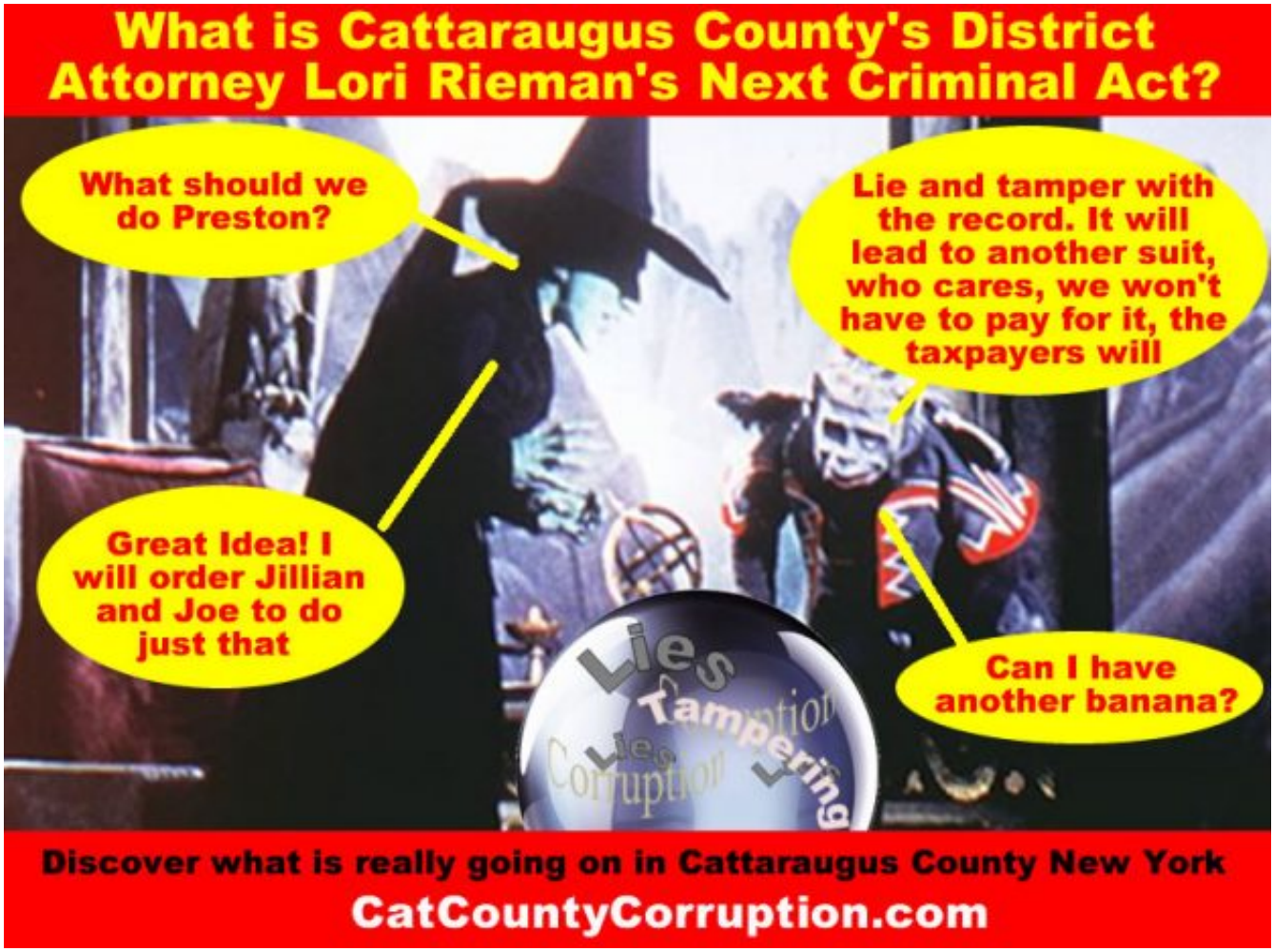
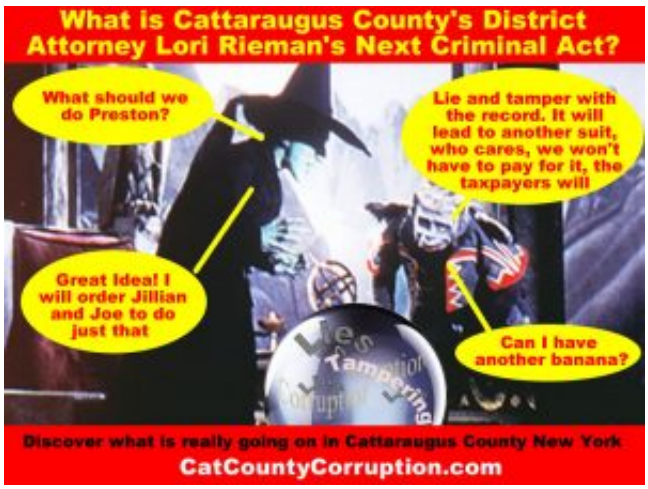
Cat County DA Lori Rieman Attempts to Commit Fraud Upon the Supreme Court



