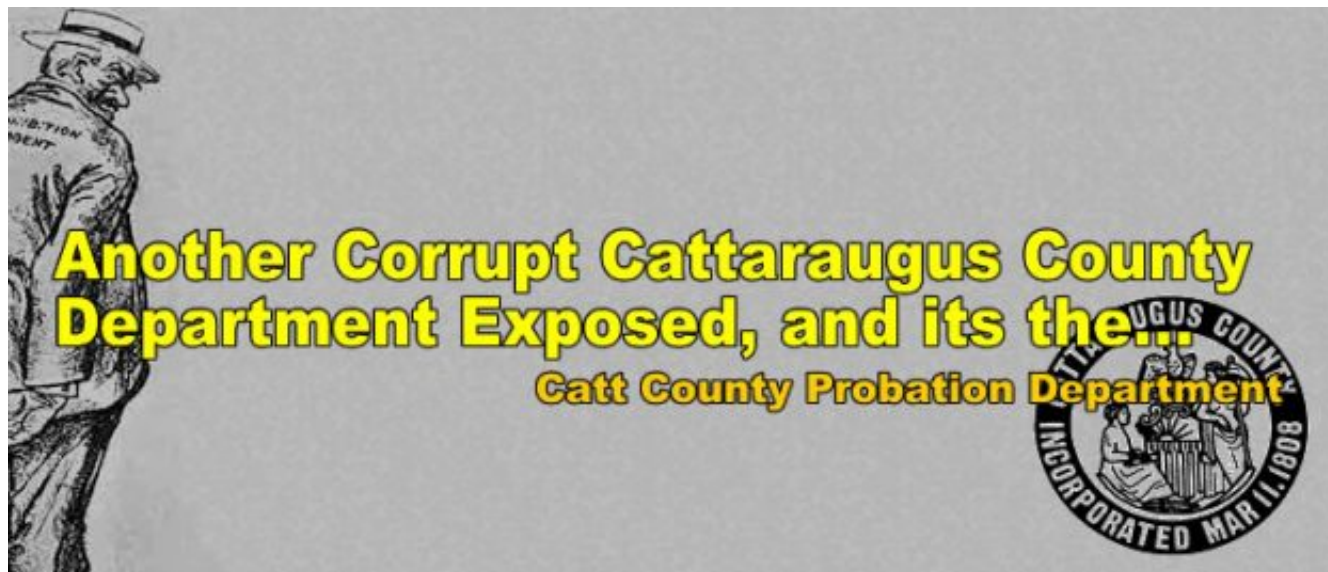
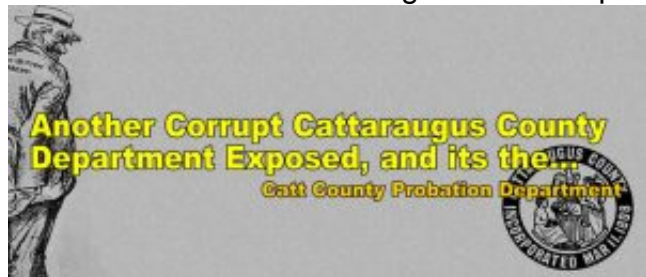


Problems Begin at the Top in the Catt County Probation Department - Gerry Zimmerman, Cover Up Artist Extraordinaire



When you are dealing with completely corrupt elements in county government, the corrupt elements in one corrupt department will always come to the aid of another corrupt element in another department in an attempt to protect and cover up their crimes. That is the definition of [RICO](#). In this case we will prove that the Head of the Cattaraugus County Probation Department, one Gerry Zimmerman, will conspire with '[DA](#)' [Lawsuit Lori Rieman](#) to cover up the crimes they have committed which has led and will lead to more lawsuits against themselves personally, their departments and Cattaraugus County that we the taxpayers will be paying higher taxes for. In this article we expose the criminal nature of the probation department and we have audio recordings to back it up that will...



prove to the listeners who is telling the truth and who is not. In conversations made in public, while in public their is [no reasonable expectations of privacy](#) and on top of that, if your tax-dollars paid for it, its a public space. Further [you have the right to document a public officer while in the performance of their duty in public spaces](#). Further, New York State is considered a '[one-party-state](#)'. You have the right to record a telephone conversation you are having with others as long as one person in the conversation is aware and approves of the recording. The person who approves and the person who is recording could be the same person, *i.e.* [one party](#). CatCountyCorruption has amassed hours upon hours of video and audio evidence of just how corrupt specific employees and their agents are. It can be easily proven with irrefutable evidence. We have distributed this evidence far and wide, including well outside of the US to ensure its survivability.

