

**Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001**

**Scott S. Harris**  
Clerk of the Court  
(202) 479-3011

January 19, 2021

Mr. Howard Griffith  
2903 James Street  
#1R  
Syracuse, NY 13206

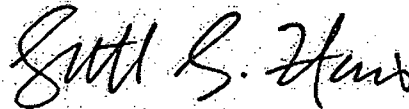
Re: Howard Griffith  
v. New York  
No. 20-6395

Dear Mr. Griffith:

The Court today entered the following order in the above-entitled case:

The petition for a writ of certiorari is denied.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott S. Harris", written in a cursive style.

**Scott S. Harris, Clerk**

## **APPENDIX**

Howard Griffith v New York, 20-6395: "Petition for Writ of Certiorari denied":

January 19, 2021

Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001

Scott S. Harris  
Clerk of the Court  
(202) 479-3011

January 19, 2021

Mr. Howard Griffith  
2903 James Street  
#1R  
Syracuse, NY 13206

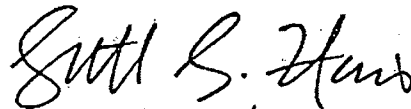
Re: Howard Griffith  
v. New York  
No. 20-6395

Dear Mr. Griffith:

The Court today entered the following order in the above-entitled case:

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Sincerely,

A handwritten signature in black ink, appearing to read "Scott S. Harris", written in a cursive style.

Scott S. Harris, Clerk

**SUPREME COURT OF THE UNITED STATES  
OFFICE OF THE CLERK  
WASHINGTON, DC 20543-0001**

March 2, 2021

Howard Griffith  
2903 James Street, #1R  
Syracuse, NY 13206

Received  
March 4, 2021

H.G.

RE: Howard Griffith v. New York  
No: 20-6395

Dear Mr. Griffith:

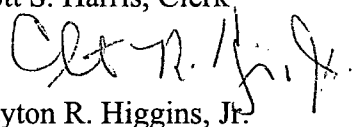
The petition for rehearing in the above-entitled case was postmarked February 4, 2021 and received February 9, 2021 and is herewith returned for failure to comply with Rule 44 of the Rules of this Court. The petition must briefly and distinctly state its grounds and must be accompanied by a certificate stating that the grounds are limited to intervening circumstances of substantial or controlling effect or to other substantial grounds not previously presented.

You must also certify that the petition for rehearing is presented in good faith and not for delay.

Please correct and resubmit as soon as possible. Unless the petition is submitted to this Office in corrected form within 15 days of the date of this letter, the petition will not be filed. Rule 44.6.

Sincerely,  
Scott S. Harris, Clerk

By:

  
Clayton R. Higgins, Jr.  
(202) 479-3019

Enclosures

**COMPLAINT: 5:20-cv-1312 (GLS/ML)**

In the United States District Court  
of the Northern District of New York

-----  
Howard Griffith, et al.  
Rebecca Sklaney, et al.  
*Plaintiff [ ]*

Case No.: 5:20-cv-1312 (GLS/ML)

vs

No Jury Trial

New York, et al.  
*Respondent [ ]*  
-----

**COMPLAINT FOR A CIVIL CASE**

**I. The Parties to This Complaint**

**A. PLAINTIFFS**

Howard Griffith  
2903 James Street, # 1R  
Syracuse, NY 13206  
315-741-7420  
[griffithhowardw@gmail.com](mailto:griffithhowardw@gmail.com)

Rebecca Sklaney  
2903 James Street, # 1R  
Syracuse, NY 13206  
315-741-7420  
[sklaneyrebecca@gmail.com](mailto:sklaneyrebecca@gmail.com)

**B. DEFENDANTS**

New York State Attorney General  
300 South State Street, Suite 300  
Syracuse, NY 13202  
315-448-4800

DEFENDANTS (continued)

Jan Nastri  
Lessor, Realtor  
2501 James Street  
Syracuse, NY 13206

**II. Basis for Jurisdiction**

Federal Question

52 U.S. Code 10303: Enforcement of Voting Rights

- 52 USC 10303(a)(2)
- 52 USC 10303(c)
- 52 USC 10303(d)
- 52 USC 10303(f)(2)

13 U.S. Code 141: Population and Other Census Information

13 U.S. Code 223: Proprietors Mishandling of Census

18 USC Section 231(a)(3) obstruction, impediment or interference with the distribution of the census

United States Constitution

- 5th Amendment
- 9th Amendment
- 10th Amendment
- 14th Amendment

**III. Statement of Claim**

New York State should have been liable for protecting Plaintiff Griffith from Penalties pursuant to NY Correction Law Section 168-t with regard to errors involving the census and invalid identities of people identified as residing in his

