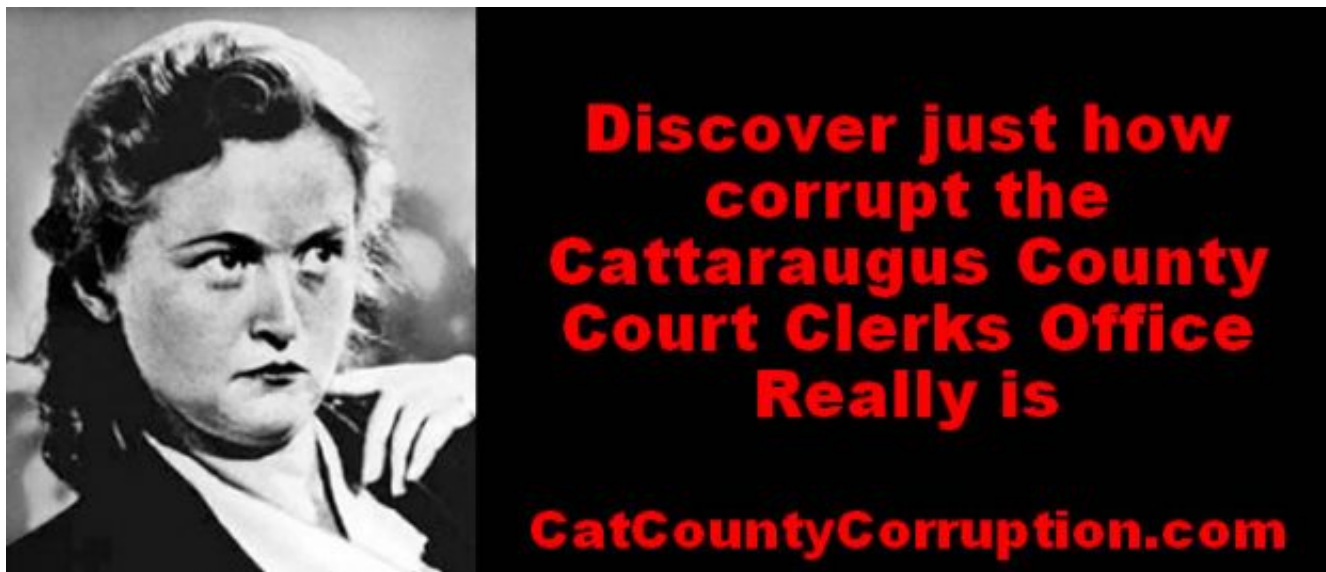


Cattaraugus County Court Clerks Office - A Den of Lairs and Criminals



Recently a Pro Se litigant who has uncovered vast corruption in the Cattaraugus County District Attorneys Office concerning bogus charges filed against him, the type of conduct that has led to a [4 million dollar lawsuit which names Rieman & the County](#) as the Defendants, which was caused in part by [William Preston Marshall](#) (AKA Baby Face Finster) has recently documented more criminal activity in the county, by the county court clerks office. **It appears as if there is a competition between the District Attorney's Office and the County Court Clerks Office to see which one can outdo the other in committing more crimes.** Specifically Verna Dry, Jillian Koch and Jane St John. Their latest conduct will cause more lawsuit issues and more burden on the taxpayers of this County... Their latest escapades is one for the history books...



Please note, there are other departments within the court clerks office which are separate in duty from these questionable characters which appear to be abiding by the law. in other words they are doing their jobs within the law and following the law. However that can't be said for Koch, Dry or St John. In late June the Pro Se litigant had filed a Article 78 Motion to prohibit the criminal Lori Rieman from prosecuting the alleged charges filed in the Pro Se matter. We have already covered the fact that three of the charges were [never signed/verified in the time allowed and therefore had to be dismissed and the fourth charge](#), the only one that was signed was an alleged charge of ["Obstruction of Government Administration 2nd" for remaining silent.](#)

You remember Verna, she is the Court Clerk of Cattaraugus County and the Jury Commissioner (who gets to pick the jury). She is the person who now claims it is [illegal to videotape the contents of your own files](#) so you can document what was in it an when in order to ensure they were not tampered with.

The Pro Se filed the Article 78 to shut Rieman and other down from moving forward with their criminal conduct. An article 78 combines three of the ancient writs;

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- [Writ of Mandamus](#) which orders a public officer to do something
- [Writ of Prohibition](#) which orders a public officer not to do something
- [Writ of Certiorari](#) which requires the lower court to deliver up the case so it can , in effect try the case in a higher court.

