CASE IS THAT THE STATE HAS NO LEGAL RIGHT TO TERMINATE A PRE EXISTING RELIGIOUS RELATIONSHIP BETWEEN PARENT AND CHILD WITHOUT AN ORDER OF WHICH TO APPEAL, NOR DO THEY HAVE THE RIGHT TO REWRITE RELIGIOUS SCRIPTURE OR SUPERVISE RELIGIOUS SERVICES IN A CHURCH BETWEEN PARENT AND CHILD. (AS IF SUCH AN ENVIRONMENT IS NOT SUPERVISED TO BEGIN WITH . LOL.). THERE NEEDS TO BE A BALANCE OF POWER AND AUTHORITY. NOT STATE LAW 100 AND CHURCH / RELIGION ZERO. IF THE CHURCH CANNOT RE WRITE STATE LAW THE STATE CANNOT RE WRITE RELIGIOUS SCRIPTURE WHICH IS ESSENTIALLY, RELIGIOUS LAW.

FINALLY, MY OTHER LEGAL POSITION IS THE STATEMENT TO THE COURT THAT MY VISITATION WAS SUSPENDED, WAS ASSERTED TO BE PREJUDICIAL, TO ATTEMPT TO FRAUDULENTLY MANIPULATE COURT DECISION UPON CRIMINAL CONDUCT KNOWINGLY UNDERTAKEN BY ACS AS POLICY ALONG WITH ITS WORKERS AS A STATE AND FEDERAL CRIME, PRESENTLY SPAWNING PERJURY TO COMMIT ONE CRIME IN EFFORT TO SUPPORT ANOTHER.

I AM HOPEFUL THAT YOU INVOKE THE FULL PUNITIVE AUTHORITATIVE POWER OF THE COURT IN REGARDS TO THIS MATTER.

I AM CONSIDERING LEAVE TO AMEND THE COMPLAINT AGAIN WHICH I THINK SHOULD BE PUNITIVE CONSEQUENCE NUMBER 1 FOR THEM. THAT SAID, IF I HAVE NORTHERN DEFENDANTS, AND I DO, I THINK THE COURT MAY AGREE THAT SINCE THAT ACTION WILL INVOLVE SUN RIVER HEALTH CORPORATION AND ADDITIONALLY NEW PEOPLE DEFENDANTS I SHOULD FILE IT AS A SEPARATE FILING IN US COURT NDNY.

I AM SENDING ALL MY MATERIALS IN SUPPORT OF THE EVIDENCE OF THIS CRIME TO THE US ATTORNEY IN YOUR COURTHOUSE. YOU ARE WELCOME TO OBTAIN THE

EVIDENCE FROM THEM. OR, POSSIBLY YOU WILL ALLOW ME TO FILE UNDER SEAL.


YOUR EXPERIENCE IN CIVIL AND CRIMINAL FEDERAL MATTERS IS WAY SUPERIOR TO MINE. I LOOK FORWARD TO AN ORDER / GUIDANCE IN FURTHERANCE OF JUSTICE IN REGARDS TO THIS MATTER. I DONT WANT TO DO SOMETHING THAT COULD HINDER A CRIMINAL INVESTIGATION AND USING ONE CRIME IN STATE COURT TO OBTAIN LITIGATION ADVANTAGE IN FEDERAL COURT IS TOTALLY LEGALLY UNACCEPTABLE. YOU CANT ROB A BANK AND THEN ALLEGE YOU DIDNT STEAL ANYTHING BECAUSE NOTHING WAS THERE AFTER YOU STOLE IT....

WHAT IS SIMPLY SHOCKING IS WE HAVE DEFENDANTS IN THIS CASE THAT KNEW WHAT ACS DID AND ALLOWED PARENTS AND CHILDREN TO BE VICTIMIZED, WHILE SIMULTANEOUSLY SAYING NOTHING TO THIS COURT AND ALLOWING THE FRAUD UPON FEDERAL COURT AND OUR COUNTRY TO OCCUR. WHAT THEY HAVE DONE WAS FIRST AN ATTACK ON STATE DEMOCRACY AND IS NOW AN ATTACK ON OUR AMERICAN DEMOCRACY.

I HAVE RETAINED THE ORIGINAL CAPTION TO THE CASE BECAUSE WHEN ACS FILED THE DOCS, THAT WAS THE CAPTION THAT WAS LEGALLY IN AFFECT. I CALL THEM DOCS BECAUSE ONE OF OUR PARENTS NOTED THAT THERE WAS NO MOTION. THAT MAY BE. I HAVE TO REVIEW THAT MATTER.

THANK YOU.

RESPECTFULLY,


ROBERT MALEK, c/o M. M.