**COMPLAINT: 5:20-cv-1312 (GLS/ML)**

household. (NY Correction Law Section 168-t, "Penalty": Any sex offender required to register or to verify pursuant to the provisions of this article who fails to register or verify in the manner and within the time periods provided for in this article shall be guilty of a class E felony upon conviction for the first offense, and upon conviction for a second or subsequent offense shall be guilty of a class D felony... ) Plaintiff Griffith provided it needed to have been considered for it to have been necessarily appropriate to take actions which may be considered to have obstructed, impeded, or interfered with the distribution of the census, pursuant to 18 USC Section 231(a)(3), as was provided for his sex offender registry, as this was to maintain his safety. The primary cause for this action taken to the state court: "Howard Griffith v Onondaga County, NY Civil Practice Law and Rules Article 78, SU-2020-005851", was to obtain law [e]nforcement, with regard to the perpetration provided by his landlord and perpetrators on the property of his [shared] policy. Also, with regard to the requirement for "[e]nforcement", [c]ode [e]nforcement was necessary. This included [e]nforcement to obtain corrections for Plaintiff Griffith's address. The primary cause for the action taken to the state court, pursuant to NY Civil Practice Law and Rules Article 78, was not satisfied. Without New York satisfying this remedy, Plaintiff Griffith provided cause for action taken to obtain [e]nforcement, which would include correction of his address, to be obtained to have been provided as a secondary cause, via

**COMPLAINT: 5:20-cv-1312 (GLS/ML)**

injunction, after obtaining a declaration from the United States District Court of the Northern District of New York to determine his voting rights were being violated with regard to errors involving the census. Plaintiffs took this action while providing a motion to obtain a temporary restraining order, as this would have been necessary to protect their voting rights and personal safety. The Civil Practice Law and Rules Article 78 petition was initially drafted and provided for Plaintiffs' landlord, Jan Nastri, as an Arbitration Plaintiff Griffith had prepared as an Arbiter providing he could take the action to the court if there were any errors with regard to the policy for his home address, substantive to NY Real Property Law Section 235-b, to provide substance that Plaintiffs would not be subject to any conditions which would be dangerous, hazardous, or detrimental to his or her life, health or safety upon the liabilities of his landlord. **(NY Real Property Law Section 235-b[1], "Warranty for Habitability": In every written or oral lease or rental agreement for residential premises the landlord or lessor shall be deemed to covenant and warrant that the premises so leased or rented and all areas used in connection therewith in common with other tenants or residents are fit for human habitation and for the uses reasonably intended by the parties and that the occupants of such premises shall not be subjected to any conditions which would be dangerous, hazardous or detrimental to their life, health or safety...)** (This was substantive to a fundamental remedy provided with regard to

**COMPLAINT: 5:20-cv-1312 (GLS/ML)**

a conviction prosecuted by the Onondaga County District Attorney, preserving Plaintiff Griffith could contact the police instead of defending himself.) Errors with regard to the census (13 USC Section 223: "Refusal, by owners, proprietors, etc., to assist census employees") developed the full cause precedent was established that he could amend the draft to take the action to court, as he presented it with the action, with the omission provided for his sex offender registry; the nature of the proceeding fundamental to the "information [ ]" with regard to the Arbitration. With the State's error with regard to the failure to correct this, it was character that had been preserved in the nature of the cause which had enabled Plaintiffs to develop a strategy to have it provided for a procedure in the federal court as Plaintiffs were going to have to address it with regard to a federal issue involving violation of voter rights. Plaintiffs were able to demonstrate this with mail-in ballots being provided for the erroneous address. It was necessary to take action to the United States District Court of the Northern District of New York to maintain the remedy regarding Plaintiff Griffith's requirements to have properly handled the Arbitration as an Arbiter for his own personal safety along with the safety of his roommate, Plaintiff Rebecca Sklaney.

**IV. Requested Relief**

Declaration determining that the census without the citizenship question needs to be considered as a "test or device" in determining the eligibility to vote to be deemed to have been illegally used to obtain absentee, mail-in ballots during the 2020 general election to provide that absentee, mail-in ballots need to be eliminated to eliminate this procedure for the illegal use of theses tests or devices. With this proven, injunction could be provided for law enforcement, code enforcement, to make corrections for their address along with corrections for other violations of law substantive to their address to correct any irregularities Plaintiffs had to proceed with upon what was initially demonstrated for the most fundamental procedures just to maintain their safety as the injunction will have to be a secondary cause consequential to the Declarations. Requests are made, also, to obtain a Declaration that Jan Nastri can be fined up to \$500 for refusing or neglecting to furnish the names of the residents at 2903 James Street, Apt. 5, Syracuse, NY 13206.

**V. Certification and Closing**

Under Federal Rules of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case--related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: March 8, 2021

Howard Griffith

Howard Griffith

**COMPLAINT: 5:20-cv-1312 (GLS/ML)**

Under Federal Rules of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case--related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: March 8, 2021

Rebecca Sklaney  
Rebecca Sklaney

In the United States District Court  
For the Northern District of New York State

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In the Matter of Application of  
Howard Griffith & Rebecca Sklaney, et al.  
Plaintiffs

Order to Show Cause and Temporary  
Restraining Order in Concert with  
42 U.S. Code Section 1983

-against-

New York State, et al.  
Respondent.