In this article we will be exposing the conduct of Gerry Zimmerman, the Department Head of the Cattaraugus County Probation. This article concerns the alleged 2nd 'amended' violation of probation that allegedly occurred on November 14th, 2012, which the victim and his lawyer were never informed of until September 2013, almost a full year after it allegedly occurred. The victim is now suing the District Attorney in her personal capacity as well as the county. **And guess who gets to flip the bill for it? We the**

taxpayers, that's who.

it starts off with Zimmerman ignoring the victims questions for 18 months, until the [article about Colin Quigly came out](#) that described how he lied to the victim, then Gerry had no problem making contact with the victim. The victim was mainly concerned about the alleged amended 2nd probation violation, the one that was never filed. This alleged 2nd violation was amended to *i.e. made part of*, the original that was thrown out because the appeal was won in the original matter. Because the second one was amended to to the first original it should have been thrown out along with the first. But it wasn't, and what Rieman did as well as the probation department could easily lead to a second lawsuit.

Once you read this article you will come to the conclusion that it appears Rieman and her cohorts are attempting to use this bogus 2nd violation to throw out the lawsuit the victim has on the [illegal conduct of Rieman and her cohort Marshall that led to the first lawsuit](#). This is more illegal conduct by Rieman and can easily lead to another lawsuit. They just don't stop. This is what happens when you corner a criminal, they will do anything, including committing illegal acts to try to get out of the corner they put themselves in, and these illegal acts just create more liability for we the taxpayers as well as our posterity. You have a duty to yourself, your family and your fellow citizens to get to the bottom of it and hold accountable those who are trying to destroy your life illegally and unlawfully so it does not happen to anyone else.

The main question the victim was seeking an answer on was; who told the adult unit supervisor of probation, one Michael Sharbaugh, that the victim had his probation revoked. [Colin Quigly](#) would be evasive with this question so the victim then followed the chain of command, right to the top. It must be noted that when a pro-se litigant who is exposing the vast corruption in the county 'appeared' for an Article 78 hearing on the criminal activity of Lori Rieman, when Rieman entered the courtroom she had an armed escort. Guess who the armed escort was? Why it was none other then Michael Sharbaugh. **Birds of a feather do flock together.**

Further. when you violate probation, the probation department is required by law to personally contact the violator, not his attorney, family member, or friend. They must contact he alleged violator pursuant to CPL § 410.70;

[S 410.70](#) (b) *Hearing on violation. (b) the defendant has had an opportunity to be heard pursuant to this section. The defendant is entitled to a hearing in accordance with this section promptly after the court has filed a declaration of delinquency or has committed him or has fixed bail pursuant to this article.*

Timeline of the Latest Criminal Activity

- **February 4th 2013:** hearing; no violation of probation or revocation is mentioned at all.
- **April 15th 2013:** hearing; no violation of probation or revocation is mentioned at all.
-

September 16th 2013: hearing; victims shows up thinking it is a hearing concerning his appeal and his lawyer does not show up, the Judge moves the hearing forward and forces the victim to act pro-se which it should have been adjourned. [Click to view the whole official court transcript here.](#) The Victim is confused as to what is happening however he does manage to get the probation department to state on the record that there was only one violation of probation. The original violation was thrown out when the appeal was won, so there should be nothing. But this is Cattaraugus County were public employees believe that the rule of law does not apply to them, all to the detriment of taxpayers.

- **December 2nd 2013:** 2nd violation of probation issue mysteriously appears at the hearing and victim is told given a choice of pleading guilty of assault of guilty 2nd violation of probation. However Ploetz conceded in May 2013 that it was 30.30 dead. The victim stood his ground and told them to pound salt, he refused to take any pleading.
- **March 6th, 2014:** In a meeting with Colin Quigly, Colin was very evasive with the question on whether or not his probation was revoked, so the victim calls Mike Sharbaugh, Quigley's boss. Sharbaugh claimed it was revoked. Then victim and a family member send proof it was not revoked.
- **March 6th, 2014:** Victim also calls Gerry Zimmermen, the head of department of probation during this time and called later and did make contact with him to discuss the matter. That was the last time the victim heard from Gerry for over 18 months.

