

Appearance/Summons Ticket Versus Simplified Information/Accusatory Instrument - Top Dogs Join in on the Corruption

New York State Uniformed Traffic Ticket Packet (UTT)

Traffic Ticket (Form UTD-1.7) vs Simplified Information Charge (UTO-1.7)



Ticket goes to Motorist

Simplified Information goes to Court



Instructions to be given to motorist

Statement required to be considered a charge, i.e. simplified information, "The People of the State of New York" See CPL 1.2 (1)

Phrase "simplified information"

Form UTD-1.7

Form UTO-1.7

A = "an appearance ticket is a mere invitation to go to court and does not provide the court with jurisdiction." Weinclaw, supra, citing People v. Ashkinadze, 167 Misc 2d 80 (Crim. Ct. 1995).

CPL 1.2 (25) "Appearance ticket" means a written notice issued by a public servant, more fully defined in section 150.10, requiring a person to appear before a local criminal court in connection with an accusatory instrument to be filed against him therein.

CPL 150.10 When an appearance ticket as defined in subdivision one of this section is issued to a person in conjunction with an offense charged in a simplified information, said appearance ticket shall contain the language, set forth in subdivision four of section 100.25, notifying the defendant of his right to receive a supporting deposition.

CPL 100.25 Notwithstanding any provision of law to the contrary, where a person is charged by a simplified information and is served with an appearance ticket as defined in section 150.10, such appearance ticket shall contain the following language: **"NOTICE: YOU ARE ENTITLED TO RECEIVE A SUPPORTING DEPOSITION FURTHER EXPLAINING THE CHARGES PROVIDED YOU REQUEST SUCH SUPPORTING DEPOSITION WITHIN THIRTY DAYS FROM THE DATE YOU ARE DIRECTED TO APPEAR IN COURT AS SET FORTH ON THIS APPEARANCE TICKET. DO YOU REQUEST A SUPPORTING DEPOSITION?**
 {} YES
 {} NO"

CPL 1.2 (1) "Accusatory instrument" means an indictment, an indictment ordered reduced pursuant to subdivision one-a of section 210.20 of this chapter, an information, a simplified information, a prosecutor's information, a superior court information, a misdemeanor complaint or a felony complaint. Every accusatory instrument, regardless of the person designated therein as accuser, constitutes an accusation on behalf of the state as plaintiff and must be entitled **"the people of the state of New York"** against a designated person, known as the defendant.

The People cannot be ready if their accusatory is invalid, for the defendant [alleged] may not be tried on an invalid accusatory (People v McCummings, 203 AD2d 656 [3d Dept 1994]; People v Walsh, 17 Misc3d 480 [Crim Ct 2007]).

"[w]ant of jurisdiction is a basic defect, it may be raised at any time and can never be waived." People v. Nicometi, at 431, 240 N.Y.S.2d 589, 191 N.E.2d 79

"A valid and sufficient accusatory instrument is a nonwaivable jurisdictional prerequisite to a criminal prosecution" (People v. Dreyden, 15 NY3d 100, 103 [2010], citing People v. Case, 42 N.Y.2d 98, 99 [1977]; People v. Hansen, 95 N.Y.2d 227, 230 [2000])."

"It is indisputable that the simplified traffic information must be verified" People v Radak 52 Misc.2d 300 (1966)

Cat County Corruption

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

We decided to breakdown and show you the finer aspects of how easy it is to identify an Appearance Ticket versus a Simplified Traffic Information you you can see how desperate the Cattaraugus County Criminal Cabal really is in shutting down the truth and ignoring the law. Just to show you how corrupt the whole justice system is in Cattaraugus County New York, other officers of the court i.e. the top dogs in the county, are joining in to help support the criminal activity of Rieman and the rest of her crew. Another already completed article awaits their culpability. This is a simple easy to understand infographic that will show you how easy it is to spot the difference.

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The Criminal Lori Reiman and her criminal cabal are attempting to use a appearance ticket (E-Ticket, Form UTD-1.7(4/12)) as the charge. The law is clear a traffic ticket is nothing more then an invitation to appear in court and does not in any manner give jurisdiction to the court; **"an appearance ticket is a mere invitation to go to court and does not provide the court with jurisdiction."** Weinclaw, supra, citing People v. Ashkinadze, 167 Misc 2d 80 (Crim. Ct. 1995). In [our other article](#) we discussed in detail the criminal conduct that Rieman and her gang committed when it came to them attempting to pass-off the traffic tickets as simplified informations.

Don't believe us? Here are a couple of links of New York Attorney's who state the same thing;

- [Link 1](#)
- [Link 2](#)
- [Link 3](#)

And there are many more where that came from.