In the ongoing saga of a Pro-Se who is exposing vast amounts of corruption in the Cattaraugus County District Attorney's desperate act of filing fraudulent documents in a civil case (claiming they are one thing when actually they are another) and Court Clerks office gets right in on it too... further proof of just how corrupt some of the the courts are in Cattaraugus County New York...



In order to determine the criminal Reiman's and her cabal cohorts next moves we have to look at the irrefutable evidence the Pro-Se has in his matter and the conduct of the Criminally oriented ADA's (Balcom, Ensell and Marshall) as well as the Judges involved in the matter.

The first judge was the only judge who was honest in this whole matter, however he voluntary recused himself. The second Judge, while he was yelling and screaming at the Pro-Se the only time he was at that court in front of that judge, did recuse himself voluntarily from the matter also. So it appears he knew something was wrong with the case also but did not want to go against the criminal Lori Rieman and her criminal cabal. History was also made at this court. The other judge who the case was not even in front of recused herself from the matter. You can't recuse yourself from matter that the matter is not even in front of you. It appears she was up to something and she was worried about being caught so she bailed. This appears to be a first in the history of New York State.

Now onto the fourth judge in the matter. In the town of Little Valley, New York, where the case was illegally transfer by the county court. That is a subject of another already completed article.

This may also concern possible tampering with electronic court public records which could have serious ramifications across the entire state. That is the subject of another already complete article.

Here is a video that was taken before the matter was moved, however it focused on the answer from "ADA" Ensell that she claimed the Pro-Se could not file anymore motions pursuant *"Omnibus Motion Rule of Article 55 of the Criminal Procedure Law"* a law that does not exist and is a complete lie by Ensell, so when the unverified/unsigned simplified informations appear in the video they will only appear briefly...

Lets just touch on that matter of the illegality and what County Court Judge Ronald Ploetz did. He moved it from a court it was not in to a court that it was supposed to be in.

The Pro-Se had only filed only one motion in the matter that was transferred from the Original court to the the Town of Machias Court, then on to the Little Valley Town Court, however the 'order' of the county court ordered that it be transferred from the original Court to the Little Valley Court. You can't move a case from a court it is not in to a court it is supposed to be in. PERIOD. YET IN MYSTERIOUSLY APPEARS IN THE LITTLE VALLEY COURT

This is just a small example of the criminal collusion between the County Court, the Little Valley Town Court and Rieman as well as others in an attempt to cover up the crimes they have committed and are committing against the Pro-Se defendant and others.

But that is the subject of another article on County Court Corruption. Further Reiman and the court conspired and moved it well after the time limit had run out. Rieman was only allowed 45 days to move it, instead she took 60 days. The Pro-Se brought this to the attention of Ploetz numerous time and he just ignored it. Can you say conspiracy?