- **March 6th, 2014:** Sharbaugh then e-mail's victim's family member and states in his e-mail that he had talked to the court and they both agreed that no revocation of probation occurred. Then Sharbaugh has the audacity to ask if the victim would like to continue his probation voluntary even after he had completed his probation, which of course the victim decline such a nice offer.
- **October 2015** that admits their is letter on April 10th, 2014 that County Judge Ploetz revoked his probation. This is a full 18 months after it was allegedly created. Looks like another fraudulent paper created ([just like this one](#)) to cover up the crimes of the Cat County RICO criminal Cabal.

Timeline Breakdown of the Audio Recording;

- **0:12;** Zimmerman states victim appeared in court on revocation on 01/21/2014
- **0:50;** Zimmerman states stay was issued to stop revocation on 02/03/2014
- **1:00;** Sharbough claims this is not revocation
- **4:40;** Zimmerman states that Ploetz would talk to Rieman over the issue
- **5:25;** Zimmerman admits talking to Rieman
- **7:03;** Zimmerman states the victim is not off of probation. If still on probation proves that it has not been revoked.
- **11:20;** Zimmerman, looking over Sharbough's notes, claims that the notes state that the hearing on September 16th, 2014 was adjourned, and nothing took place. That was not the case. This is the hearing that the Probation department admitted their was only one violation of probation. They are actually attempting to cover up and make it appear as if no hearing ever took place. You can download the transcript in the article and it clearly shows a date file time stamp from the county clerks office.
- **15:00;**

Zimmerman claims that the very first piece of paper in the file was a letter written by Ronald Ploetz to the victims attorney dated April 10th, 2014 that victim is still on probation. This was the first time the victim had heard this and the video of the file clearly shows there is no such letter contained in the file. The victim has asked numerous times for a copy of the letter however he has yet to receive it. Looks like another fraudulent piece of paper the Cat County RICO Criminal Cabal Cooked up in an attempt to cover their tracks of RICO activity. Creating fraudulent documents is nothing new for the District Attorney and County Court system in Cattaraugus County. The first paper the victim discovered was the fraudulent amended 2nd violation of probation, then when he was reviewing the appendix (evidence) to the appeal that is now in the 4th department in Rochester he discovered numerous errors, including two completely fraudulent documents, which are pages two and three of the appendix. This fraudulent commitment report was created by [Cattaraugus County Court Clerk](#) Jane St John. She whited out the original judges name and forged

County Judge Ron Poletz's name over it. The victim has never been in front of Ploetz for a VTL 1192 and Ploetz was not even a judge at the time of date of the fraudulent document. The most likely excuse they will attempt to use on this one is 'clerical error'. Sorry, but that doesn't cut it. Whiting out a judges name and forging another's over top of it, especially one who was not even a judge when it occurred is criminal activity plain and simple and this is just another criminal act in a long line of RICO conduct that the criminal element in Cattaraugus County routinely engages in.

Audio of Victim & Gerry

<https://www.youtube.com/watch?v=3Xb8M2uaL8M>

Review of the E-mail Correspondences Between Zimmerman and the Victim;

