

STATE OF NEW YORK
N.Y.S. OFFICE OF CHILDREN AND FAMILY SERVICES COURT (OCFS)

ACS

VS

FILE NUMBER 109176

MALEK

I, ROBERT MALEK, STATE UNDER PENALTY OF PERJURY TO THE BEST OF MY KNOWLEDGE AND BELIEF THE FOLLOWING :

I BELIEVE WITH EVIDENCE THAT JUDGE WASKO IS UNDER DURESS AND / OR IS COLLUDING WITH THE GOVERNMENT AND IS UNABLE TO PERFORM HER FUNCTIONS AS A JUDGE.

1. JUDGE WASKO, ALONG WITH ACS AND OCFS ARE CONCEALING DISCOVERY RECORDS REGARDING CRIMINAL ALLEGATIONS UPON ME OF SEXUAL ABUSE OF MY DAUGHTER. SUCH ALLEGATIONS WHICH WASKO CLAIMED WERE DISMISSED ON SEPT 28, 2022 OF WHICH I KNEW NOTHING ABOUT EXCEPT ON JUNE 28, 2018 WHEN MARGARET INGOGLIA TOLD ME THAT THIS TERRIBLE ACS WORKER CAME TO THE HOUSE, THOUGHT OUR DAUGHTERS VAGINA WAS RED AND NOW SHE IS BEING BROUGHT BY AMBULANCE WITH THE POLICE TO THE HOSPITAL. ON SEPT 28, 2022 WAS WHEN I FOUND OUT WHO WAS REALLY RESPONSIBLE FOR MY DAUGHTER TO UNDERGO A RAPE EXAM AND WHOM THE ALLEGATIONS WERE AGAINST.

CLAIMANT : MARGARET INGOGLIA, ACS CLIENT.

RESPONDENT : ROBERT MALEK,

VICTIM OF RAPE EXAM VIA FRAUD : MARGARET MALEK

I AM ENTITLED TO ALL DISCOVERY REGARDING THIS MATTER AND ACS ALONG WITH OCFS AND THE JUDGE ARE REFUSING TO TURN OVER ALL DISCOVERY AND DETAILS OF THIS CRIME UPON MY DAUGHTER BY HER MOTHER AND I ALONG WITH ACS AND OCFS CONCEALING THIS FOR APPROXIMATELY 5 YEARS. FURTHERMORE, SINCE THERE ARE CRIMINAL ALLEGATIONS, OF WHICH CONSTITUTED A FALSE POLICE REPORT , AND SEXUAL ABUSE OF MY DAUGHTER VIA FRAUD, NEITHER ACS NOR OCFS NOR JUDGE WASKO HAVE THE LEGAL AUTHORITY TO FULLY DISMISS THIS MATTER.

FAILURE TO TURN OVER DISCOVERY IS A VIOLATION OF DUE PROCESS.

I DO NOT BELIEVE JUDGE WASKO WOULD DO THIS INTENTIONALLY AND BELIEVE SHE IS UNDER DURESS TO TAKE PART IN CONCEALMENT OF SEXUAL ABUSE OF MY CHILD.

2. ON SEPT 28, 2022 JUDGE WASKO STOPPED THE HEARING DUE TO THERE BEING FEDERAL ACTION FILED BY ME AS TO THE MATTER AT HAND. APPROXIMATELY A WEEK AGO, JUDGE WASKO HAD NO MEMORY OF THIS AND REQUESTED PROOF OF SUCH STATING THAT SHE NEEDED THIS EVIDENCE TO ADJOURN THE HEARING ON THE 28TH OF MARCH. I PROVIDED THE EVIDENCE AND JUDGE WASKO IGNORED THE EVIDENCE AS IF IT WAS NEVER PROVIDED. SO FIRST, THE JUDGE REVERSES ON HER ORIGINAL DECISION OF SEPT AND THEN REVERSES ON HER REQUEST IN MARCH. WITHIN ONLY TWO HOURS ! OF ME POINTING THIS OUT TO WASKO, MAGISTRATE JUDGE REYES IN FEDERAL COURT, DISMISSES ALL MY FEDERAL CASES WITHOUT SUCH AUTHORITY TO DO SO SINCE ONLY THE HEAD JUDGE CAN RULE ON TERMINATION MOTIONS. NOT THE MAGISTRATE JUDGE. SUCH FEDERAL CASES WERE ONGOING FOR ABOUT A YEAR AND WITHIN ONLY 2 HOURS, EVERY CASE WAS DISMISSED IN ORDER TO MAKE SURE WASKO COULDN'T ISSUE AN ORDER TO THE CONTRARY AGAINST ACS.

THIS IS ADDITIONAL EVIDENCE THAT JUDGE WASKO IS ACTING NOT INDEPENDENTLY AS AN ARBITER OF FACT AND LAW AND IS UNDER DURESS / COLLUDING WITH THE GOVERNMENT AND IS A VIOLATION OF DUE PROCESS.