Further you will notice that the bogus order of January 26th, 2015 and filed on February 13th, 2015 states that the "Court upon reading the affidavit of the Cattaraugus County district attorney and the defendant being heard..." This is a total lie by the court, by and through County Judge Ronald Ploetz. What was heard that day was the Pro-Se's Motion to Reargue/Renew not Riemans bogus motion of October 30th, 2014.

CPL §170.15(3) is what governs the time limits for moving a case, however it is CPL §255.20 that provides for the time limits, which mandates that such motions fall within the 45 day time limit [People v. Greenberg 89 N.Y.2d 553 (1997); 678 N.E.2d 878; 656 N.Y.S.2d 192.];

CPL §170.15(3): "At any time within the period provided by section 255.20,…"

CPL §255.20: "Except as otherwise expressly provided by law, whether the defendant is represented by counsel or elects to proceed pro-se, all pre-trial motions shall be served or filed within forty-five days after arraignment and before commencement of trial, or within such additional time as the court may fix upon application of the defendant made prior to entry of judgment."

As you can see both orders clearly show the name of the original village court. Gee... can you say conspiracy?

It is not necessary to prove a conspiracy before evidence of specific acts of the alleged conspirators can be received. The conspiracy itself can be established by evidence of particular acts, which, taken together, furnish a basis for a finding that a conspiracy exists [People v. Connolly & Seely, 253 N.Y. 330; 171 N.E. 393; 1930 citing People v. Miles, 123 App. Div. 862, 875; affd., 192 N. Y. 541].

There is no judicial immunity for judges who conspire PERIOD, see DENNIS v. SPARKS, 449 U.S. 24 (1980);

"The action against... the private parties accused of conspiring with the judge is not subject to dismissal. Private persons, jointly engaged with state officials in a challenged action, are acting "under color" of law for purposes of 1983 actions." DENNIS v. SPARKS, 449 U.S. 24 (1980)

It is becoming very apparent that all aspects of the DA/county court system engage in a coordinated effort to cover up illegal activity by intentional confusion/misdirection. In the Pro-Se's case they are making it appear as if they don't fully understand what he is asking for in court so they can appear confused and misdirected and then use that tactic to confuse and misdirect the Pro-Se's and make it appear as if it is the Pro-Se's fault, when in fact it is theirs...

The Pro-Se showed up involuntary at the first action on April 8th, 2015 and stated many times that the simplified informations were not verified, i.e. signed by anyone. The Judge refused to even look at them. At the second action the Judge was actually holding them in his hand when the Pro-se stated again and again that they were not signed. Dry completely ignored him.

Further because Verna Dry, who is also the chief court clerk of Cattaraugus County claimed it was illegal to document what is in your file the Pro-Se wanted to have some sort of document from some sort of 'official' that detailed everything that was in the file. This would help ensure that the file was not tampered with. Now you would think that any honest public official would have no problem supplying the Pro-Se with some sort of evidence of what is in his file.

So the Pro-Se asked the town court clerk, Jillian Koch, who also works for Verna Dry at the county level, for a letter detailing what was in the file. He even reviewed the file and described each document in the file and provided Koch with a copy of it to make it easier for her to review and compare. Jillian originally stated she would get right to it and have the letter to the Pro-Se ASAP. Weeks went by, nothing. The Next thing

you know the Pro-Se gets a letter in the mail from the Judge stating the Jillian did not have to supply the Pro-Se with a document of what was in the file. The judge just violated the rules of professional conduct by doing this. It is not allowed and the judge is subject to discipline by the Commission on Judicial Conduct (See 22 NYCRR 100.3 (B) (6);

(6) A judge shall accord to every person who has a legal interest in a proceeding, or that person's lawyer, the right to be heard according to law. ***A judge shall not initiate, permit, or consider ex parte communications, or consider other communications made to the judge outside the presence of the parties or their lawyers concerning a pending or impending proceeding,*** *except:*

(a) Ex parte communications that are made for scheduling or administrative purposes and that do not affect a substantial right of any party are authorized, provided the judge reasonably believes that no party will gain a procedural or tactical advantage as a result of the ex parte communication, and the judge, insofar as practical and appropriate, makes provision for prompt notification of other parties or their lawyers of the substance of the ex parte communication and allows an opportunity to respond.