1936 HEMPSTEAD TURNPIKE # 109

EAST MEADOW, NY 11554

ACSCOMPLAINTS@YAHOO.COM

929 441 8429

EXHIBIT Mc

False psyche reports regarding a child

From: ROBERT MALEK (acscomplaints@yahoo.com)

To: jsabel@legal-aid.org; jdifiore@nycourts.gov; letitia.james@ag.ny.gov; sheila.poole@ocfs.ny.gov; hevesia@nyassembly.gov; jess.dannhauser@acs.nyc.gov

Date: Wednesday, May 18, 2022 at 11:47 AM EDT

To Janet difiore / excellence initiative
To letitia james,
To Sheila poole,
To Andrew hevesi,
To jess dannhauser
to Janet sabel,

I am writing to inform you that in case number mn 19410-18 / nn 19411-18
Psyche documents in regards to my daughter were filed unto this case the contained forged signatures, and written by
acs workers and others and not the social worker or psychiatrist whom signed such documents....
I ask that you contact me for the evidence of this and take immediate action in regards to this matter.

Thank you,
Robert Malek
Acs Complaints. Com

Sent from Yahoo Mail on Android

EXHIBIT N



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

Mark G. Toews
Assistant Corporation Counsel
t: (212) 356-0871
f: (212) 356-1148
e: mtoews@law.nyc.gov

July 14, 2022

By ECF

Honorable Brenda K. Sannes
United States District Judge
Northern District of New York
Federal Building and U.S. Courthouse
P.O. Box 7336
Syracuse, NY 13261-7336

Re: Malek v. New York State Unified Court System et al.
21-cv-1230-(BKS)(DJS)

Dear Judge Sannes:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel, assigned to represent Defendants New York City Administration for Children's Services ("ACS") and Rosmil Almonte, collectively ("City Defendants") in the above-referenced matter. I write in response to Plaintiff's Motion Seeking Leave to File the Proposed Amended Complaint (ECF No. 91) filed on June 27, 2022, which the Court's Order indicated parties were permitted to address if they so choose (ECF No. 97).

Plaintiff's Motion for Leave to Amend the Complaint should be denied as amending the complaint at this stage would be futile. As argued in City Defendants' Motion to Dismiss filed on June 6, 2022 (ECF No. 79), although Courts may grant *pro se* plaintiffs leave to amend their complaints to re-plead factually insufficient claims, Courts should not grant leave where a proposed amendment would be futile. *Hill v. Curcione*, 657 F.3d 116, 123 (2d Cir. 2011). Amending a complaint is futile where the proposed amendment would not survive a motion to dismiss. *Collette v Stratton V.A. Med. Ctr.*, No. 04-CV-1228 (FJS)(DRH), 2006 U.S. Dist. LEXIS 113563, at *7 (N.D.N.Y. May 11, 2006). Here, Plaintiff's claims are substantively deficient, and the proposed amendment would not be able to cure such deficiencies to allow his claims to survive a motion to dismiss.

First, Plaintiff's proposed Amended Complaint fails to cure the lack of subject matter jurisdiction for his claims, as they are still barred by the domestic relations exception. *Rabinowitz v. New York*, 329 F. Supp. 2d 373, 376 (E.D.N.Y. 2004). Here, due to the fact that Plaintiff's claims arise out of Family Court proceedings and the award of any relief here would impact the validity of the Family Court orders, such claims are barred under the *Rooker-Feldman doctrine* or the *Younger* abstention doctrine. See *Graham v. Criminal Court of the City of N.Y.*, No. 15-337, 2015 U.S. Dist. LEXIS 18477, at *3 (E.D.N.Y. Feb. 2, 2015); *Morrison v City of N.Y.*, 591 F.3d 109, 112 (2d Cir. 2010); *DaCosta v Wilmington Trust, N.A.*, No. 3:19-CV-0913 (TJM/ML) 2019 U.S. Dist. LEXIS 147229, at *9-10 (N.D.N.Y. Aug. 29, 2019); *Puletti v. Patel*, No. 05-2293, 2006 U.S. Dist. LEXIS 51597, at *4, 13 (E.D.N.Y. July 14, 2006).

Second, Plaintiff's proposed Amended Complaint fails to cure the improper venue of this case. According to 28 U.S.C. § 1391(b)(2), a civil action may be brought in a district "in which a substantial part of the events or omissions giving rise to the claim occurred." A "substantial part" means that "significant events or omissions material to the plaintiff's claim must have occurred in the district in question, even if other material events occurred elsewhere." *Gulf Ins. Co. v. Glasbrenner*, 417 F.3d 353, 357 (2d Cir. 2005) (emphasis in original). Plaintiff's assertions in the Amended Complaint that a number of Defendants are based out of the Northern District fails to address the fact that the majority of events or omissions alleged occurred in the Eastern District of New York.