3. AT THIS TIME, THERE ARE 3 GOVERNMENT LAWYERS AGAINST 1 PRO SE. I HAVE BROUGHT THIS TO JUDGE WASKOS ATTENTION AND SHE IGNORES THE MATTER !!!!!

THIS IS A VIOLATION OF DUE PROCESS. ONCE AGAIN, IT IS CLEAR THAT SHE CANNOT

PERFORM HER FUNCTION AS A JUDGE, BEING UNDER SOME TYPE OF UNLAWFUL DURESS AND OR COLLUDING WITH THE GOVERNMENT.

4. JUDGE WASKO WAS INFORMED AND REPEATEDLY REMINDED THAT RIGHT IN THE OCFS RECORDS IT STATES THAT MANY OF MY CALLS WERE CASE OPEN SERVICES AND INDICATED, CONTRARY TO ACS CLAIM OF ALL MY CALLS BEING UNFOUNDED. IF I DO NOT REPORT THE ABUSE OF MY CHILD, IT WOULD BE A CRIME OF ENDANGERING THE WELFARE OF A CHILD. REGARDLESS, JUDGE WASKO, IN THE LAST HEARING WAS ALLOWING ACS TO READ INTO THE RECORD FRAUDULENT INFORMATION THAT ALL MY CALLS WERE UNFOUNDED AND SHE HAS BEEN IGNORING THIS ISSUE FOR MONTHS. SHE ALONG WITH OCFS HAVE THE RECORDS AND ARE AWARE THAT MANY OF MY CALLS WERE FOUNDED AND SHE IS FOR SOME REASON TAKING PART IN THE FRAUDULENT CONCEALMENT OF THIS FACT.

THE GOVERNMENT AND THE JUDGE INTENTIONALLY ADMITTING FALSE EVIDENCE IS ANOTHER VIOLATION OF DUE PROCESS.

ANOTHER REASON TO BELIEVE THAT JUDGE WASKO IS UNDER SOME TYPE OF CRIMINAL DURESS / COLLUDING WITH THE GOVERNMENT AND UNABLE TO PERFORM HER DUTIES AS AN IMPARTIAL ARBITER OF FACT AND LAW.

5. JUDGE WASKO WAS ALSO INFORMED AND PROVIDED THE EVIDENCE THAT ACS VIOLATED CPLR 3022 ON THEIR PETITION WHICH RENDERS THEIR CASE VOID !

THERE IS NO DUE PROCESS UPON PROCEEDING UPON A CASE THAT IS VOID.

JUDGE WASKO IS IGNORING THIS ISSUE AS WELL.

EVEN MORE EVIDENCE JUDGE WASKO IS UNDER SOME TYPE OF CRIMINAL DURESS.. / COLLUDING WITH THE GOVERNMENT.

6. JUDGE WASKO STATED IN RECENT EMAIL THAT IF THE PARTIES DO NOT SHOW, THEY WILL BE DEEMED IN DEFAULT FOR THE 28TH. THIS IS ALSO LEGALLY, FALSE.

NO PARTY CAN BE CONSIDERED TO BE IN DEFAULT IN A " HEARING " OR " PROCEEDING " THAT HAS A PREDETERMINED OUTCOME. JUDGE WASKO AT THE LAST HEARING STATED THAT IF ACS COURT DETERMINED GUILTY SHE CANNOT RULE DIFFERENTLY. WHILE OCFS HAS SUCH NEW LEGISLATION, JUDGE WASKO CANNOT ACT IN IGNORANCE OF ALL OTHER LEGISLATION. IN A ONE SIZE FITS ALL SCENARIO, SUPERCEDING ALL OTHER LAW OF WHICH OCFS REGULATION DOES NOT INDICATE OR SUPPORT. REGARDLESS, SHE CHOSE TO DO SO AT THE LAST HEARING AND I HAVE NO REASON TO

BELIEVE SHE WILL DO DIFFERENTLY NOW. HENCEFORTH THE " HEARING " OR " PROCEEDING " ON THE 28TH IS NOT A HEARING OR PROCEEDING AND IS NOTHING MORE THAN THAN A PRE DETERMINED CLERICAL FUNCTION. NO PARTY IS REQUIRED TO APPEAR BEFORE CLERICAL FUNCTIONS WHOSE OUTCOME IS PREDETERMINED.

THIS IS MORE EVDIDENCE THAT JUDGE WASKO IS UNDER DURESS / COLLUDING WITH THE GOVERNMENT AND UNABLE TO PERFORM HER FUCTIONS LEGALLY AS A JUDGE.

7. SINCE ACS CONSIDERS THEIR PROSECUTORS TO HAVE ABSOLUTE IMMUNITY TO LIE, ETC., THERE CAN BE NO OATH TO BEGIN ANY LEGAL PROCEEDING. JUDGE WASKO AT THE LAST HEARING DID NOT SWEAR ANYONE IN.

THIS ALSO VIOLATES DUE PROCESS.