5:20-cv-1312 (GLS/ML)

For a Judgment Pursuant  
42 U.S. Code Section 1983

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Upon the annexed affidavit of Plaintiffs, Howard Griffith and Rebecca Sklaney, with regard to the matter proposed above, upon the exhibits attached thereto and the memorandum of law with regard to this matter:

LET the Respondents of this matter, New York State and Jan Nastri, show cause before this Court on the \_\_\_\_\_ day of \_\_\_\_\_, 2021, at the time of \_\_\_\_\_, on that day, why preliminary injunction should not issue pursuant Rule 65(a) of the Federal Rules of Civil Procedure enjoining the Respondents, their successors in office, agents and employees and all other persons acting in concert and participation with them, any injunction which prohibits the parties' authorization to object that there is no good reason for this matter to be heard, upon the grounds that recent changes in law and new evidence demonstrate cause to determine census without the citizenship question may be deemed as a "test or device" to [d]etermine the eligibility to vote (52 U.S.C. Section 10303) and if this is to have merit, why Declaration cannot be made to determine these "tests or devices" have been illegally used to make that [d]etermination [voter eligibility] with regard to obtaining absentee, mail-in votes and why if any determinations were to be made to consider these remedies have merit, the Declaration would not provide a cause that it would be necessary to suspend the use of absentee, mail-in ballots (52 U.S.C. Section 10303)

and furthermore why preliminary injunction should not issue pursuant Rule 65(a) of the Federal Rules of Civil Procedure [ ] any injunction which prohibits the parties' authorization to object that there is no good reason for this matter to be heard that Jan Nastri can be fined up to \$500 for refusing or willfully neglecting to furnish the names of the residents at 2903 James Street, Apt. 5, Syracuse, NY 13206, (13 U.S.C. 223 ) and why a declaration cannot be made to determine that Jan Nastri can be fined up to \$500 for those reasons. Accordingly it is:

**ORDERED** that temporary restraining order be provided to maintain errors with regard to Plaintiffs' address until it may be determined whether or not declarations may be made [ ] prior to taking any actions for injunction to make corrections, and it is further

**ORDERED** that this Order to Show Cause and all other papers attached to this application be served to the judicial representative of New York State and Jan Nastri by the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Dated:

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United States District Judge

In the United States District Court  
of the Northern District of New York

Howard Griffith, et al.  
Rebecca Sklaney, et al.  
*Plaintiff [ ]*

MEMORANDUM  
Motion for Temporary Restraining Order

vs

Case No.: 5:20-cv-1312 (GLS/ML)

New York, et al.  
*Respondent [ ]*

With the rewritten complaint provided, dated March 8, 2021, in compliance with the Order and Report Recommendation provided by Judge Miroslav Lovric on December 28, 2020, written by the [P]laintiffs presented in the above entitled proceeding and with regard to substantive changes in law, ([1] *Trump v New York*, 592 U.S. \_\_\_\_ [2020]: December 18, 2020; [2] *Inauguration of the 46th Presidency of the United States: January 20, 2021*; [3] *conclusion of judicial proceedings to determine the outcome of the general election for the 22nd Congressional District: February 5, 2021*) due process provides good cause for Plaintiffs to provide this motion for temporary restraining order to maintain remedies for declaration to be made why mail-in ballots need to be eliminated as it applies to 52 USC 10303, prior to obtaining injunction to correct any irregularities:

**52 USC 10303(b) Required factual determinations necessary to allow suspension of compliance with tests and devices; publication in Federal Register**

"On and after August 6, 1975, in addition to any State or political subdivision of a State determined to be subject to subsection (a) pursuant to the previous two sentences, the provisions of subsection (a) shall apply in any State or any political subdivision of a State which (i) the

Attorney General determines maintained on November 1, 1972, any test or device, and with respect to which (ii) the Director of the Census determines that less than 50 per centum of the citizens of voting age were registered on November 1, 1972, or that less than 50 per centum of such persons voted in the Presidential election of November 1972..."

**MERIT PROVIDES**, in 1972, the census without the citizenship question was deemed to have been a "test or device" in determining the eligibility to vote and less than 50 per centum of such persons voted in the Presidential election of November 1972. In September, 2020, Plaintiff, Howard Griffith, demonstrated that a false address for a census without a citizenship question was provided at his mailbox as he was concerned it may have altered his address necessary to be provided for his sex offender registry. Without the necessary injunction being provided for a court action to correct the address, via NY Civil Practice Law and Rules Article 78, (Howard Griffith v Onondaga County, SU-2020-005851) or without the Onondaga County District Attorney providing the information to the county to have the corrections made, out of gross negligence or bad faith (*see* NY Correction Law Section 168-r[2], "Immunity from Liabilities" [NY Correction Law Article 168: Sex Offender Registration Act (SORA)]) after Plaintiff Griffith provided the information to the district attorney; Plaintiffs proceeded to take action to the United States District Court of the Northern District of New York, to obtain a temporary restraining order prior to the 2020 general election to maintain the omissions throughout the completion of the election to provide the remedies to obtain a declaratory judgment providing New York State had illegally engaged in the use of tests or devices. (Howard Griffith et al v New York, 42 U.S. Code Section 1983, 5:20-cv-1312 [GLS/ML]) Plaintiff provided evidence that mail-in ballots could be provided for this address. (52 USC 10303[a][2]: "To assist the court in determining

whether to issue a declaratory judgment under this subsection, the plaintiff shall present evidence of minority participation, **[non-citizens, with false addresses, as provided at Plaintiffs' address, were able to obtain mail-in ballots]** [i]ncluding evidence of the levels of minority group registration and voting, [c]hanges in such levels over time, **[see Trump v New York, 592 USC \_\_\_\_ (2020): December 18, 2020 <sup>1</sup>]** and disparities between minority-group and non-minority- group participation. **[State Court actions proceeded to decide the election results for the 22nd Congressional District <sup>2</sup>]" [emphasis added]]**