Third, Plaintiff's proposed Amended Complaint would not survive a motion to dismiss for failure to state a claim pursuant to Fed. R. Civ. P. 12(b)(6). Plaintiff fails to state a claim for a violation of his First Amendment rights. Plaintiff must allege facts that show that his "sincerely held religious beliefs" were "substantially burdened" as a result of Defendants' actions. See *McEachin v. McGuinnis*, 357 F.3d 197 (2d Cir. 2004). Here, Plaintiff alleges the substantial burden to his ability to practice his religion is his inability to attend religious services with his daughter. However, Plaintiff does not allege that the Defendants' actions prevent him from practicing his religion on his own. The City Defendants' actions have no impact on Plaintiff's ability to attend religious services, practice his beliefs, or otherwise participate in his religion. Thus, Plaintiff's First Amendment free exercise claims should be dismissed.

Plaintiff fails to cure the deficiencies in his Fourteenth Amendment claim alleged in the proposed Amended Complaint because he fails to show "the government action was 'so egregious, so outrageous, that it may fairly be said to shock the contemporary conscience.'" *Sutton v Tompkins County*, 617 F Supp 2d 84, 93 (N.D.N.Y. 2007); *Wilkinson v. Russell*, 182 F.3d 89, 104 (2d Cir. 1999). The Complaint acknowledges that the status of Plaintiff's supervised visitation was pursuant to Family Court orders based on evidence presented at the multiple hearing dates. See Complaint (ECF. No. 1); *Trombley v. O'Neill*, 929 F. Supp. 2d 81, 106 (N.D.N.Y. 2013) (finding that the plaintiff failed to allege facts plausibly stating a claim for a violation of substantive due process rights where the removal of the children was pursuant to a Family Court order based on evidence presented before the Family Court Judge).

Finally, Plaintiff's claims in the proposed Amended Complaint as against each named City Defendant would not survive a motion to dismiss. First, Plaintiff fails to allege any municipal policy, custom, or practice that proximately caused his purported constitutional violations, rendering his claims against Defendant City of New York dismissible. See *Cotto v. City of New*

York, 803 Fed. Appx. 500, 503 (2d Cir. 2020). Furthermore, Rosmil Almonte is still entitled to absolute immunity. See *Koger v. New York*, 2014 U.S. Dist. LEXIS 105764, at *21-22 (S.D.N.Y. July 31, 2014); *Cornejo v. Bell*, 592 F.3d 121, 127-28 (2d Cir 2010). Caseworkers in child protective cases are generally entitled to qualified immunity from Section 1983 claims if it was “objectively reasonable for the caseworkers to believe their conduct did not violate clearly established statutory or constitutional rights of which a reasonable caseworker would have known.” *V.S. v. Muhammad*, 595 F.3d 426, 430-31 (2d Cir. 2010). The Second Circuit has recognized that “[i]n cases of suspected child abuse, . . . caseworkers are often faced with the choice of interrupting parental custody and possibly being accused of infringing a parent’s constitutional rights, or not removing a child and possibly infringing the child’s rights. To balance these concerns, courts give caseworkers ‘unusual deference’ and impose few concrete restrictions on their exercise of discretion”. *Emerson v. City of New York*, 740 F. Supp.2d 385, 391 (S.D.N.Y. 2010). Finally, any claims against ACS, as an agency of the City of New York, must also be dismissed since all suits must be brought against the City, not against individual agencies. See N.Y.C. Admin. Code & Charter Ch. 17 § 396.

Further, the additional claims Plaintiff seeks to insert in his proposed Amended Complaint would not survive a motion to dismiss. The Eighth Amendment prohibits the infliction of cruel and unusual punishment. *Hudson v. McMillian*, 503 U.S. 1, at 7-8 (1992). In order to establish the objective component of an Eighth Amendment claim, the plaintiff must establish a “sufficiently serious deprivation of a basic human need.” *Williams v. Goord*, 142 F.Supp.2d 416, at 425 (S.D.N.Y.2001). Plaintiff fails to allege that he suffered any serious deprivation of his basic human needs and instead only generally asserts that his Eighth Amendment Rights have been violated. See Dkt. 91 at pp. 26-28.

Plaintiff makes similar conclusory arguments regarding the violation of his Ninth Amendment rights. However, the Ninth Amendment does not convey any specific right that would provide for the basis of a §1983 claim. *Hamilton v. NYS Dept. of Corrections and Community Supervision*, 2019 WL 2352981, at *16 (N.D.N.Y 2019).

