

**STATE OF NEW YORK
OFFICE OF CHILDREN AND FAMILY SERVICES**

**AT PREVIOUS HEARING JUDGE STATED
THERE IS NO APPEAL SINCE FACT FINDING DECISION
WAS ALREADY MADE AT ACS COURT. COLLATERAL
ESTOPPEL SHE CLAIMED. HOWEVER, SHE IGNORES
THE FACT THAT THE ORDER WAS AN ACS
COUNTERFEIT, FORGED, FRAUD. JUDGE ALSO STATED
THAT ACS COURT IS A HIGHER COURT ! HOW IS THIS
POSSIBLE WHEN OCFS OVERSEES ALL CHILD
PROTECTIVE AGENCIES IN THE STATE ?**

In the Matter of the Appeal of

DECISION

ROBERT MALEK

HID #: 109176

Pursuant to §422 of the Social Services Law

Before:

Sue Novick Wasko
Administrative Law Judge

Scheduled For:

New York State Office
of Children and Family Services
163 West 125th Street
New York, New York 10027
March 28, 2023

Parties:

New York State Central Register of
Child Abuse and Maltreatment
P.O. Box 4480
Albany, New York 12204
Documents submitted in lieu of appearance

**THERE WERE 3 ATTORNEYS
AS PART OF THE GANG UP.
NOT ONE.**

New York City Administration for
Children's Services
150 William Street, Room 50-D
New York, New York 10038
By: Leslie Leitner, Esq.

Robert Malek
1936 Hempstead Turnpike #109
East Meadow, New York 11554

**NEW ADDRESS : 338 JERICHO TURNPIKE # 209
SYOSSET, NY 11791**

Robert Malek

NOTE : 6-28-2018 WAS THE DATE OF SEXUAL ABUSE OF MY DAUGHTER PERPETRATED BY MARGARET INGOGLIA, JOSEPH PALOMINO INGOGLIA AND ACS ALONG WITH THEIR WORKER, ARDAISHA HUDSON.

The New York City Administration for Children's Services (the Agency) having investigated and indicated a report of child abuse and/or maltreatment made against Robert Malek (The Appellant) pursuant to § 424 of the Social Services Law (SSL); and

The New York State Central Register of Child Abuse and Maltreatment (Central Register) having retained said report in its records as records as SCR Case Id # 26871553, Intake Stage ID # 32053377, dated 6/28/2018, and having notified the Appellant of Appellant's right to a hearing concerning said report pursuant to SSL § 422; and

The Appellant having requested a hearing to determine whether said report is proven by a fair preponderance of the evidence, and if so, whether the report is currently relevant and reasonably related to childcare issues; and **OF WHICH WASKO DENIED ON 9-28-2022 CLAIMING ALREADY DECIDED UPON IN ACS COURT.**

The hearing having been commenced on September 28, 2022, and on that date, the Appellant having requested an adjournment to be afforded the opportunity to pursue reopening of the Family Court Order of Neglect that was entered on April 4, 2022, (and placed in evidence at the hearing on September 28, 2022); and **I DID NOT REQUEST AN ADJOURNMENT TO BE AFFORDED OPPORTUNITY TO PURSUE REOPENING OF THE FAMILY COURT ORDER OF NEGLECT. THIS IS A 100 % FABRICATED LIE. FURTHERMORE, I INFORMED THE JUDGE THAT THE FINAL ORDER WAS A COUNTERFEIT FROM ACS..**

That the adjournment having been granted; and pursuant to notice on the record, followed by an email dated September 28, 2022, the hearing having been adjourned to March 28, 2023, at 1:00 p.m., and pursuant to notice sent by email to the Appellant by the Administrative Law Judge at the Appellant's email address at (abc75abc@gmail.com) advising the Appellant of the new date; and **THE MATTER WAS ADJOURNED BY WASKO AFTER I INFORMED HERE THAT THERE WERE FEDERAL ACTIONS ONGOING REGARDING THE ACS CASE.**

That the notice by email having not been returned as undeliverable; and on March 8, 2023, the Appellant having requested an adjournment of the March 8, 2023, hearing date by email, because "federal cases still going on"; and **SINCE THE JUDGE ADJOURNED PREVIOUSLY FOR THIS CAUSE.**

That the Agency Supervising Attorney having requested "proof of filing of any appeal" (including perfection of same), specific to the underlying Fact-Finding Order in this case; the Administrative Law Judge then directed said documentation to be submitted, in light of the Appellant's adjournment request by email dated March 8, 2023; and

That the Administrative Law Judge then advised the Appellant by email as follows that: "In light of the ACS request for proof of filing of any appeal, including perfection of same, (the Administrative Law Judge) needs to receive said proof of filing by Tuesday, March 21, 2023..."; and

INCLUDING FEDERAL ACTION... VIEW OUR EMAILS.