Plaintiffs' address is located in the 24th Congressional District. Immediately, following the election, John Katko of the 24th Congressional District took action to sue the Onondaga County Board of Elections. "The media" provided how state legislature, Rachael May, also sued the Onondaga County Board of Elections. Syracuse.com, November 5, 2020: "An unusual maneuver, the Democratic and Republican lawyers are working on a joint deal that they hope would provide both sides unprecedented access to the absentee counts. **[mail-in ballots considered to have been absentee ballots]** **[emphasis added]**" With regard to the "unusual maneuver", Plaintiffs, John Katko and Rachel May, were able to demonstrate that actions were

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<sup>1</sup> Pennsylvania, Michigan, Wisconsin, Nevada, North Carolina, and Phoenix joined in with New York.

<sup>2</sup> Syracuse.com, January 13, 2021: "The Oneida County Board of Elections failed to register 2,418 residents who applied on time, rendering them unable to vote on Election Day... Comeskey, a clerk at the elections board, testified Friday afternoon that the office was overwhelmed with applications and had to deal with Covid-19, a glut of absentee ballots and changes in state law... 2,418 applications were among about 3,000 the board received from the state Department of Motor Vehicles. They processed 640 applications by Election Day, but the rest were left undone... The voters would have shown up at the polls and been told they weren't registered. Poll workers would then have offered them the opportunity to speak to a judge or fill out an affidavit ballot... It's not clear how many voters filed affidavit ballots... The state Department of Motor Vehicles allows people to register to vote when they do other business at the agency\*... Tenney's attorneys are arguing that the votes should not count because it is impossible to verify the identity of a voter without comparing their ballots to a registration record that doesn't exist. So a poll worker who met one of the 2,418 voters would not have been able to verify their signature and determine they were eligible."

- [dmv.ny.gov](https://dmv.ny.gov), February 9, 2021: "You do not need to be a US Citizen to get a New York driver license, permit or non-driver ID card"

made to review votes to ascertain that any votes with any invalid characteristics had been corrected. (*see* 52 U.S. Code 10303[d][1]) Nevertheless, since Plaintiffs were able to raise their claim prior to the 2020 general election that the evidence provided for errors regarding the census were provided for their address, while demonstrating errors that multiple households were provided as residence for their address, and with the evidence that mail-in ballots were able to have been obtained for those households at their address; substance would be able to support declaration that the engagement of the illegal use of tests or devices were consequential.<sup>3</sup> With the United States District Court of the Northern District of New York "Dismissing" Plaintiffs, Howard Griffith's, Habeas Corpus petition "Without Prejudice" on December 28, 2020, prior to the completion of the 2020 [elect]ion (Joe Biden: President "Elect"), merit provides this satisfied the temporary restraining order, as this maintained the irregularities for Plaintiff Griffith's sex offender registry, necessary to satisfy the procedure that Plaintiff [ ] could maintain the provision for the false household[s] (2903 James Street, Apt. 5, Syracuse, NY 13206; Laura Nassar: 2903 James Street, Apt. 1R, Syracuse, NY 13206) provided for their address without Plaintiff Griffith being subject to consequences pursuant to NY Correction Law Section 168-t, "Penalties" or 18 USC Section 231(a)(3): "Obstructing, impeding, or interfering with a federally protected [function] (the [function]: the distribution of the census [13 USC 141])". This would demonstrate the continuing effect of how the mail-in ballots could be obtained for a false household after the 2020 general election (with the provision of new evidence [*see attachment*]<sup>4</sup>)

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<sup>3</sup> The [c]ensus without the citizenship question ("test or device") was being falsely provided as a false address to obtain mail-in ballots. This provided there to be an illegal use of a "test or device" to determine the eligibility to obtain a mail-in ballot. This violated Plaintiffs' rights to vote being it was falsely provided for their address.

<sup>4</sup> @ <https://www.ny.gov/early-voting-and-absentee-voting-mail-or-dropbox> SEARCH: <https://www.dfs.ny.gov/insurance/ogco2000/rg005303.htm> (Department of Financial Services) The Transaction of Private Passenger Automobile and Homeowner's Insurance Business on the Internet.

Questions Presented:

to interfere with Plaintiffs' rights to vote<sup>5</sup> and it would be demonstrated with the reasonable probability of the recurrence in the future with regard to actions by Congress and Joe Biden to make laws for the permanent use of mail-in votes. (52 U.S. Code Section 10303[d][2][3])<sup>6</sup>

**With Regard to Habeas Corpus**, Plaintiff Griffith demonstrates that his sex offender registry is invalid in two completely different manners in two completely different matters: "Howard Griffith et al v New York, 5:20-cv-1312 (GLS/ML)" and "People v Griffith, 166 AD3d 1518 (4th Dept 2018)" Plaintiff Griffith demonstrates how the Onondaga County District Attorney is liable for both errors. Plaintiff Griffith also demonstrates how final orders with regard to either matter may provide remedies substantive to the other.