Plaintiff alleges that ACS violated 42 U.S.C. 1985 by engaging in a conspiracy with the Family Court Judge to remove Plaintiff’s child. To state a claim for relief under §1985 a plaintiff must show: (1) a conspiracy, (2) for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws, and (3) an act in furtherance of the conspiracy (4) whereby a person is either injured in his person or property or deprived of any right of a citizen of the United States. *United Bhd. of Carpenters & Joiners of Am., Local 610 v. Scott*, 463 U.S. 825, 828-829 (1983); *Gagliardi v. Village of Pawling*, 18 F.3d 188, 194 (2nd Cir. 1994). Plaintiff fails to allege any details or facts surrounding this alleged conspiracy to salvage a §1985 claim. *Warren v. Fischl*, 33 F. Supp. 2d 171, 177 (E.D.N.Y. 1999) (citations omitted) (dismissing § 1985 conspiracy claim where plaintiff did not allege details of the time, place, or effects of the alleged conspiracy establishing an agreement between defendants to achieve an unlawful goal).

Throughout the Proposed Amended Complaint, the Plaintiff has also alleged a number of state law violations, including violations of CPLR § 3022, the Penal Law, and Family Court Act §§ 1035-1036. Since Plaintiff has failed to establish viable causes of action with respect to his

Federal claims, he should also be precluded from amending his Complaint to add these additional state law claims. *See Kolari v. New York-Presbyterian Hosp.*, 455 F.3d 118, 122 (2nd Cir. 2006) (Courts should generally decline to exercise jurisdiction over remaining state claims where the federal claims are dismissed); *Cusamano v. Sobek*, 604 F. Supp. 2d 416, 437-438 (N.D.N.Y. 2009). In any event, Plaintiff has failed to include sufficient coherent factual detail to support any of these causes of action against the City Defendants.

Thus the Court should not grant leave for Plaintiff to file the proposed Amended Complaint as doing so would be futile. Thank you for your consideration.

Respectfully yours,

/s/ MGT

Mark G. Toews
Assistant Corporation Counsel

cc: **BY EMAIL**
Robert Malek
Plaintiff, *Pro Se*
acscomplaints@yahoo.com

BY ECF
Amanda K. Kuryluk
New York State Attorney General –Albany
The Capitol
Albany, N.Y. 12224

Joseph Muscarella
Vigorito, Barker, Patterson, Nichols,
& Porter LLP
300 Garden City Plaza – Suite 100
Garden City, N.Y. 11530
On behalf of Travis Johnson

21-CV-1230-(BKS)(DJS)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT MALEK,

Plaintiff,

-against-

NEW YORK STATE UNIFIED COURT SYSTEM *et*
al.,

Defendants.

**CITY DEFENDANTS' MEMORANDUM OF LAW
IN SUPPORT OF ITS MOTION TO DISMISS**

HON. SYLVIA O. HINDS-RADIX

Corporation Counsel of
the City of New York
Attorney for Municipal Defendants
100 Church Street
New York, NY 10007

Of Counsel: David Thayer

Tel: (212) 356-2649

Matter No. 2022-017369

Date of Service: June 6, 2022

full and fair determination of the pertinent issues in state court. *See* Complaint, (ECF No. 1 at ¶ B2). The appropriate mechanism for the relief Plaintiff seeks here is to appeal the Family Court Orders in state court.

Accordingly, this action must be dismissed for lack of subject matter jurisdiction under the domestic relations exception.²

A. The court lacks subject-matter jurisdiction over Plaintiff's state court custody and supervised visitation orders under the *Rooker-Feldman* doctrine.

The *Rooker-Feldman* doctrine provides that federal district courts have no authority to review the final judgments of state courts. *Morrison v City of N.Y.*, 591 F.3d 109, 112 (2d Cir. 2010). The *Rooker-Feldman* doctrine applies when “the losing party in state court file[s] suit in federal court after the state proceedings ended, complaining of an injury caused by the state-court judgment and seeking review and rejection of that judgment.” *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 291 (2005). A federal district court lacks subject-matter jurisdiction to review state court orders because 28 U.S.C. § 1257 “vests authority to review a state court’s judgment solely” in the Supreme Court. *Id.* at 292. “A plaintiff may not overcome the doctrine and seek a reversal of a state court judgment ‘simply by casting his complaint in the form of a civil rights action’.” *DaCosta v Wilmington Trust, N.A.*, No. 3:19-CV-0913 (TJM/ML) 2019 U.S. Dist. LEXIS 147229, at *9-10 (N.D.N.Y. Aug. 29, 2019) (quoting *Rabinowitz v. New York*, 329 F. Supp. 2d 373, 376 (E.D.N.Y. 2004)). Federal courts generally cannot review state court proceedings since the federal courts are not a forum for appealing state court decisions. *Pitre v*

² To the extent that Plaintiff seeks to overturn prior judgments of the Family Court, his claims are also barred under the *Rooker-Feldman* doctrine. *See Vossbrinck v. Accredited Home Lenders, Inc.*, 773 F.3d 423, 426 (2d Cir. 2014) (“Under the *Rooker-Feldman* doctrine, federal district courts lack jurisdiction over cases that essentially amount to appeals of state court judgments.”).