The Pro Se matter was dealing with all three. The Pro Se filed in late June the following;

- Order to Show Cause
- Affidavit/Petition in support of order to Show Cause
- Temporary Restraining Order (TRO) against Rieman with Notice

The Pro Se would file more documents when he discovered that the lower court had acted on the lie of William Preston Marshall, he would file a emergency notice as to what slick willy was up to.

In an article 78 proceeding you can commence a case by an Order to Show Cause (OSC) or a Notice of Petition. If you need a quick response from the court the Order to Show Cause is the way to go. If you have time, then a Petition is the way to go. Once you file a OSC the judge signs it. If he does not sign it then you can proceed with a Notice of Motion. You file the original Notice in the County Clerks Office and a copy in the County Court Clerks Office. At least that is how it is supposed to work, except this is Cattaraugus County New York, where the rule of law, reason and integrity are on permanent vacation.

In an apparent attempt to get the criminal of the month award, the county court clerks office would attempt to deny the Pro Se litigant his [right to petition](#) pursuant to the 1st Amendment to the US Constitution and the state of New York. Soon after the Pro Se filed his OSC, it was refused, however It was not denied. When a judicial officer refuses to sign an Order to Show Cause (OSC), it is an exercise of discretion which is not subject to review by mandamus in an Article 78 proceeding (see *Greenhaus v Milano*, 242 AD2d 383, 661 NYS2d 664 [2d Dept 1997]).

What was strange about this alleged denial was the fact that Jane St John asked the pro Se litigant to come and pick up the OSC, which he felt did not make sense. So sensing the criminals were indeed attempting to win the criminal of the month award, the pro se went down to the court. he brought along with him the Notice of Petition to proceed on that. when a OSC is denied a party can then proceed on a Notice of Petition. A OSC requires a judges signature, a notice of petition does not. In other words, if you start a Article 78 with a notice of petition it has to be heard.

When the Pro-Se arrived at the County Court he filed the originals with the County Clerks office, which is downstairs. He then went upstairs to file the copies with the County Court Clerks Office. Jillian Koch came to the counter with a handful of papers, not just the OSC, but the other proposed orders (4 in all) and the emergency notice (which detailed the criminal activity of Koch).

The Pro Se attempted file the Notice of Petition and Jillian claimed he could not because the court lacked jurisdiction because the orders were refused. However it was already file downstairs, with the county, but dear old Jillian would go on and state that an article 78 can only be used after the lower court had the trial in the matter. This is the biggest lie yet. here she started to show her psychopathic tendencies. The law is clear an Article 78 can be used before an action is to occur and the Pro Se was on point with this one;

"A petition in an Article 78 proceeding to restrain a district attorney and several county judges from continuing with the prosecution and hearing of a criminal action, see *Simonson v Cahn* (1970) 27 NY2d 1, 313 NYS2d 97, 261 NE2d 246 see also *Hongisto v Mercure* (1979, 3d Dept) 72 App Div 2d 850, 421 NYS2d 690. *LaRocca v. Lane*, 37 N.Y.2d 575, 338 N.E.2d 606, 376 N.Y.S.2d 93 (1975), petition for cert. filed, 44 U.S.L.W. 3429 (U.S. Jan. 19, 1976) (No. 75-1025), citing *Wolfram, The "Ancient and Just" Writ of Prohibition in New York*, 52 COLUM. L. RE v. 334 (1952) [hereinafter cited as

The Court of Appeals held in *Matter of Nicholson v. State Commission on Judicial Conduct*, 50 N.Y2d 597 (1980), prohibition is an extraordinary remedy that is available **"when the body or officer acts or threatens to act without jurisdiction in a matter over which it has no power over the subject matter or where it exceeds its authorized powers in a proceeding over which its jurisdiction"** see also *Matter of Dondi v. Jones* 40 NY2d 8, 13 (1976); *Matter Van Wie v. Kirk* 224 AD2d 13, 24 (4th Dept 1998); *Spargo v. New York Commission on Judicial Conduct, et.al.*, 23 AD3d 808 (3rd Dept.2005) . As the record clearly shows all respondents were without or in excess of Jurisdiction.

Mandamus to compel is available to compel a public official to perform a duty enjoined by law, where there is a "clear legal right" to the relief requested. *Klostermann v. Cuomo*, 61 N.Y.2d 525 (1984), *Mtr. of DiBlasio v. Novello*, 28 A.D.3d 339 (1st Dep't 2006)

Further, the right to an article 78 2 was covered in excruciating detail in the verified complaint that is still on file.