Plaintiff Griffith attempted to take action for habeas corpus with this action because it has been interpreted he was a prisoner. Also, pursuant to 28 U.S.C. Section 1915(h), because Plaintiff Griffith's right to the law library was violated,<sup>7</sup> (see *Bounds v Smith*, 430 U.S. 817 [1977] and

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- May private passenger automobile insurance coverage and homeowner's insurance coverage be bound on the Internet by an authorized New York insurer following the completion on the Internet of an electronic application that has been electronically signed by the applicant?
  - Yes, private passenger automobile insurance coverage and homeowner's insurance coverage can be bound on the Internet by an authorized New York insurer following the completion on the Internet of an electronic application that has been electronically signed by the applicant.
  - [emphasis added]

<sup>5</sup> Injunction would need to be provided, after a declaration would be made, for [c]ode enforcement, [l]aw enforcement, on the property of the shared policy with Plaintiffs' landlord to correct the irregularities to once again provide there to be no manipulation to interfere with their votes and to correct additional errors and violations in law.

<sup>6</sup> With the irregularity being maintained for Plaintiffs' address, via temporary restraining order, after no final judgment had been made prior to the completion of the 2020 general election with regard to the illegal use of the [i]llegal tests or devices [ ] (52 U.S. Code Section 10303[a][1][B]), substance would be provided that the [i]llegal "test or device" would still be able to be used to provide a determination to complete the process to illegally obtain a [ ] mail-in ballot as declaration would need to be provided that mail-in ballots would need to be eliminated, the process considering that illegal uses of the [ ] "tests or devices" to determine the eligibility to vote would be eliminated.

<sup>7</sup> New York Executive Orders pursuant to Section 29-a of article 2-b of the Executive Law: Orders 202.67 and 202.8, with regard to COVID-19, affected court proceedings, closing courthouses and law libraries

Lewis v Casey, 518 U.S. 343 [1996]) he believed good cause may have been provided to have taken the habeas corpus via an erroneous process. Plaintiff Griffith objects the interpretation this Court provides for the Memorandum and Order provided with "People of the State of New York v Howard Griffith, 166 AD3d 1518 (4th Dept 2018)" because it is clear that this Court took no time to review the "court reporters" posted in the memorandum:

**People v Griffith, 166 AD3d 1518 (4th Dept 2018)**

People v Griffith, 166 AD3d at 1519 provides that the Supreme Court of the State of New York, Appellate Division/Fourth Department held that Defendant (Plaintiff Griffith) had properly taken his appeal pursuant to CPL 450.10(1) "as it applies" to Correction Law Section 168-n, agreeing with Defendant that *"he was denied effective assistance of counsel,"* providing the cause to *"reverse the order, reinstate the petition, and remit the matter to County Court for a new hearing on the petition."* It was concluded *"that defense counsel 'essentially [ ] became a witness against [defendant] and took a position adverse to him,' which denied defendant effective assistance of counsel (People v Caccavale, 305 A.D.2d 695, 695 [2d Dept 2003]: 'Prior to sentencing, the defendant moved, pro se, to withdraw his plea of guilty on the ground, inter alia, that his defense counsel told him that he was going "to blow trial" ... In response to the defendant's application for permission to withdraw his plea of guilty, the defense counsel specifically denied this allegation and stressed what he had done on the defendant's behalf. Under these circumstances, the defendant's right to counsel was adversely affected when his attorney, essentially, became a witness against him and took a position adverse to him. [The Supreme Court should have first assigned new counsel to the defendant before deciding the defendant's motion]... [the matter is remitted to the Supreme Court, Westchester County, to hear*

*and report on the defendant's motion to withdraw his plea of guilty]... and the appeal is held in abeyance in the interim.' [emphasis added])"*<sup>8</sup> *"[It is well settled that a SORA proceeding may not be used to challenge the underlying conviction]"* satisfied the cause that the Onondaga County Court did not [i]nitially *"err in refusing to allow him to challenge his plea or other aspects of his underlying conviction."* (id. at 1520 [emphasis added]) *"among other things,"* (id. at 1519 [emphasis added]) a direct appeal (CPL 450.10[1]) may be used to challenge the plea or other aspects of the underlying conviction. *People v Griffith*, id. at 1519: (*see generally* *People v Charles*, 162 A.D.3d 125, 126, 137-140 [2d Dept 2018], id. at 138: *"Appellate Division Departments have all decided on the merits,"* id. at 125: *"It was of concern that defendant had never completed a sex offender treatment program and had refused to accept responsibility for the offense."* [emphasis added])<sup>9</sup>

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<sup>8</sup> *People v Griffith*, id. at 1519 (WESTLAW)

**HEADNOTES**

- Crimes
- Right to Counsel
- Effective Representation

*People v Caccavale*, id. at 695 (WESTLAW)

**HEADNOTES**

- CRIMES
- RIGHT TO COUNSEL

<sup>9</sup> *People v Griffith*, id. at 1519 (WESTLAW)

**HEADNOTES**

- Crimes
- Sex Offenders
- Sex Offender Registration Act--Downward Modification

*People v Charles*, id. at 125 (WESTLAW)