Shenandoah, No. 5:14-CV-293, 2015 U.S. Dist. LEXIS 18604, at *8 (N.D.N.Y. Feb. 17, 2015) (district court lacked jurisdiction to hear a constitutional claim which essentially sought to reverse a state court's custody determination). Nor, under the *Rooker-Feldman* doctrine, may a federal court decide federal issues that are raised in state proceedings and "inextricably intertwined" with the state court's judgment. *Kropelnicki v. Siegel*, 290 F.3d 118, 128 (2d Cir. 2002).

Here, Plaintiff's Complaint essentially seeks to have this Court review the Kings Family Court orders entered against him, find the orders to be invalid, and award damages from those legal proceedings. As this Court has no authority to review state Family Court orders, the Complaint should be dismissed for lack of subject-matter jurisdiction under the *Rooker-Feldman* doctrine.

B. In the alternative, Plaintiff's claims for declaratory and injunctive relief are barred by the Younger Abstention Doctrine.

This Court should abstain from taking jurisdiction over Plaintiff's claims for declaratory and injunctive relief pursuant to the abstention doctrine set forth in *Younger v. Harris*, 401 U.S. 37 (1971), and its progeny. Under the doctrine, federal courts are forbidden from enjoining ongoing state proceedings. *Hartford Courant Co. v. Pellegrino*, 380 F.3d 83, 100 (2d Cir. 2004). "*Younger* abstention is mandatory when three conditions are met: '(1) there is an ongoing state proceeding; (2) an important state interest is implicated in that proceeding; and (3) the state proceeding affords the federal plaintiff an adequate opportunity for judicial review of the federal constitutional claims.'" See *McKnight*, 699 F. Supp. 2d at 520 (citing *Diamond "D" Constr. Corp. v. McGowan*, 282 F.3d 191, 198 (2d Cir. 2002)). The Second Circuit has held that the *Younger* abstention doctrine only applies to a plaintiff's claims for declaratory and injunctive relief. See *Morpurgo v. Inc. Vill. of Sag Harbor*, 327 F. App'x 284, at *1 (2d Cir. 2009).

Although Courts may grant *pro se* plaintiffs leave to amend their complaints to re-plead factually insufficient claims, Courts should not grant leave where a proposed amendment would be futile. *Hill v. Curcione*, 657 F.3d 116, 123 (2d Cir. 2011). Amending a complaint is futile where the proposed amendment would not survive a motion to dismiss. *Collette v Stratton V.A. Med. Ctr.*, No. 04-CV-1228 (FJS)(DRH), 2006 U.S. Dist. LEXIS 113563, at *7 (N.D.N.Y. May 11, 2006). Here, Plaintiff's claims are substantively deficient, and any proposed amendment would not be able to cure such deficiencies to allow his claims to survive a motion to dismiss.

CONCLUSION

Based on the foregoing, Defendant respectfully requests that the Court grant its motion and dismiss the Complaint in its entirety, deny all the relief sought therein, and award Defendant such other and further relief as the Court shall deem just and proper.

Dated: June 6, 2022
New York, New York

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Attorney for City Defendants
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By: _____/s_____
David Thayer
Assistant Corporation Counsel

Cc: **BY E- MAIL**
Robert Malek
1936 Hempstead Turnpike #109

EXHIBIT O

Your usage of honorable when you are no longer a judge

From: ROBERT MALEK (acscomplaints@yahoo.com)

To: sradix@law.nyc.gov; shinds@law.nyc.gov

Date: Monday, June 27, 2022 at 11:12 PM EDT

Hinds,

I am writing regarding your usage of honorable when you are no longer a judge to affect the partiality of a federal judge in a case litigated by a pro se regarding religious freedom.

In doing so, you maliciously violated my 14th amendment constitutional rights.