- **Email 1 dated October 13th, 2015 from Zimmerman:** Zimmerman claiming that he has not reviewed the e-mails yet.
- **Email 2 dated October 16, 2015 form Victim:** Victim stating that he has yet to respond to his questions on the fraud and other misconduct occurring in his office.
- **Email 3 dated October 18, 2015 from Zimmerman:** Zimmerman finally responds t the victims questions on SUNDAY, October 18th, 2015. You will notice how Zimmerman attempts to claim that page five of the transcript of September 16th, 2014 was a 'fraud'. Here he is attempting to cover up for the crimes of his subordinate Mike Sharbough who's notes leave out the fact that a hearing was commenced on September 16th and the victim was forced to represent himself pro-se. **See, in Cattaraugus County New York, they will force people who have a lawyer to go pro-se and they will force people who represent themselves pro-se to get a lawyer using 703.30 motions (see article [1](#) - [2](#) - [3](#) - [4](#)). See how it works?** See how corrupt and evil elements in the Cattaraugus County Government are? Also you will see that Zimmerman reclassified the victims probation status as an administrative case pending appeal. Hmmm... I thought only judges could do that sort of stuff unless of course Gerry has the authority to change the case because he noticed something wrong with it. Maybe the victim should ask Gerry that question. [Also you can download the transcript of the hearing here](#) that bears the time stamp of the county clerks office as well as the sworn certification of the transcript by the court reporter. Then he goes for the old harassment ploy. Where he claims that he victim is harassing them. This is what corrupt county public officers ALWAYS resort to. You can be totally polite, very meek, quite, etc.... but if you ask the wrong questions and request that they do their jobs they will go right to this terror tactic.
- **Email 4, 5 and 6 on October 18, 2015 from Victim:** Victim responds to Zimmerman's e-mail the same Sunday and details the crimes and corruption of his office and "District Attorney" Lori Rieman's Office and the Court Clerks Office. Further in Email 6 the victim specifically asks for the law that allows Zimmerman to place a confidentially statement at the bottom of his e-mails. To this day Zimmerman has failed and or refused to provide the law, which most likely does not exist.
- **Email 7 on October 21, 2015 from Victim;** Victim again asks for a copy of the back-dated Poletz letter. Zimmerman has failed and/or refused to provide the victim with a copy of the letter. He also discusses the fact that he had a discussion with Jack Searles and Searles never address any of his questions.
- **Email 8 on October 25, 2015 from Victim;** Victim again asks for answers to his questions and reiterates some of them.
- **Email 9 on October 25, 2015 from Victim;** Victim again asks for answers to his questions.
- **Email 10 on October 28, 2015** Victim gives final notice to Zimmerman for answers. As of November 9thm 2015 Zimmerman has refused to answer any of his questions.

TO THIS DAY ZIMMERMAN HAS FAILED AND/OR REFUSED TO PRODUCE A COPY OF THE PLOETZ LETTER

Matter of Lopez v Evans; 2012 NY Slip Op 09188 [104 AD3d 105]: **"Thus, the Morrissey Court (Morrissey v Brewer, 408 US 471 [1972]) found that a parolee must be provided with: (1) written notice of the claimed parole violations; (2) disclosure of the evidence against the parolee; (3) an opportunity to be heard and present witnesses and documentary evidence; (4) an opportunity to confront and cross-examine adverse witnesses; (5) review of the evidence by a "neutral and detached hearing body"; and (6) a written statement of reasons for revocation and the evidence relied upon.** (408 US at 489 [internal quotation marks omitted].) In Gagnon v Scarpelli (411 US 778 [1973]), the Supreme Court confirmed that in order to meet due process requirements, a parolee (and a probationer) must be provided with a preliminary and a final revocation hearing.

New York has codified these rights in Executive Law § 259-i, pursuant to which **a parolee is entitled to be given a preliminary hearing within 15 days after the warrant for retaking and temporary detention has been executed, unless he has been convicted of a new crime.** (Executive Law § 259-i [3] [c] [i].) The standard of proof at the preliminary hearing is probable cause to believe that the parolee has violated one or more conditions of parole "in an important respect." (Executive Law § 259-i [3] [c] [iv].)

At a preliminary hearing, "the hearing officer shall review the violation charges with the alleged violator, direct the presentation of evidence concerning the alleged violation, receive the statements of witnesses and documentary evidence on behalf of the prisoner, and allow cross examination of those witnesses in attendance." (Executive Law § 259-i [3] [c] [v].) The Parole Board decides on a case-by-case basis whether, in its discretion, due process requires the assistance of counsel at a preliminary hearing. (People ex rel. Calloway v Skinner, 33 NY2d 23 [1973].) At the preliminary hearing, a parolee has the right to "appear and speak in his or her own behalf . . . introduce letters and documents . . . present witnesses who can give relevant information to the hearing officer . . . [and] confront the witnesses against him or her." (Executive Law § 259-i [3] [c] [iii].)"

Background that led up to alleged amended violation of probation.

This article centers around the bogus probation violation the victim, who is now [suing Lori Rieman for three million dollars and the county for one million](#). It started off when the victim of Rieman was asked by his lawyer to go down to the court in Yorkshire to acquire a copy of the transcript of one on the hearings he was part of. His lawyer asked this question of him in court that day, in the presence of Rieman and probation department personal. The victim realizing that the following Tuesday was also election day, he decided to wait and go down on Tuesday to also vote. So Tuesday comes around and the victim, along with his wife go down to vote and pick up the copy of the transcript.