Gee Jillian, if you are so honest and want to ensure the public record has not been tampered with you would have no problem with providing a letter detailing the contents of the file, would you? You would never tamper with the record would you, after all that is only up to a 20 year prison sentence.

Let see, was the "substantial right" of the Pro-Se effected? Anyone can go down to the court house and get a copy of what was filed in there case, except at the court clerks office where they routinely tamper with the public record. Is it any wonder why the Cattaraugus County Court criminal files are not on the New York State electronic filing system, unlike the majority of the rest of the state? Of course the PRo-Se's rights were greatly effected. The Judge as well as the court clerk does not want to document what is in the file so they have no problem tampering with it.

After the first review of the record, the Pro-Se went back and discovered additional papers that were not in their before, about 20 to be exact. A reasonable person could understand that you could miss maybe a couple, but twenty? No, there is no tampering there, no, nothing at all, move along, move along...

When Verna Dry claimed it was now illegal to videotape the court file to document what is in them the Pro-Se after discovering the fact the the criminal Lori Rieman failed and/or refused to file an affidavit of service concerning the illegal motion to change venue, the Pro-Se asked for a letter from the county court clerk stating that she had reviewed the files and could not find any Affidavit of Service. The clerk did just that. She provided the Pro-Se with a letter stating as such.

See, in law, a judge cannot even look at or consider a complaint, motion, etc... until their is proof that it has been served on the opposing party and that they have a reasonable time to respond. Its called due process. BUT NOT IN CAT COUNTY! They do what ever they want, the law be damned.

The Pro-Se has now asked Jillian for a letter stating that the simplified traffic informations are not verified, *i.e. signed.* Do you thing that Jillian will provide the Pro-Se with just such a letter?

So what are they up to?

It is pretty simple to guess their possible next move. Jillian and the rest of the criminal cabal will switch the original unverified simplified traffic informations out with ones that are verified.

This will play perfectly into there overall scheme. They will then be able to say that the Pro-Se is

delusional, that they were signed right from the beginning. It will also allow them to proceed with a rigged trail (that already occurred in another matter which caused a 4 million dollar lawsuit**).**

The Pro-se has made numerous videos at the original court (ones with time stamps to) and copies of the unsigned simplified traffic informations as well as viewed them with other witnesses.

Here are pictures of the simplified traffic informations taken at the original court in the December of 2014. You will notice that these copies are reduced in size. Court Clerks are required to make copies of the originals before they send the originals to the court the case was moved to.

Picture of Simplified Information Number 1 Taken at the Original Court

Picture of Simplified Information Number 2 Taken at the Original Court

Picture of Simplified Information Number 3 Taken at the Original Court

When the Pro-Se inquired on why they were reduce the clerk responded that other copies she was required to make were over the standard 8" x 12" copier paper size so she had to reduce the other copies and the clerk had just left it on that setting thereafter. This is an important timeline event because it forever lock's the copies in time at that specific reduced size.

So if the simplified traffic informations mysteriously show up signed, who would have had access to the computer system and how high up does it go?

Rieman's Attempted Fraud

Here is one of the tricks a corrupt DA will play on you. They will claim that the appearance ticket UTT part 1 (form UTD 1.7 ; 15 CRR-NY 91.7 (a)), is the actual simplified traffic information. IT IS NOT. UTT part 2 (UTO-1.7; 15 CRR-NY 91.7 (b)) IS THE SIMPLIFIED TRAFFIC INFORMATION THAT IS REQUIRED TO BE FILED IN THE COURT 15 CRR-NY 91.7 (b) and most defendants and some lawyers fall for it too.

15 CRR-NY 91.7 (b) (1);

"Part II; of the packet is the simplified traffic information, ***and after having been verified, i.e. signed, or affirmed by the officer is delivered to the court in which the alleged violator is notified to appear.****"*

We will show you the difference. This is a simplified information, a UTT (uniform traffic ticket) part 2 (15 CRR-NY 91.7 (b)) (Form UTO-1.7);

CPL § 1.20(1) shows that a simplified information is an accusatory instrument;

"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."*

STUDY IT, KNOW IT AND UNDERSTAND THE DIFFERENCE.