Robert Malek
Acs complaints.com

Sent from Yahoo Mail on Android

Requesting all documents filed upon nys courts with caption or representation that contained honorable radix while she was no longer a judge

From: ROBERT MALEK (acscomplaints@yahoo.com)

To: foil@nycourts.gov; jdifiore@nycourts.gov; hlasalle@nycourts.gov; hevesia@nyassembly.gov; jess.dannhauser@acs.nyc.gov; jdifiore@nycourts.gov; jdifiore@nycourts.gov; jdifiore@nycourts.gov; jdifiore@nycourts.gov; jdifiore@nycourts.gov; jdifiore@nycourts.gov; jdifiore@nycourts.gov; jdifiore@nycourts.gov

Date: Monday, July 4, 2022 at 09:56 PM EDT

Requesting all documents filed upon nys courts with caption or representation that contained honorable radix while she was no longer a judge.

Thank You,
Robert Malek
acs complaints.com

Sent from Yahoo Mail on Android

PLEASE PROVIDE ALL DOCS THAT HAVE RADIX NAME AS HONORABLE WHILE SHE IS NO LONGER A JUDGE

From: ROBERT MALEK (acscomplaints@yahoo.com)

To: foil@nycourts.gov; sradox@law.nyc.gov

Bcc: vikkinavarro@hotmail.com

Date: Sunday, July 10, 2022 at 01:48 AM EDT

FOIL,
PLEASE PROVIDE ALL DOCS THAT HAVE RADIX NAME ON IT AS HONORABLE WHEN SHE IS NO LONGER A JUDGE.

ROBERT MALEK

Sent from Yahoo Mail on Android

NYCOURTS.GOV

Rules of the Chief Judge

PART 16. Court Appearances By Former Appellate Court Judges And Justices

Section 16.1 Appearances by former Appellate Court judges and justices before the courts in which they were members.

No former judge of the New York State Court of Appeals or former justice of the Appellate Divisions or Appellate Terms of the Supreme Court of the State of New York shall appear in person in the Appellate Court on which he or she served, or use or permit the use of his or her name on a brief filed in such court, within two years after having left such court. Nothing in this Part shall prohibit a law firm with which said judge is associated from appearing before a court and using the name of the firm on its papers consistent with that appearance.

Historical Note

Sec. filed Feb. 22, 1988 eff. Feb. 3, 1988.



November 06, 2020

FEATURE

Ethics for Former Judges

By Marla N. Greenstein

Share:



As the articles in this issue attest, moving beyond your self-identity as a judge is a challenge and an opportunity. However, no matter how successful a former judge will be at leaving the “judge” in the past, to others, a judge is always a judge.

Whether walking into a local restaurant or attending a community event, former judges will continue to be addressed as “judge.” Judges will be hired for jobs not only for their judicial experience, but also for the positive “label” that having a former judge on payroll will bring. There are ethics implications for this continuing identification.

The most direct and tangible ethical issue is continued use of the judicial title for business or financial endeavors or in the practice of law. Many states give guidance through ethics opinions on this issue. In Arizona, a retired judge may not advertise for mediation or arbitration services using the “judge” title, even if modified with “former” or “retired.” AZ Adv. Op. 2016-2. Variations of this restriction exist in several states. Some allow the use of “former” or “retired” if not in conjunction with a financial or business purpose; others allow the modifier without restriction. It is understood that use of “judge” without the modifier of “former” or “retired” is an abuse of the prestige of judicial office and creates public confusion as to the role of the arbitrator/mediator. WA Adv. Op. 2002-17.

Continued use of the judicial title while practicing law is the issue addressed in advisory opinions most frequently. All agree that a former judge who is now a practicing lawyer should not use the judicial title in any manner professionally and should actively discourage others from doing so. The American Bar Association noted in its 1995 Formal Advisory Opinion that the only reason a former judge would use the judicial title in the practice of law would be to create an appearance of an unfair advantage or expectations of an enhanced outcome. ABA Formal Adv. Op. 95-391. Federal judges are also warned that former judges appearing before them are not to be called “judge” in their courtroom or in pleadings. U.S. Adv. Op. 72 (2009).

Some judges retire fully to free themselves to engage in the political arena. In fact, former judges are likely the most effective speakers and activists on issues of justice, fairness, and protecting judicial independence from outside influence. Here too, however, former judges have an obligation to clarify their new role and not sow confusion. Former judges have effectively lobbied for sentencing reform, noting the unfairness of mandatory minimum sentences, for example. Their efforts have been successful in no small part due to their “former judge” status. However, extra care is required when former judges seek political office or are visible in causes unrelated to the justice system. For example, when a former judge in California ran for state attorney general while a sitting judge, he was disciplined, in part, for his campaign’s use of his judicial office in that campaign. *Inquiry Concerning Former Judge Steven C. Bailey*, 6 Cal. 5th CJP Supp. 24 (2019). The same ethical concerns extend to former judges who use their judicial office in political campaigns (though likely not subject any longer to judicial discipline). Confusion of roles can harm the judiciary. As the California opinion noted, using the judicial title and office in a political campaign for an elected office in another branch of government “is fundamentally inconsistent with the independence, impartiality and integrity of the judiciary, and is prejudicial to public esteem for the judicial office.”