There are a number of unique factors that for each document that completely blows Rieman's lies right out of the water. It is specific phrases/paragraph appear in one or the other, but not both. That is how easy it is to determine which one is what.

The already completed and scheduled article will lay bare the with names and their positions and how they are involved and what their responsibility actually are.

An appearance ticket is not an accusatory instrument. ? C.P.L. 1.20 [1]. ?It is simply "a written notice issued by a public servant ? requiring a defendant to appear before a local criminal court in connection with an accusatory instrument to be filed against him therein." ? C.P.L. 1.20(26). ? See also C.P.L. 150.10(1). ? It is "an invitation to appear," People v. Byfield, 131 Misc.2d 884, 885, 502 N.Y.S.2d 346 (Crim.Ct.N.Y.Co.1986), its purpose being to provide notice of the time and place an accusatory instrument will be filed against the defendant; ?enable him to appear voluntarily in a noncustodial setting; ?and spare him the trauma, embarrassment, and inconvenience attendant to a formal arrest. ?People v. DiLorenzo, 149 Misc.2d at 794-95, 566 N.Y.S.2d 458; ?People v. Gross, 148 Misc.2d at 239-40, 560 N.Y.S.2d 227.

The Criminal Court's Jurisdiction

Service of an appearance ticket on an accused does not confer personal or **subject matter jurisdiction upon a criminal court.** ? People v. Byfield, 131 Misc.2d at 885, 502 N.Y.S.2d 346; ?People v. MacFarlene Co., 130 Misc.2d 70, 71, 494 N.Y.S.2d 826 (Crim.Ct.N.Y.Co.1985); ?People v. Gross, 148 Misc.2d at 239-40, 560 N.Y.S.2d 227. ? Unlike their civil counterparts, criminal courts acquire personal jurisdiction over defendants by their appearance in court and arraignment on an accusatory instrument, which commences the criminal action. ? C.P.L. 1.20(16) and (17); ?People v. Grant, 16 N.Y.2d 722, 723, 262 N.Y.S.2d 106, 209 N.E.2d 723 (1965), cert. denied, 382 U.S. 975, 86 S.Ct. 541, 15 L.Ed.2d 466 (1966).

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SUPPORTING DEPOSITION? { } YES { } NO"

[CPL § 150.10](#) Appearance ticket; definition, form and content.

1. An appearance ticket is a written notice issued and subscribed by a police officer or other public servant authorized by state law or local law enacted pursuant to the provisions of the municipal home rule law to issue the same, directing a designated person to appear in a designated local criminal court at a designated future time in connection with his alleged commission of a designated offense. A notice conforming to such definition constitutes an appearance ticket regardless of whether it is referred to in some other provision of law as a summons or by any other name or title.
2. When an appearance ticket as defined in subdivision one of this section is issued to a person in conjunction with an offense charged in a simplified information, said appearance ticket shall contain the language, set forth in subdivision four of section [100.25](#), notifying the defendant of his right to receive a supporting deposition.

[CPL § 100.25](#) [4] 4. Notwithstanding any provision of law to the contrary, where a person is charged by a simplified information and is served with an appearance ticket as defined in section 150.10, **such appearance ticket shall contain the following language: "NOTICE: YOU ARE ENTITLED TO RECEIVE A SUPPORTING DEPOSITION FURTHER EXPLAINING THE CHARGES PROVIDED YOU REQUEST SUCH SUPPORTING DEPOSITION WITHIN THIRTY DAYS FROM THE DATE YOU ARE DIRECTED TO APPEAR IN COURT AS SET FORTH ON THIS APPEARANCE TICKET. DO YOU REQUEST A SUPPORTING DEPOSITION? { } YES { } NO"**

[CPL § 150.50](#) Appearance ticket; filing a local criminal court accusatory instrument; dismissal of insufficient instrument.

1. **A police officer or other public servant who has issued and served an appearance ticket must, at or before the time such appearance ticket is returnable, file or cause to be filed with the local criminal court in which it is returnable a local criminal court accusatory instrument charging the person named in such appearance ticket with the offense specified therein.** Nothing herein contained shall authorize the use of a simplified information when not authorized by law.
2. **If such accusatory instrument is not sufficient on its face, as prescribed in section 100.40, and if the court is satisfied that on the basis of the available facts or evidence it would be impossible to draw and file an accusatory instrument which is sufficient on its face, it must dismiss such accusatory instrument.**

...and anyone claiming that a appearance ticket is an accusatory instrument is committing [fraud upon the court](#). Here is another [good reference](#).

Stay tuned...