When that did not work Jane St John would chime in and state that because the Pro Se did not follow procedure that is why the orders were refused. Well sorry Jane, but the law is clear on that one to;

Due process protects the right to self-representation from arbitrary denial. It ensures a pro se litigant's claim will be heard despite a litigant's potential lack of familiarity with procedure (*Haines v. Kerner*, 92 S. Ct. 594, 596 (1972)).

So the Pro Se simply asked Jane what procedure the Pro Se was allegedly not following that would have allowed for the judge to supposedly refuse the orders.

Her answer....

"We can't tell you that because that would be providing you legal advice." What a JOKE!

Are you laughing yet? it appears that they are really wanting the criminal of the month award.

Plain and simple, it is not a matter of "providing legal advice", it is a matter of what authority does the judge of the court, or the court clerk claim they are acting under that would allow them to refuse said orders. If the clerk and/or the judge cannot provide the law then any reasonable person would conclude that it does not exist. This would be very similar to the fantasy "Omnibus Motion Rule of Article 55" that "ADA" Elizabeth Ensell filed in the underlying matter which was a complete lie, a law that does not exist.

Jillian would chime right in and stick by this bogus claim. Hey Jillian what about your claim that Article 78's can only be used after the lower court rules? That sure sounds like legal advice to me, and some pretty poor advise at that. Whoever you are going to for advise I suggest they actually spend some time on the subject because it is clear they do not understand it.

The Pro Se was getting a little upset, so he asked Jillian to place in writing everything she just said, which of course she refused, I wonder if she understands the liability she just created for the county as well as herself. The Pro Se took the papers that were forced upon him and left.

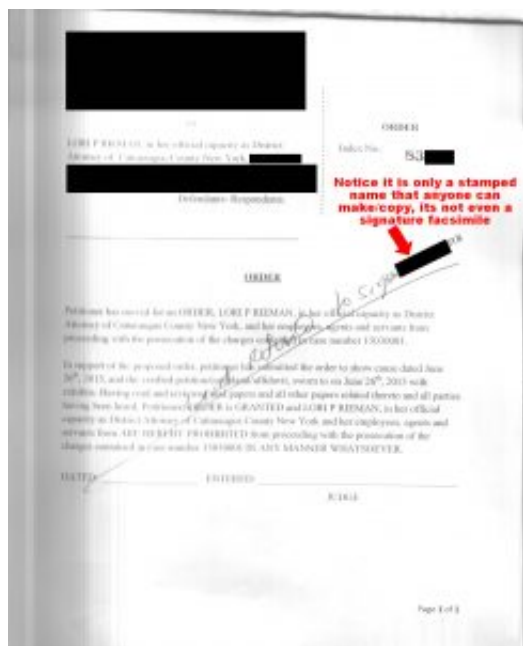
So what are these criminals attempting to do?

It appears that they are attempting to make it appear as if the Pro Se failed to file in the court the proper

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paperwork so it can be dismissed.



One has to wonder if the judges law clerk, or even the judge knows about this. After all it was not even signed by the judge, it is not even a stamped facsimile of his signature that appears on the refused orders.

it appears as if Verna, Jillian and Jane are fitting the same Psychopathic profiles as the ADA's and DA of Cattaraugus County.

Just like the DA's office, **there appears in the Court Clerks Office a deep rooted, systematic pattern and practice that exists across many years, that has caused, and will cause in the future extreme levels of liability for the taxpayers of the county because of their failure and/or refusal to properly train and discipline their subordinates, this includes the county and their failure to hire mentally stable employees. Just like Rieman's office it appears as if the Court Clerks office encourages this type of conduct and take pleasure in doing so, which is a sign of a sadistic nature in them.**

Cat County is rated the 3rd poorest in the state, maybe with more conduct of this nature it will reach number one. Not something to be happy about.

“Psychopaths are unable to form emotional attachments or feel real [empathy](#) with others, although they often have disarming or even charming personalities. Psychopaths are very manipulative and can easily gain people’s trust. They learn to mimic emotions, despite their inability to actually feel them, and will appear normal to unsuspecting people... When committing crimes, psychopaths carefully plan out every detail in advance and often have contingency plans in place. Unlike their sociopathic counterparts, psychopathic criminals are cool, calm, and meticulous.” – [Psychology Today](#)

VERA DRY, JANE ST. JOHN and JILLIAN KOCH NEED TO BE REMOVED FROM THEIR POSITIONS BEFORE THEY CAUSE MORE LAWSUITS