

## Appendix A

**21-435 Docket**  
**General Docket Court of Appeals, 2nd Circuit**

**Court of Appeals Docket #: 21-435**

Sun v. Cohen

**Appeal From:** SDNY (NEW YORK CITY)

Fee Status: Paid

Docketed: 02/19/2021

Termed: 03/23/2021

### Type Information:

1) Misc. Civil                    2) Other                    3) none

**Originating Court Information:**

**District:** 0208-1 : 21-cv-469

**Trial Judge:** Colleen McMahon, U.S. District Judge

Date Filed: 01/19/2021

**Date Order/Judgment:** 01/20/2021

Date NOA Filed: 02/16/2021

Date Rec'd COA: 02/19/2021

**Prior Cases:** None

### Current Cases: None

**Panel Assignment:** Not available

Xiu Jian Sun, The Church of Jesus Christ of Latter- Day Saints, The Spiritual Adam

**Petitioner**

Petitioner

Xiu Jian Sun, [NTC Pro Se]

2nd Floor

2nd Floor  
54-25 153rd Street

A2

Flushing, NY 11355

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David B. Cohen  
Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
New York State Office of the Attorney  
General  
28 Liberty Street  
New York, NY 10005

David Friedman  
Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
(see above)

Judith J. Gische  
Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
(see above)

Barbara R. Kapnick  
Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
(see above)

Troy K. Webber  
Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
(see above)

Ellen Gesmer  
Respondent

Barbara D. Underwood, -  
[COR NTC Government]

(see above)

Susanna Molina Rojas

Respondent

Barbara D. Underwood, -

[COR NTC Government]

(see above)

Marcy L. Kahn

Respondent

Barbara D. Underwood, -

[COR NTC Government]

(see above)

Cynthia S. Kern

Respondent

Barbara D. Underwood, -

[COR NTC Government]

(see above)

Donna M. Mills

Respondent

Rosalyn H. Richter

Respondent

Barbara D. Underwood, -

[COR NTC Government]

(see above)

Peter Tom

Respondent

Barbara D. Underwood, -

[COR NTC Government]

(see above)

Jeffrey K. Oing

Respondent

Barbara D. Underwood, -

[COR NTC Government]

(see above)

Peter H. Moulton

Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
(see above)

Joan Madden

Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
(see above)

Lizbeth Gonzalez

Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
(see above)

Martin Shulman

Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
(see above)

Nancy M. Bannon

Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
(see above)

Barbara Jaffe

Respondent

Barbara D. Underwood, -  
[COR NTC Government]  
(see above)

Xiu Jian Sun, The Church of Jesus Christ  
of Latter-Day Saints, The Spiritual Adam,  
Petitioner,

David B. Cohen, David Friedman, Judith J. Gische, Barbara R. Kapnick, Troy K. Webber, Ellen Gesmer, Susanna Molina Rojas, Marcy L. Kahn, Cynthia S. Kern, Donna M. Mills, Rosalyn H. Richter, Peter Tom, Jeffrey K. Oing, Peter H. Moulton, Joan Madden, Lizbeth Gonzalez, Martin Shulman, Nancy M. Bannon, Barbara Jaffe,

Respondents.

02/19/2021 1 NOTICE OF CIVIL APPEAL, and  
8 pg, 482.86 KB district court docket, on behalf of  
Petitioner Xiu Jian Sun,  
RECEIVED. [3043432] [21-435]  
[Entered: 02/24/2021 02:05 PM]

02/19/2021 2 DISTRICT COURT ORDER OF  
1 pg, 106.94 KB DISMISSAL, dated 01/20/2021,  
RECEIVED. [3043436] [21-435]  
[Entered: 02/24/2021 02:07 PM]

02/19/2021 3 DISTRICT COURT JUDGMENT,  
1 pg, 81.25 KB dated 01/20/2021, RECEIVED.  
[3043438] [21-435] [Entered:  
02/24/2021 02:08 PM]