That "If (Appellant) fails to submit said documents (proof of filing of any appeal, including the perfection of same, and to appear for said hearing, on Tuesday, March 28, 2023, at 10 a.m., (the Appellant) is advised that (the Appellant) will be deemed to be in default,"; and

That the Administrative Law Judge's email was sent to the Appellant at the Appellant's email address at (abc75abc@gmail.com) and said email was not returned as undeliverable; and

**VIEW
THE EMAILS
AND THE
EVIDENCE
THAT
THE JUDGE
IS LYING**

Robert Malek

THIS IS A LIE. NOTE EMAILS. SHE DID.

That the Administrative Law Judge did not receive the requested documentation; and therefore, by email dated March 21, 2023, the Administrative Law Judge advised the Appellant as follows that: “(the Administrative Law Judge has not received the requested proof of filing of any appeal, including the perfection of the same. Therefore, the hearing will proceed as scheduled, on Tuesday, March 28, 2023, at 10 a.m....”;

That that Administrative Judge further directed in the email that (the Appellant’s) failure by to appear on Tuesday, March 28, 2023, at 10 a.m., will be deemed (that the Appellant is) in default”; and **AND I STATED THERE IS NO DEFAULT WHERE THERE IS NO HEARING DUE TO CLAIMED COLLATERAL ESTOPPEL BAR BY THE JUDGE , BARRING REVIEW OF CLAIMED FACTS BY ACS, JUDGE ALSO STATED ACS COURT IS A HIGHER COURT. HOW IS THAT POSSIBLE WHEN OCFS OVERSEES ACS.**

That the Administrative Law Judge’s email was sent to the Appellant at the Appellant’s email address (abc75abc@gmail.com) and that the said email was not returned as undeliverable; and

That on March 28, 2023, at 10:00 a.m., up until 11:03 a.m., the Administrative Law Judge made repeated attempts to call the Appellant at his telephone number (718-757-4473); and

That upon calling that number, the Administrative Law Judge left messages advising the Appellant to call the Administrative Law Judge’s office number, at 212-961-4408; advising the Appellant that failure to call the office by 11:00 a.m., will be deemed a default by the Appellant; and

That at 11:03 a.m., the Administrative Law Judge attempted to call the Appellant again; and the Administrative Law Judge left another message advising the Appellant that having not heard from the Appellant a default will be entered against the Appellant; and

That the Agency having appeared by its attorney, Leslie Leitner, Esq., for said hearing on March 28, 2023, at 10:00 a.m. in support of said report; and

NOW THEREFORE, IT IS DETERMINED that the Appellant is deemed to be in default. Accordingly, the record of the report shall be retained by the Central Register.

Dated: New York, New York
March 29, 2023

**IN LIEU OF APPEARANCE I SENT THE JUDGE NOTARIZED AFFIDAVITS
THERE IS NO DEFAULT SINCE THE HEARING TOOK PLACE UNDER FRAUDULENT
BASIS. WITH A PREDETERMINED OUTCOME.**


Sue Novick Wasko
Bureau of Special Hearings
Being designated by the Commissioner to make
such decisions

**NOTE THAT WITHIN 4 HOURS OF THE JUDGE BEING CAUGHT IN A
CATCH 22 LIE REGARDING BEING WILLING TO ADJOURN IF I PROVIDE
PROOF OF FEDERAL FILINGS, CLERK MATTHEW LUNNY DUFFY OF EASTERN
DISTRICT FEDERAL COURT FORGES JUDGE GONZALEZ NAME AND
DISMISSES 5 FEDERAL CASES ALL AT ONCE !!!! THAT WERE ONGOING
FOR MORE THAN A YEAR.**