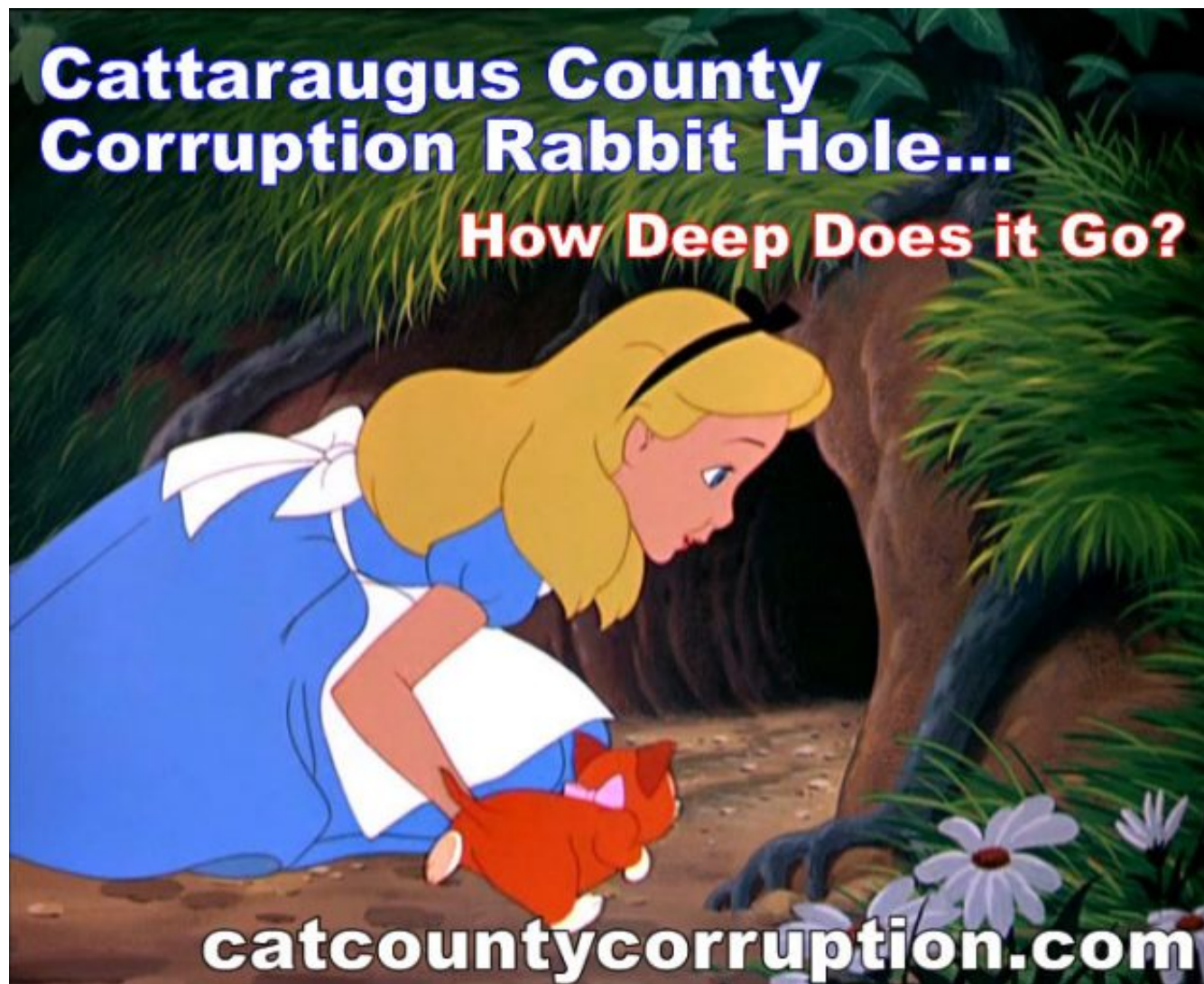


Jurisdiction versus Venue - The Crimes the Corrupt Courts of Cattaraugus County Play



Another historical first! Only in Catt county! Two recent court 'actions' clearly document how corrupt the courts are here in the county, In one case the judge attempted to trick a Pro-Se litigant into thinking that he needed to be arraigned again to acquire "jurisdiction" over him because the cases were transferred. In the other the judge didn't even bother to take a plea, and guess what, that means the court never had jurisdiction so it could not do anything. So far the Court's own words/paperwork shows the Pro-Se has been arraigned 3 times, another historical first in the State of New York. This is just one of the many tricks the Criminally Corrupt Courts of Cattaraugus County, New York engage in to deny you, the citizens of your rights, either by tricking you into waving them or outright illegal denial. It would be funny if it wasn't so serious...

...and the corruption & crimes end up costing their targeted victims their homes, and very lives.