**HEADNOTES**

- Crimes
- Sex Offenders
- Sex Offender Registration Act--Downward Modification Not Warranted

The procedure with regard to the order for "People v Griffith [ ]" is not final. Plaintiff Griffith demonstrates how his sex offender registry is the most fundamental remedy for any court actions to have been taken, substantive to the arbitration developed with his landlord. The most fundamental remedy of Plaintiff Griffith's sex offender registry is his conviction. With Plaintiff Griffith's sex offender registry becoming moot with regard to a dismissal of his conviction, any declaration for this action would not be able to live in essence for himself. Nevertheless, remedies would still be able to be maintained to most fundamentally provide essence for Plaintiff Rebecca Sklaney's declaration. However, in order to obtain that remedy, Plaintiff Griffith's conviction would not be able to be overturned before declaration and injunction were to be provided for the cause of action in this matter. With Habeas Corpus being dismissed without prejudice, this satisfies the merits for Plaintiffs' temporary restraining order to maintain errors with regard to Plaintiff Griffith's sex offender registry, most fundamentally for safety purposes and most substantively to obtain declaration and injunction.

**WHEREFORE**, Plaintiffs, Howard Griffith and Rebecca Sklaney, respectfully request this Court

**ORDER** temporary restraining order be provided to maintain errors with regard to the address provided for Plaintiff Griffith's sex offender registration until it may be decided if declarations may be made for primary causes before injunctions can be decided to be made for law enforcement, code enforcement, as Plaintiffs had initially demonstrated, and it is further requested this Court

**GRANT** such other relief that may be deemed as just and proper.

Howard Griffith  
Howard Griffith  
Dated: March 8, 2021  
2903 James Street, # 1R  
Syracuse, NY 13206  
(315)741-7420

Rebecca Sklaney  
Rebecca Sklaney  
Dated: March 8, 2021  
2903 James Street, # 1R  
Syracuse, NY 13206  
(315)741-7420

STATE OF NEW YORK)  
COUNTY OF ONONDAGA)ss.:

Plaintiff, Howard Griffith, affirms under the penalty of perjury that the statement provided with  
this motion is true to the best of his knowledge:

Howard Griffith  
Howard Griffith

Sworn to before me this 8 day of March, 2021

Melissa Schwartz

NY DL #28041351

MELISSA SCHWARTZ  
Notary Public - State of New York  
NO. 04SC6162309  
Qualified in Onondaga County  
My Commission Expires 3-12-23

Plaintiff, Rebecca Sklaney, affirms under the penalty of perjury that the statement provided with  
this motion is true to the best of her knowledge:

Rebecca Sklaney  
Rebecca Sklaney

Sworn to before me this 8 day of March, 2021

Melissa Schwartz

NY DL 863036639

MELISSA SCHWARTZ  
Notary Public - State of New York  
NO. 04SC6162309  
Qualified in Onondaga County  
My Commission Expires 3-12-23

(see pages: 3, 4-5; refer to footnotes 2 & 4)

In the United States District Court  
of the Northern District of New York

Howard Griffith, et al.  
Rebecca Sklaney, et al.  
*Plaintiff* [ ]

Motion for Temporary Restraining Order  
"Supplemental Memorandum"

vs

Case No.: 5:20-cv-1312 (GLS/ML)

New York, et al.  
*Respondent* [ ]

Remedies exist to obtain invalid, electronic signature[s] for CURRENT RESIDENT at 2903 James St, Apt 5, Syracuse, NY 13206-2127 in 2021.

### STATEMENT OF FACTS

"RetailMeNot Everyday" distributes a postcard to a CURRENT RESIDENT at 2903 James St, Apt 5, Syracuse, NY 13206-2127, to sign up for a membership on crunchdewitt.com.

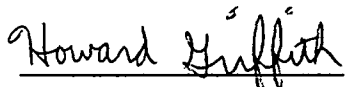
"RetailMeNot Everyday" distributes the postcard from 235 Great Pond Dr., Windsor, CT 06095.

"RetailMeNot Everyday" distributes the postcard in conformance with "© 2021 Crunch IP Holdings, LLC".

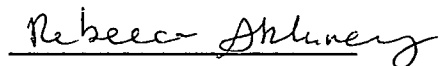
The postcard states: "Offers valid for new members at specified location only and expire 02/28/2020."

### CONCLUSION

Merit provides that if the offer is only valid to be signed up with until 02/28/2020 in conformance with "© 2021 Crunch IP Holdings, LLC", remedies exist to obtain invalid, electronic signature[s] for CURRENT RESIDENT, at 2903 James St, Apt 5, Syracuse, NY 13206-2127 in 2021.