“Former judge” will stay with you in most public life arenas. While the Code of Judicial Conduct may not govern your speech and actions as a former judge, it should still guide them. The public will forever view you as a living representative of the judicial system.



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Authors



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EXHIBIT P

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,

87 81

[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 *270 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.'¹ 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.

Handwritten initials or signature.

'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; Felner 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); Strobie 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.'

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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

81 85

EXHIBIT Q

CERTIFIED MAIL

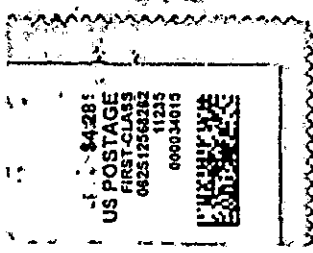
ROBERT MALEK

2609 E. 14TH ST #304

BROOKLYN, N.Y. 11235

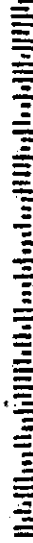


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OFFICE OF THE COMPTROLLER
DIVISION OF LAW, RM. 1225
1 CENTRE ST.
N.Y. N.Y., 10007

10007-163999



OFFICE OF THE COMPTROLLER CITY OF NEW YORK

2022P1008651

NOTICE OF CLAIM

CLAIMANT INFORMATION

ABC75ABC@GMAIL.COM

CLAIMANT'S NAME: ROBERT MALEK, ROBERT MALEK C/O MARGARET MALEK TEL. #: () 9294418429

STREET ADDRESS: 2609 EAST 14TH STREET # 304, BROOKLYN, NEW YORK 11235

CITY: BROOKLYN STATE: NEW YORK ZIP: 11235

SOC. SEC. # OR TAX I.D. #: 130 54 7841, 192 81 7840

CLAIM INFORMATION

NYC CHILDREN, ACS (ADMINISTRATION FOR CHILDRENS SERVICES), N.Y. STATE OFFICE OF CHILDREN AND FAMILY SERVICES

NATURE OF CLAIM: (ATTACH ADDITIONAL SHEET(S) OF PAPER, IF NECESSARY)

ACS, NYC CHILDREN, MY CHILDS MOTHER DID NOT ALLOW MY DAUGHTER AND I TO SEE EACH OTHER UNLESS I TOOK A CORONAVIRUS TEST SINCE APPROXIMATELY AUGUST OF 2020.

ITOOK SEVERAL WITH NEGATIVE OUTCOME.

REGARDLESS, I WAS NOT ALLOWED TO SEE MY CHILD.

MEANWHILE, AT COURT HEARING ON JUNE 22, 2021 I FOUND OUT THAT EVEN THOUGH BOTH CHILDREN WERE CONSIDERED TO BE CHRONICALLY ILL BY ACS AS INDICATED ON SCR RECORDS, OF WHICH HAS BEEN AN ONGOING PROBLEM, ESPECIALLY FOR MY DAUGHTER, NO ONE WAS VACCINATED FOR CORONAVIRUS AS OF THIS DATE OR TESTED EITHER.

I HAVE RECEIVED BOTH MY PFIZER SHOTS IN APRIL OF 2021, AS SOON AS IT WAS MADE AVAILABLE TO ME.

AS A MATTER OF FACT, ACS/NYC CHILDREN DIDNT EVEN KNOW IF THE FAMILY HAD PPE DURING THE SHELTER IN PLACE ORDER OF 2020 AND THIS WAS SEVERAL WEEKS AFTER THE MAYORS ORDER.

DURING THIS MAYORS ORDER, IF I WANTED TO SEE MY DAUGHTER ON VIDEOCHAT, I WOULD HAVE HAD TO AGREE TO HAVE HER GO TO A BUSY APARTMENT BUILDING COMMUNITY COMPUTER MEETING ROOM RATHER THAN SAFELY IN HER APARTMENT WITH MOTHER AND MOTHERS SON.

TOTAL AMOUNT CLAIMED: \$ 4,000,000,000

IF MORE THAN ONE ITEM IS INCLUDED IN THE TOTAL AMOUNT CLAIMED, SUPPLY BREAKDOWN OF AMOUNTS AND SPECIFY ITEMS: (ATTACH ADDITIONAL SHEET(S), IF NEEDED)

ITEM	AMOUNT
1. _____	\$ _____
2. _____	\$ _____
3. _____	\$ _____
4. _____	\$ _____
5. _____	\$ _____

PLEASE ATTACH COPIES OF SUPPORTING DOCUMENTATION, PREVIOUS CORRESPONDENCE, INVOICES, ETC.