At the same time they are entering the building to vote and acquire a copy of the transcript the victim is on the phone with his lawyers office. he is talking to his lawyers secretary. He asks the court clerk, one Denise Richards, for a copy. He walks up to the window, says good morning and asked if he could retrieve the transcripts for him. She looks at him and in a demeaning manner states **"I'm busy today, I have better things to do then get your stupid transcripts...."** so he asked "well, when can you get them". She stands up, and yells at the top of her lungs ordering him out of the court and stating that he is not allowed to vote. Riemans/Richards victim was still on the phone with his lawyers office and his wife standing there in disbelief. Please understand, **Richards is the court clerk in Yorkshire, it is her job to get the transcripts.** She also threatens him with calling the state police, which she does.

The victim walks outside and calls 911 immediately from the town court parking lot. Riemans/Richards

victim goes home and the State Police show up at the house. The Trooper asks Riemans victim what happened. The victim tells him he is not allowed to vote according Richards and she won't get him his transcripts. The Trooper, understanding the law better then Richards, tells the victim that he had every right to vote and he stated to meet him at the court house to ensure he could vote. The Trooper met him at the voting station to ensure he was allowed to vote. The victim would also call the probation department twice about the issue and then visit the probation department in Olean over the issue. [Colin Quigley](#), the probation officer the victim talked to would tell the victim not to worry about it.

September of 2013, almost a year after the voting 'incident', the victim goes to court, thinking he is there about his appeal, his lawyer failed to show up at court on this day, **The judge moves the hearing forwarded as a pro-se proceeding, i.e. the victim would have to represent himself without the help of his attorney. He had no right to turn into a pro-se proceeding and he loves taking advantage of pro-se defendants and denying them their rights. He has done this other times with at least one other pro-se litigant.**

The Probation department is there, Rieman starts asking the Probation department if they amended the probation violation with the new one that allegedly occurred in November of 2012. The Probation department officer stated **“There is only one probation sentence, there is only one sentence. It was based on the conviction for assault third in the Town of Yorkshire”**. The victim had no idea what they were talking about, he was totally confused, he thought he was there for the appeal on the assault charge, not a probation violation hearing.

How could the court move forward when there is no other “violation” in November 2012 and the probation department admitted it in 2013 (see the transcript)? They couldn't period.

So here you have an individual who was just ambushed and not prepared for anything, not properly, i.e. legally, noticed about the violation of probation ‘hearing’, which was never legally filed, and he has a witness as well as phone records to prove he followed procedure, however being ambush at this event, he was not prepared with the evidence to defended himself against this trial/hearing he never about that day and the other fact that the Judge allowed the hearing to move forward without the victims lawyer being present. So they proceed to a trial/hearing on the bogus probation charge, and this time it was Amber Kerling another “ADA” of Reiman, who becomes the new attack dog, she then attempts to get the victim to plead guilty to the violation of probation charge for the alleged assault, THAT WAS BEING APPEALED, for them to drop the new bogus charge! It's the victims “choice”, to avoid the hearing! Aren't they so nice... He had to plead guilty to one, or the other, and then would have to go to jail right then and there. He stood his ground and told them to pound salt and did not plead.

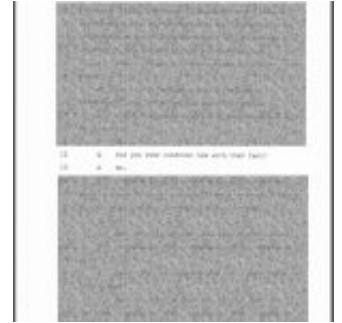


At the hearing the probation supervisor Denise Lengvarsky testifies that she never notice, nor anyone in her department ever noticed the victim in any matter about the probation violation. In her testimony she

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also makes a big deal that she was the victims probation officer and that he should have reported any questioning to her, and her alone, even though their routine at the office is for probationer to meet with whoever is present that day and call and talk to / report to whoever is in the office that day and the probation conditions, ON THE ORIGINAL PROBATION CONDITIONS, clearly spelled that out, not the conditions for the bogus ones that never happened. Also, when Lengvasky was asked if she confronted the victim on the alleged failure to notify she said no.



Where was Denise Richards, the one who signed the incident report concerning the matter? Further where was [Mr. Quigley](#), the probation officer that the victim called? At the conclusion of the hearing the county judge reserved his decision.