Howard Griffith  
Dated: March 8, 2021  
2903 James Street, # 1R  
Syracuse, NY 13206  
(315)741-7420



Rebecca Sklaney  
Dated: March 8, 2021  
2903 James Street, # 1R  
Syracuse, NY 13206  
(315)741-7420

**Attachments:** Postcard for Membership at crunchdewitt.com

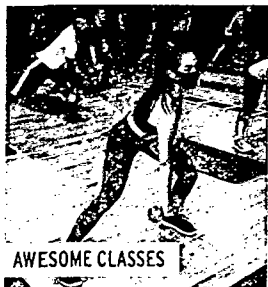
Coupons for [ ] RESIDENT, VALUED READER, at 2903 James St, Apt 5, [ ]



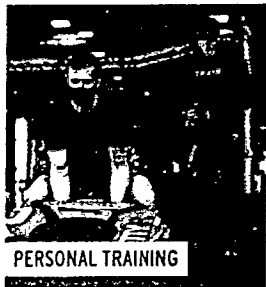
**MEMBERSHIPS STARTING AT \$10/MO!**

**Plus, get a FREE Personal Training session.**

**SIGN UP ON CRUNCHDEWITT.COM OR IN-CLUB BY 2/28**



AWESOME CLASSES



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@CrunchDewitt @CrunchDewitt

Offers valid for new members at specified location only and expire 2/28/2020. Additional fees and restrictions may apply. See club for details.  
© 2021 Crunch IP Holdings, LLC

235 Great Pond Dr  
Syracuse, NY 13206

*RetailMeNot*  
Everyday™

ECR  
PRSRT STD  
US Postage  
PAID  
V



\*\*\*\*\*ECRWSS\*\*C-013

CURRENT RESIDENT

2903 JAMES ST

APT 5

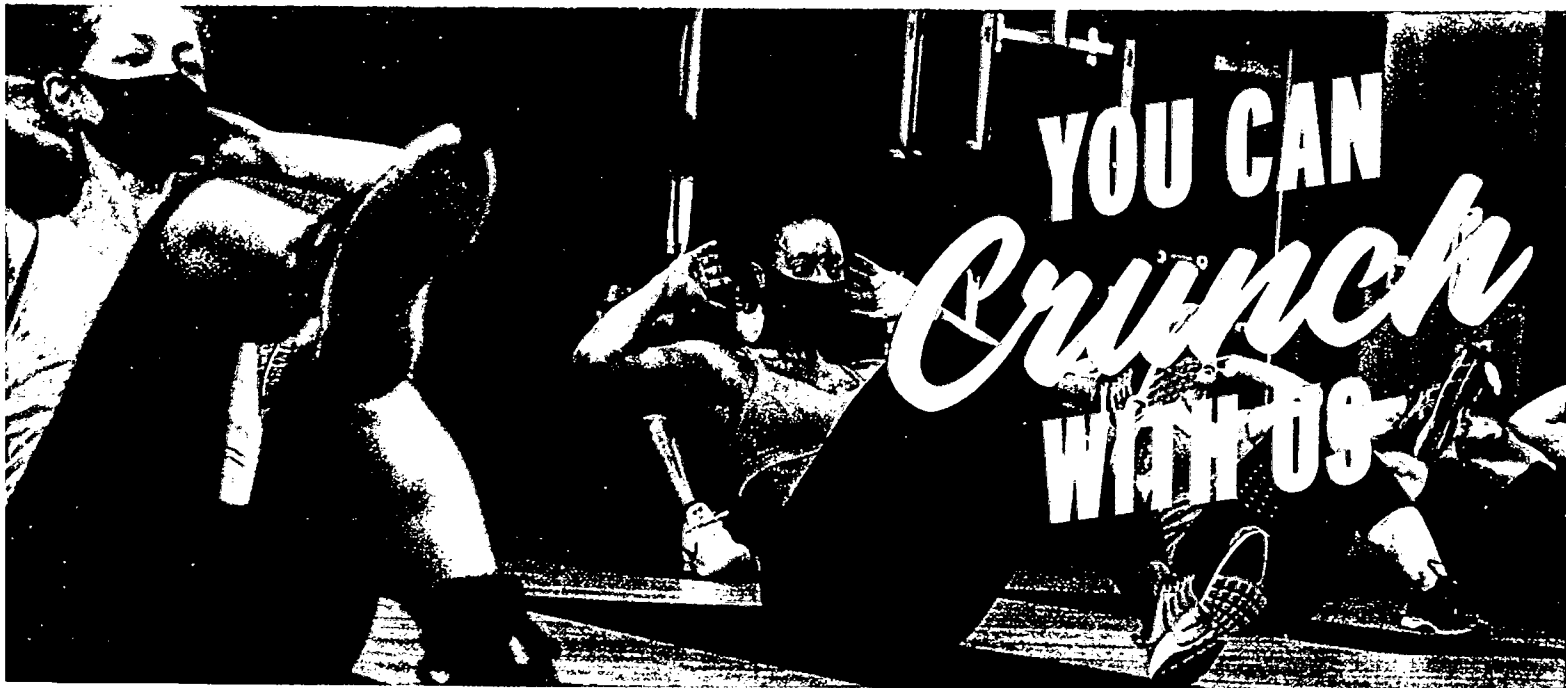
SYRACUSE, NY 13206-2127

PHICFDEW7012415  
00265 18256

5

USPS requires this address label to accompany its postage paid mail. Should you receive this card without accompanying mail, notify your local postmaster.

CFDEW7012415  
00265 18256



**JOIN BY 2/28 & GET 1 MONTH FREE**

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**& FISH FRY**

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- Fulton
- Oswego
- Fairmount
- Liverpool
- Onondaga Blvd.