In a illegal proceeding that took place in the Machias, New York Town Court in the early part of December, 2014, that started on the [perjured motion of Cattaraugus County "District Attorney" Lori Rieman](#), the pro-se litigant received a notice from Machias Town Court that he was going to be re-arraigned on the same charges again based on the perjured statements of [Matthew Albanese](#). Once you are arraigned on statewide charges, the courts assumes it has jurisdiction no matter where it is located in the state,

Ordinarily, the court does not acquire jurisdiction over a defendant in a traffic case until the defendant has been arraigned (**i.e., entered a plea in response to the charge**) see Perry, 87 NY2d at 355-356. The pleas were allegedly entered in the original location in early summer of 2014. However where the police issue an appearance ticket, alleged or otherwise, which in this matter three were issued, the period is calculated pursuant CPL 30.30[1]; CPL 100.05 from the date a defendant first appears in court (see CPL 30.30[5][b]; People v Stirrup, 91 NY2d 434 [1998]), which took place before arraignment in this matter, so there was no issues with "jurisdiction".

Further because they were 'state-wide' charges they could be tried anywhere in the state, This is location, which is also called "venue." As you can see venue and jurisdiction are two entirely different "concepts" in law;

- **Jurisdiction gives a court the authority to hear/try the cause**
- **Venue is the location in which the cause is heard**

"Jurisdiction is the power to adjudicate and is granted by Congress. . ." "[B]ut the place where the power to adjudicate is to be exercised is venue, not jurisdiction. The venue has relation to the convenience of the litigants and may be waived or laid by consent of the parties." Iselin v. La Coste, 147 F.2d 791, 795 (5th Cir. 1945).

Now that is at the federal level, lets look at what the "state" of New York has to say about it;

In People v. McLaughlin , 80 NY 2d 466 (1992) the court decided; *"Venue, as distinguished from territorial jurisdiction, refers to the proper county or place of trial, not to the power of the court to hear and determine the case (see, CPL 20.40; 20 Am Jur 2d, Courts, § 89). Thus -- unlike territorial jurisdiction which goes to the very essence of the State's power to prosecute and which may never be waived -- questions relating only to the proper place for the trial are waivable"* (id. at § 89; see, People v Lowen, 100 AD2d 518, 519; People v Ebron, 116 Misc2d 774, 777-778)."

When the Pro-Se appeared involuntary In Machias Court Judge immediately asked for Balcom to come out of her hiding spot. Can you say a scheme was in place? I knew you could... because if it was indeed

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arraignment, as the court claimed it to be, normally the District Attorney's office does not appear, especially for alleged misdemeanors. I guess they were their for something else then?

The judge in Machias would immediately asks the Pro-Se how does he plea... The Pro-Se asked why he would have to enter a a plea because he had already had given in June and the Judge claimed it was for jurisdiction.

This demand for jurisdiction confused the Pro-Se, he was wondering what these criminals were attempting to pull off. What was more confusing is the fact that the "first addition" of the transcript for this event listed the person who was representing the people as a "Ms. Falkin" and the village where the alleged crimes occurred, the original location was in as "Elkin" or Elkinville". First of all there is no "Ms. Falkin" that worked, or works for the Cattaraugus County 'DA's' Office and there appears to be no village of "Elkin" or Elkinville" that even exists in the State of New York. It is preposterous to think that the court could not get the village name right or the name of

the 'person' representing the People for the transcription service, and the name of the "ADA" who was representing the people that day, was of course Balcom, who was also assigned to the Machais Court specifically. However if you are looking at this transcript for the first time, the village of "Elkin" or Elkinville" would appear to be some sort of location in another state, or in this case another planet, so that would make it appear as if there could be jurisdictional issue at play here, wouldn't it?

Balcom would also help lay the groundwork in an attempt to make it appear as if it was coming from somewhere well outside of the county, or New York for that matter maybe even outer space. Balcom made the claim that "the People" were not involved for most of the original proceedings, making the preposterous statement. *"We weren't there for the majority of this, Your Honor. We came in at the end... That is not one of the court's that we generally cover."* They were not there for most of the proceedings, and they don't usually cover the original court this matter arose in, so if they were not there, then who was, Elvis?

The Cattaraugus County Court Judge would play right along in the conspiracy to deny the Pro-Se his rights at the motion to re-argue and renew hearing that occurred in late January, 2015, in this matter.

However, noticed how the Pro-Se understood what was going on? He understood that by the Machais Court attempted to re-arraign the Pro-se they could reset the time charged to the people so the Pro-se could not file/use a [30.30 motion](#) to have the alleged charges dismissed in their entirety, with prejudice.

In the latest event, that occurred in Little Valley, the "judge" did not even bother to take a plea yet he claimed it was an arraignment. So you must ask yourself, if the court did not take a plea, then how could it have jurisdiction? Simple, it couldn't and it could not do anything in the matter, which includes moving forward and scheduling another action. Which if it did, it would be completely illegal. What do you think Judge of the Little Valley Town Court did? That is the subject of another article...

This is just some of the many tactics the Cattaraugus County DA, the Sheriff and the Court system use in an attempt to intentionally inflict so much emotional trauma/stress on their targeted victims

in the hope that their victims give up and surrenders to their criminal activity, or runs away from it. It doesn't take much to figure out what would happen if a person runs, but then again, what individual would walk willing to their own death?

Now do you seeing how evil these people really are?

The Pro Se is not going anywhere until these criminals are brought to justice...