

## Albanese Busted Again - Nailed for Perjury



Besides the fact that local 'cop' Matthew Albanese has lied on many occasions in a local court case, further evidence filed in the court case reveals Albanese did commit perjury...again... read on...

In this matter Albanese filed two papers, one a DCJS-3204 and a AA 134, both are signed by him under penalties of Perjury. The perjury [jurat](#) is PL 210.45 which is;

*PL 210.45: Making a punishable false written statement. A person is guilty of making a punishable false written statement when he knowingly makes a false statement, which he does not believe to be true, in a written instrument bearing a legally authorized form notice to the effect that false statements made therein are punishable. Making a punishable false written statement is a class A misdemeanor.*

Now, in his DCJS-3204 document he claims the assaulter Schwabenbauer made the demands.

However, in his AA 134 document he claims it was him.

Can you say "perjury" form DCJS-3204 and form AA-134 cannot be used against the alleged defendant and must be, at a minimum suppressed [People v. Fitzpatrick 40 N.Y.2d 44 (1976)] Incomplete warnings render the chemical test refusal suppressible at trial and invalid such that DMV may not revoke the defendant's license. [People v. Boone, 71 A.D.2d 859 (2d Dept 1979); Harrington v. Tofany, 59 Misc. 2d 197 (Warren Sup. Ct. 1969).]

This is another one of the many contradictory statements made by both Schwabenbauer and Albanese. In accordance with C.P.L. § 60.35, the statements are contradictory and both Schwabenbauer and Albanese are impeached;

*C.P.L. § 60.35 (1); When, upon examination by the party who called him, a witness in a criminal proceeding gives testimony upon a material issue of the case which tends to disprove the position of such party, such party may introduce evidence that such witness has previously made either a written statement signed by him or an oral statement under oath contradictory to such testimony.*

What is more amazing is what Albanese would state, under the same penalty of law, that it was Bryan H Schwabenbauer who read the refusal warnings to the alleged 'defendant' at 05:20 or 02:20, 05:25 or 02:25 and 05:30 or 0:230, yes that's right, the paper that Albanese would cite as to the times read, so that the "5" was written over by a "2", what a convenient "inconsistency". So what time was it? 2 or 5? Also, notice how he must of had a stop watch and waited exactly 5 minutes between each alleged demand?

## **Cat County Corruption**

~~Cattaraugus County, New York State Corruption & the Powers of the NYS Jury & Grand Jury System~~

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The local court as well as the appeal to the NY DMV are now aware of these facts, how will they decide?

This is what is supposed to happen to cops who lie about things;

Cop Arrest for Lying About Random Stop;

Defense attorney David Belfield accused Deputy Cody Malkiewicz of inconsistent testimony under oath. The next day, the four-year veteran was fired, and charges involving 120 pounds of marijuana were dismissed, according to the "poisonous tree doctrine." [read more here...](#)

But not in Cat County where they can just make things up and commit perjury whenever they what!

Further, the transcript of the refusal hearing that Albanese testify at are full of so many contradictions it would make anyone's head spin.