02/19/2021 4 PAYMENT OF DOCKETING  
1 pg, 39.98 KB FEE, on behalf of Petitioner Xiu  
Jian Sun, district court receipt #  
465401274007, FILED. [3043442]  
[21-435] [Entered: 02/24/2021 02:10  
PM]

02/19/2021 6 ELECTRONIC INDEX, in lieu of  
5 pg, 279.52 KB record, FILED. [3043451] [21-435]

[Entered: 02/24/2021 02:12 PM]

02/24/2021 8 ORDER, dated 02/24/2021,  
1 pg, 136.44 KB dismissing appeal by 03/17/2021  
unless Petitioner Xiu Jian Sun,  
submits a motion for leave to  
appeal, copy to pro se petitioner,  
FILED. [3043462] [21-435]  
[Entered: 02/24/2021 02:18 PM]

02/26/2021 9 LETTER, dated 02/26/2021, on  
1 pg, 106.24 KB behalf of Respondent Donna M.  
Mills, respectfully requests that it  
no longer be identified as counsel  
for Hon. Donna M. Mills on the  
docket for this appeal, RECEIVED.  
Service date 02/26/2021 by US mail.  
[3045563] [21-435] [Entered:  
02/26/2021 03:35 PM]

02/26/2021 10 ATTORNEY, James E. Johnson, for  
Donna M. Mills, TERMINATED.  
[3045564] [21-435] [Entered:  
02/26/2021 03:36 PM]

03/12/2021 11 PAPERS, Acknowledgment and  
6 pg, 641.35 KB Appearance Form, Form D-P,  
Scheduling Notification,  
RECEIVED. [3055311] [21-435]  
[Entered: 03/12/2021 03:31 PM]

03/12/2021 13 PAPERS, BRIEF AND  
38 pg, 2.3 MB APPENDIX, RECEIVED. [3060134]  
[21-435] [Entered: 03/19/2021

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01:35 PM]

03/23/2021 16 ORDER, [8] appeal dismissed for Petitioner Xiu Jian Sun's failure to submit a motion for leave to appeal EFFECTIVE. [3061820] [21-435] [Entered: 03/23/2021 12:01 PM]

03/23/2021 17 NEW CASE MANAGER, Yenni Liu, ASSIGNED. [3061822] [21-435] [Entered: 03/23/2021 12:02 PM]

04/13/2021 18 CERTIFIED COPY OF ORDER, dated 02/24/2021, determining the appeal to SDNY, copy to pro se Petitioner, ISSUED. [Mandate] [3075905] [21-435] [Entered: 04/13/2021 07:33 AM]

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UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

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At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 24<sup>th</sup> day of February, two thousand and twenty-one,

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Xiu Jian Sun, The Church of Jesus Christ of Latter-Day  
Saints, Servant, The Spiritual Adam,

**ORDER**  
Docket No. 21-435

Petitioner,

v.

David B. Cohen, David Friedman, Judith J. Gische, Barbara R. Kapnick, Troy K. Webber, Ellen Gesmer, Susanna Molina Rojas, Marcy L. Kahn, Cynthia S. Kern, Donna M. Mills, Rosalyn H. Richter, Peter Tom, Jeffrey K. Oing, Peter H. Moulton, Joan Madden, Lizbeth Gonzalez, Martin Shulman, Nancy M. Bannon, Barbara Jaffe,

Respondents.

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On December 17, 2021 this Court entered an order in Sun v. Dillon, 16-3557 requiring appellant to file a motion seeking leave of this Court prior to filing any future appeals.

A notice of appeal in the above referenced case was filed. The Court has no record that appellant sought the Court's permission to appeal prior to filing the notice of appeal.

IT IS HEREBY ORDERED that this case is dismissed effective March 17, 2021 unless a motion seeking leave of this Court is filed by that date.

For The Court:  
Catherine O'Hagan Wolfe,  
Clerk of Court

*Catherine O'Hagan Wolfe*  