I EXPECT THE SAME BIZARRE ACTIONS ON THE PART OF THE JUDGE TOMORROW WHICH IS FURTHER EVIDENCE OF THE JUDGE BEING UNDER SOME SORT OF DURESS / COLLUSION WITH THE GOVERNMENT AND IS INCAPABLE OF PERFORMING HER FUNCTIONS AS A JUDGE.

8. I AM ENTITLED TO A TRIAL BY JURY.

A ARTICLE 10 CONVICTION IS BY STATE LAW, ALSO CONSIDERED TO BE A CRIMINAL VIOLATION OF ENDANGERING THE WELFARE OF A CHILD. JUDGE WASKO HAS CITED THE NEW OCFS STATE LAW THAT A CONVICTION OF AN ARTICLE 10 IN ACS COURT IS A DEFAC TO CONVICTION IN OCFS COURT. THE LEGAL PROBLEM WITH THIS IS THAT ENDANGERING THE WELFARE OF A CHILD IS A MISDEMEANOR A AND REQUIRES A TRIAL BY JURY. I CANNOT BE CONVICTED OR JUDGED GUILTY OF A CRIME THAT CONSTITUES IMPRISONMENT OF UP TO A YEAR IN JAIL WITHOUT A TRIAL BY JURY. HENCEFORTH, THE " PROCEEDING " OR " HEARING " THAT IS SUPPOSED TO TAKE PLACE TOMORROW WOULD HAVE TO BE BEFORE A JURY OF WHICH IT IS NOT. FURTHERMORE, THE GOVERNMENT PROSECUTOR WOULD HAVE TO PRIOR TO TRIAL , TURN OVER ALL DISCOVERY, EXCULPATORY EVIDENCE AND I WOULD BE ALLOWED TO FILE MOTIONS OF WHICH WERE PREVIOUSLY, UNLAWFULLY DENIED BY JUDGE WASKO.

9. JUDGE WASKO REFERS TO FINAL ORDER FROM ACS COURT, HOWEVER SUCH ORDER CONTAINS INFORMATION THAT IS FRAUDULENT. SUCH AS, MY LAWYER DID NOT APPEAR FOR I DIDNT HAVE ONE TO BEGIN WITH AND I WAS NOT PROVIDED THE LINKS /

DATES OF THE LAST 3 HEARINGS. FURTHERMORE, TRIAL TOOK PLACE PREVIOUSLY WITH A SECRET HEARING WITH ACS CLIENT MARGARET INGOGLIA THAT I LEARNED OF VIA EMAIL FROM THE ATTORNEY FOR THE CHILD.

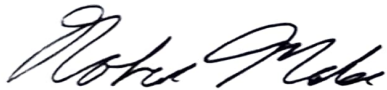
10. ACS ALSO IMPLEMENTED FALSE, FORGED AND COUNTERFEIT PSYCHE MEDICAL DOCUMENTS UPON MY DAUGHTER AND I, WRITTEN BY ACS WORKERS AND OTHERS WHOM WERE NOT MENTAL HEALTH PROFESSIONALS AND WHOM DIDNT EVEN WORK FOR BRIGHTPOINT AS FRAUDULENT EVIDENCE IN THE CASE AGAINST ME.

11. ACS ALSO CLAIMED I HAD WAS⁺ ARRESTED FOR A VARIETY OF CRIMES IN 2020 SUCH AS BURGLARY AND AUTO STRIPPING AND PLED GUILTY OF WHICH IS 100% FALSE. THEY HAVE PROVIDED NO EVIDENCE WHATSOEVER OF ANY ARREST, CONVICTION, COURT NAME, JUDGE NAME, NOTHING.

WHAT IS TAKING PLACE HERE VIOLATES DUE PROCESS .

IN CONCLUSION, IT IS CLEAR THAT JUDGE WASKO IS EITHER UNDER SOME TYPE OF DURESS AND IS UNABLE TO ACT IMPARTIALLY AS A JUDGE OR ARBITER OF FACT AND LAW AND/ OR IS CLEARLY COLLUDING WITH THE GOVERNMENT AND IS NOT A JUDGE BUT RATHER NOTHING MORE THAN A GOVERNMENT ENFORCER. THE PRESENT CIRCUMSTANCES ARE IN VIOLATION OF CIVIL AND CRIMINAL LAW. SUCH CIRCUMSTANCES WOULD NOT LEGALLY SUPPORT A DEFAULT JUDGEMENT UPON ANY PARTY FOR NOT APPEARING UPON A " PROCEEDING " OR " HEARING " THAT IS CLEARLY GROSSLY UNLAWFUL AND PRESENTLY HAS A PRE DETERMINED, PRE DECIDED OUTCOME OF GUILTY FOR THE RESPONDENT. SUCH IS NOT A HEARING OR A PROCEEDING AND IS NOTHING MORE THAN BEING A CLERICAL EXECUTION.

SINCERELY,



Robert Malek

Sworn to before me on the 27th day of March, 2023



Robert Malek



Notary Public

BENNETT YEE
NOTARY PUBLIC - STATE OF NEW YORK
No. 01YE6439776
Qualified in Kings County
Commission Expires August 29, 2026