This is a appearance ticket simplified information, UTT (uniform traffic ticket) part 1 (15 CRR-NY 91.7 (a) (Form UTD-1.7) that was found in a certified copy of exhibit A of Rieman's response. This is the fraud/crime she committed upon the Supreme Court. She is attempting to pass the tickets off for simplified informations.

On a appearance ticket (part 1 UTD-1.7) you will have a notice to appear and the ability to plead out. You don't have that on a simplified traffic information.

It is well settled that an appearance ticket is not an accusatory instrument and its filing does not confer jurisdiction over the [alleged] defendant. People v. Horner, 176 Misc 2d 93(App. Term 1998) citing People v. Cooperman, N.Y.L.J., Jan. 17, 1989, at 26, col 4 (App. Term, 9th & 10th Jud. Dists.); People v. Gregory, N.Y.L.J., Dec. 5, 1991, at 30, col 2 (App. Term, 9th & 10th Jud. Dists).

On August 4th, 2015 the Pro Se asked for a letter from Jillian Koch that she had reviewed the files and could not find any signed/verified simplified informations, in legal terms that would be UTT part 2, see also 15 CRR-NY 91.7 (b). She provided me with a letter with the alleged documents attached to it. Where they the correct documents? Of could not, they were the UTT part 1's (15 CRR-NY 91.7 (a)), not the UTT part 2's (15 CRR-NY 91.7 (b)), So Jillian is still up to her old criminal tricks.

Why does the Criminal Rieman think she can get away with it?

its a little thing called qualified immunity that a corrupt District Attorney has no problem taking unlawful and illegal advantage of in order to commit crimes against citizens, whether guilty or not. Rieman is a pro at it.She in Rieman's demented mind she thinks she has absolute immunity and can do anything she wishes, including committing crimes against. In an 'advocate' role she does, but how far can an 'advocate' role go? Does it include threatening other public officials to conspire to commit crimes against citizens? If it does then Imbler v. Pachtman decision will have to be looked at again, however fraud is fraud and no DA has absolute immunity when they use their 'advocate' position to commit crimes. Has any lawyer or firm used this approach in federal 1083 lawsuits against corrupt DA's?

However there is another issue in which DA lose their 'advocate' immunity. It is when they change their roles from advocate to 'investigative'. it becomes personal and thereby the DA role is no longer an advocate, it is personal in nature and they can be personally sued in federal court for their conduct if it is criminal in nature, which it appears that is all Rieman is good at. In the Pro-Se's case she took more then a 'advocate' role in the matter at least twice;

1. She is the one that move the matter from the original court to the Town Court of Machias well after

the statutes allowed. That story is covered in this article with the move from the original court to the Machias court, which were in violation of CPL §170.15(3) and CPL §255.20.

2. She is the one that personally created and filed the answer to the Pro-Se's Article 78 proceeding in which she has attempted to pass off the alleged signed tickets as the simplified informations, which is an attempted fraud/crime upon the court and the Petitioner Pro-Se. This is the other time she took a personal role in the matter

In other words, she does not have immunity for her personal criminal acts.

The Pro-se summed it up best when he testified at the state panel on attorney grievance committee ineffectiveness when he described the criminal conduct of Rieman.

He quoted James I. Meyerson, an attorney for the Staten Island Branch of the NAACP, who wrote in a recent article 78 proceeding, that there was a “disturbing proposition” that a district attorney was ;

'"“free to do almost anything—maybe everything—with impunity and without review or oversight of that attorney’s conduct except the prosecutor-attorney’s own self-oversight.”

This thought is a prime example of a conflict of interest and why people no longer trust the system.

This statement was made against the 2nd, 11th and 13th judicial district committees concerning the Eric Gardner matter. These committees claimed it was not the proper forum to raise issues of misconduct."