CLAIMANT'S SIGNATURE: *Robert Malek*

SS: STATE OF N.Y. CITY OF N.Y. SUBSCRIBED AND SWORN TO BEFORE ME THIS 13th DAY OF SEPTEMBER, 2021

Jessica Pulla
NOTARY



TO: OFFICE OF THE COMPTROLLER DIVISION OF LAW - RM.1225 South 1 CENTRE STREET NEW YORK, N.Y. 10007 TELEPHONE # (212) 669-4736

TO: N.Y.S. OFFICE OF CHILDREN AND FAMILY SERVICES 40 NORTH PEARL STREET ALBANY, NEW YORK 12207



robert malek <abc75abc@gmail.com>

Robert if you don't want acs to enter once a month, let me get the air cleaner

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

Thu, Apr 16, 2020 at 3:46 PM

To: "abc75abc@gmail.com" <abc75abc@gmail.com>, "rmaes@bds.org" <rmaes@bds.org>, Travis Johnson <TMJohnson@legal-aid.org>

Good Afternoon,

ACS visiting the home of Ms. Ingoglia once a home is required as part of her agreeing to submit to the court jurisdiction and ACS supervision. There is no negotiating this requirement. ACS is taking every precaution to ensure the safety of the families under ACS supervision and the CPS workers who are required to make the home visits.

Mr. Malek, at this point you are refusing to resume the visit with the subject child Margaret and ACS will not be require to facility any make up time.

Rosmil Almonte | Team Leader

Division of Family Court Legal Services

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

[Quoted text hidden]

Unless there is medical evidence that covid remains contagious for months after mild infection, that answer is obviously no. If there was a risk to my daughter i most definitely would.

As a matter of fact, those whom have had mild covid have antibodies and more unlikely to be a carrier of covid than those whom have not. As a matter of fact my blood and possibly my breath as well can medically help to save lives rather than take them in reference to the disease.

So the answer until such medical evidence can be provided to me that supports your clients feelings, rather than scientific medical data is no.

i , at this time, rather than being a threat to my daughters health, can most probably save her life.

robert malek

On Jul 31, 2020 3:10 PM, "Almonte, Rosmil (ACS)" <Rosmil.Almonte@acs.nyc.gov> wrote:

Good Afternoon,

Ms. Ingoglia informed ACS that she was not comfortable with resuming in person visit until you submit to a Covid-19 screening and test negative. Mr. Malek please let me know if you will be submitting for a screening.

From: robert malek <abc75abc@gmail.com>

Sent: Thursday, July 30, 2020 9:32 PM

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

Subject: acs wants me , " the covid scare " to take a covid test before I see my daughter.

acs wants me , " the covid scare " to take a covid test before i see my daughter.

robert malek



robert malek <abc75abc@gmail.com>

Fw: acs wants me , " the covid scare " to take a covid test before i see my daughter.

1 message

abc75abc@gmail.com <abc75abc@gmail.com>
To: robert malek <abc75abc@gmail.com>

Mon, Aug 17, 2020 at 11:21 PM

Sent from my Verizon LG Smartphone

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

From: robert malek
Date: Fri, Jul 31, 2020 5:13 PM
To: Almonte, Rosmil (ACS); nicola.gibson@acs.nyc.gov;
Cc: abcabc@gmail.com; Johnson, Travis; Robert Maes;
Subject: Re: acs wants me , " the covid scare " to take a covid test before i see my daughter.

Please let the family know that I hope they are doing well and love them very much.

Sincerely,

Robert Malek

On Fri, Jul 31, 2020 at 3:43 PM Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov> wrote:

Good Afternoon Mr. Malek,

Is your answer that you are not willing to submit to a covid-19 screening?

Rosmil Almonte | Team Leader

Division of Family Court Legal Services

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

From: robert malek <abc75abc@gmail.com>
Sent: Friday, July 31, 2020 3:39 PM
To: Almonte, Rosmil (ACS) <Rosmil.Almonte@acs.nyc.gov>
Cc: abcabc@gmail.com; Johnson, Travis <TMJohnson@legal-aid.org>; Gibson, Nicola (ACS) <Nicola.Gibson@acs.nyc.gov>; Robert Maes <rmaes@bds.org>
Subject: RE: acs wants me , " the covid scare " to take a covid test before i see my daughter.

i had relatively mild covid months ago and not had symptoms for months as acs Garcia knows.

There is no medical data that shows covid stays in the body in the manner that is described as if it is herpes or aids.

You know this mrs almonte when you said to me to quarantine yourself for 14 days before arriving at the facility with minnies items.

It is a short lived disease. You know this as do I.