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**Fri. 11am-11pm**

**Sat. 12pm-11pm**

**Sun. 12pm-9pm**

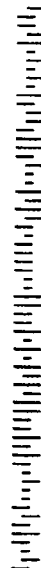
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19972

POSTED  
USPS PERMIT NO.  
READING ROOM  
PERMIT #412



000344\*\*\*\*\*ECRWSS\*\*C-013 265

ME-01-21-J-19972-01

RESIDENT

APT 5

2903 JAMES ST

SYRACUSE NY 13206-2127

00163-02-21  
Syracuse, NY

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\*\*\*\*\*ECRWS\*\*C-013  
00163-02-21A1

VALUED READER  
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SYRACUSE, NY 13206-2127

P003  
0066  
0030

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OUR BEST DEAL IS ONLINE

**\$15 for \$30**  
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Go to LocalFlavor.com for more coupons.

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of \$50 or more,  
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or discounts. Please present coupon at time of ordering. Expires 3/31/21.  
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Syracuse, NY  
Permit No. 253

## EVERYDAY SPECIALS (CLIPLESS COUPONS) do not cut just mention!

### DOUBLE PIZZA SPECIALS

- |  |       |                   |        |
|--|-------|-------------------|--------|
| 1. 2 Small Cheese Pizzas .....         | 16.99 | Add Topping ..... | \$1.00 |
| 2. 2 Medium Cheese Pizzas .....        | 19.99 | Add Topping ..... | \$1.50 |
| 3. 2 Large Cheese Pizzas .....         | 22.99 | Add Topping ..... | \$2.00 |
| 4. 2 Extra Large Cheese Pizzas .....   | 24.99 | Add Topping ..... | \$2.50 |
| 5. 2 Party (Sheet) Cheese Pizzas ..... | 33.99 | Add Topping ..... | \$3.00 |

**COUPON #6**

**Small Cheese Pizza  
& 10 Chicken Wings**

**\$17.99** +tax

Must mention coupon when ordering. Cannot be combined with any other offers. Toppings extra. Limited time offer.

**COUPON #7**

**Medium Cheese Pizza  
& 10 Chicken Wings**

**\$19.99** +tax

Must mention coupon when ordering. Cannot be combined with any other offers. Toppings extra. Limited time offer.

**COUPON #8**

**Large Cheese Pizza  
& 10 Chicken Wings**

**\$20.99** +tax

Must mention coupon when ordering. Cannot be combined with any other offers. Toppings extra. Limited time offer.

**COUPON #9**

**Large Cheese Pizza,  
20 Chicken Wings  
& Large Garden Salad**

**\$33.99** +tax

Must mention coupon when ordering. Cannot be combined with any other offers. Toppings extra. Limited time offer.

**COUPON #10**

**2 Large Cheese  
Pizzas &  
20 Chicken Wings**

**\$39.99** +tax

Must mention coupon when ordering. Cannot be combined with any other offers. Toppings extra. Limited time offer.

**COUPON #11**

**2 Large Cheese Pizzas,  
30 Chicken Wings  
& 2 Liter Soda**

**\$49.99** +tax

Must mention coupon when ordering. Cannot be combined with any other offers. Toppings extra. Limited time offer.

**COUPON #12**

**Party Size Cheese Pizza,  
20 Chicken Wings  
& 2 Liter Soda**

**\$36.99** +tax

Must mention coupon when ordering. Cannot be combined with any other offers. Toppings extra. Limited time offer.

**COUPON #13**

**2 Party Size Cheese  
Pizzas, 40 Chicken  
Wings & 2 Liter Soda**

**\$69.99** +tax

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**COUPON #14**

**Buy Any 2  
Large, X-Large or Party  
Gourmet Pizzas & Get**

**\$5.00 OFF**

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**COUPON #15**

**Large Cheese Pizza  
& 20 Chicken Wings**

**\$28.99** +tax

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**COUPON #16**

**\$4.00 OFF  
On Any 2 Dinner  
Entrees**

Must mention coupon when ordering. Cannot be combined with any other offers. Toppings extra. Limited time offer.

### LUNCH SPECIALS

Served everyday from 11am-4:30pm

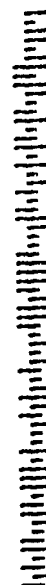
1. Buy any 2 slices of pizza & get a can of soda..... free
2. Buy any wrap with fries & can of soda.....9.99
3. 5 Pcs chicken tenders & fries .....8.99
4. Buy any foot long sub with fries & get 20 oz soda.. free
5. 2 Slices of cheese pizza & 10 chicken wings .....12.99
6. 10 Chicken wings & order of fries.....11.99
7. Small cheese pizza & small garden salad .....11.99
8. 2 Slices of cheese pizza & order of fries.....6.99

All prices are subject to change without notice.

Prices do not include sales tax.

#### Consumer Advisory:

Thoroughly cooking meats, poultry, seafood, shellfish or eggs reduce the risk of food-borne illness. Before placing your order, please inform your server if a person in your party has a food allergy.



\*\*\*\*\*ECRWSS\*\*C-013  
RESIDENT 00242 S  
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SYRACUSE NY 13206 2127