

20-7892

ORIGINAL

X

Gerald Aranoff

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Questions Presented

The questions presented:

Can an elderly USA citizen living in Israel continuously since July 9, 1991 except for 1 week August 1992, appeal to the United States Supreme Court to overturn a NYS court order QDRO?

Can an elderly USA citizen living in Israel prove deliberate fraud of NYS judges/clerks?

Can an elderly USA citizen living in Israel, remarried, appeal to the United States Supreme Court to annul Judge Prus signed NYS civil divorce 9/10/2013?

List of Parties

All parties appear in the caption of the case on the cover page.

Susan Aranoff, Respondent

498 East 18 Street, Brooklyn, NY 11226 USA

phones: 718-284-2093 917-671-7274

email: susanaranoff@gmail.com;

A handwritten signature in cursive script that reads "Gerald Aranoff". The signature is written in dark ink and is positioned above the printed name of the petitioner.

Gerald Aranoff, Petitioner

8 Miriam Haneviah Street

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1 Opinions Below

1. See Appendix A

State of New York
Court of Appeals

Decided and Entered on the
first day of April, 2021

Present, Hon. Janet DiFiore, Chief judge, presiding

Mo. No. 2021-54

Susan Aranoff,
Respondent,

v.

Gerald Aranoff,
Appellant.

Appellant having moved for leave to appeal to the Court of Appeals and for poor person relief in the above cause;

Upon the papers filed and due deliberation, it is

ORDERED, that the Motion as it seeks leave to appeal from the June 25, 2014

Appellate Division order, dismissed upon the ground that it does not lie, appellant having previously moved in the Court of Appeals for leave to appeal (24 NY3d 934 [2014]) from the same Appellate Division order from which he currently seeks leave to appeal (see *Selinger v Selinger*, 90 NY2d 842 [1997]); and it is further

ORDERED, that the motion is otherwise dismissed upon the ground that the remaining order sought to be appealed from does not finally determine the action within the meaning of the Constitution; and it is further

ORDERED, that the motion for poor person relief dismissed as academic.

John P. Asiello
Clerk of the court

2. See Appendix B

Aranoff v Aranoff

Motion No: 2013-09429

Slip Opinion No: 2014 NY Slip Op 76248(U)

Decided on June 25, 2014

Appellate Division, Second Department, Motion Decision

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§431

This motion is uncorrected and is not subject to publication in the Official Reports.

Supreme Court of the State of New York
Appellate Division: Second Judicial Department
M176225

E/ct

RUTH C. BALKIN, J.P.
THOMAS A. DICKERSON
JOHN M. LEVENTHAL
SHERI S. ROMAN, JJ.

2013-09429, 2013-10416

2013-10418, 2013-11465

Susan Aranoff, respondent, v Gerald Aranoff, appellant (Index No. 54688/12)

DECISION & ORDER ON MOTION

Motion by the appellant pro se for leave to reargue so much of his prior motion which was for leave to appeal to this Court from an order of the Supreme Court, Kings County, dated June 25, 2013, and a judgment of the same court dated September 10, 2013, which was determined by decision and order on motion of this Court dated April 3, 2014, and for poor person relief with respect to the appeals from that order and that judgment, as well as with respect to appeals from two orders of the same court dated October 1, 2013, and October 15, 2013, respectively.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied.

BALKIN, J.P., DICKERSON, LEVENTHAL and ROMAN, JJ., concur.

ENTER:

Aprilanne Agostino

Clerk of the Court

2 Statement of the Case

1. I request permission to make this petition. I'm acting *pro se*. I request the Court to combine this petition with my docket numbers 18-7160, 18-9390, and 20-6525. I request the Court to accept my papers without notarization since, in Israel, a US citizen can only get court acceptable notarizations from the US embassy by appointment, and none are available now. I request the Court to accept my papers on size A4 paper and not letter size since in Israel it's hard to obtain letter size paper. I request the Court to accept one copy from me since it's difficult for me to prepare 10 copies. My dear wife, Yemima,, is retired from her employment as a clerk at Bank Mizrachi. We were married May 9, 1993, after I divorced Susan February 17, 1993. We are blessed with 3 daughters: Hadassah, Tamar, and Sapphire Rivka. Each has a USA social security number. I ask the court to allow me to report only my income and assets, as Yemima's income and assets are not large and not relevant.
2. I seek from the Supreme Court of the United States:
First, for a decision that NYS courts have no more control over the QDRO that tells TIAA to pay Susan 55% of my pension with no end in sight in violation of ERISA. Second, to cancel and nullify Judge Prus' awarding my house to Susan. Third, to cancel and nullify \$25,000 in fines unpaid against me (\$10,000 + \$10,000 of Rigler/Rothbart and \$5,000 of Garson/Rothbart).
3. The Rules of the Court state: "Review on a writ of certiorari is not a matter of right, but of judicial discretion. A petition for a writ of certiorari will be granted only for compelling reasons." I'm asking the court to accept my petition on the grounds of fraud/forgery/etc. Time limits on filing cases based on fraud/forgery etc are extremely long. Often the police and court officials show no interest in evidence of crimes of fraud/forgery. An aggrieved party may have to be patient over many years, as I am, for overwhelming evidence to emerge of crimes fraud/forgery.
4. NYS Get Law DRL 253 states:
New York Domestic Relations Law Sec. 253 Removal of Barriers to Remarriage 1. This section applies only to a marriage solemnized in this state or in any other jurisdiction by a person specified in subdivision

one of section eleven of this chapter. ... 8. Any person who knowingly submits a false sworn statement under this section shall be guilty of making an apparently sworn false statement in the first degree and shall be punished in accordance with section 210.40 of the penal law. 9. Nothing in this section shall be construed to authorize any court to inquire into or determine any ecclesiastical or religious issue. The truth of any statement submitted pursuant to this section shall not be the subject of any judicial inquiry, except as provided in subdivision eight of this section.

5. Section 210.40 of the penal law states:

A person is guilty of making an apparently sworn false statement in the first degree when he commits the crime of making an apparently sworn false statement in the second degree, and when (a) the written instrument involved is one for which an oath is required by law, and (b) the false statement contained therein is made with intent to mislead a public servant in the performance of his official functions, and (c) such false statement is material to the action, proceeding or matter involved. Making an apparently sworn false statement in the first degree is a class E felony.

6. The Get solemnizes the dissolution (formal end/breakup) of a marriage, man to woman, performed under Jewish law before witnesses. Once Susan received the Get I sent her from Israel in Rabbi Aryeh Rabbag's bet din in Brooklyn, before witnesses, on 2/17/1993, I became a free man, free to remarry. The ten commandments, no adultery, would no longer apply to Susan. Passover is the holiday of freedom. Susan's sworn statements that Judge Rigler signed an order of separation March 1995 are false. I claim that Susan and Myla Serlin forged the fake/phony Rigler March 1995 order of separation. Total nonsense Judge Pesce's statement in his letter that my children from Yemima are illegitimate because NYS courts did not recognize the 2/17/1993 Israel divorce.
7. Judge Prus made a knowingly false statement in the August 2013 Inquest that the Get I sent Susan from Israel in Rabbi Aryeh Rabbag's bet din in Brooklyn, before witnesses, on 2/17/1993 was a religious ceremony. Judge Prus refuses to send me a copy of the fake/phony 1995 Rigler/Rothbart order of separation. Judge Prus refers to the fake/phony 1995 Rigler/Rothbart order of separation in his 9/10/2013 NYS civil divorce me and Susan. Judge Prus refuses to allow suspension of TIAA

paying Susan 55% of my pension. I became free of Susan, free to remarry 2/17/1993 because of the Get. Further, Judge Prus' statement in the 9/10/2013 NYS civil divorce that his court retains control of the QDRO is a false statement, a 1st degree perjury, a class E felony, in my opinion. Susan won the house, the \$10,000 will money, 55% of my pension from early 1994—there's no good reason to retain control of the QDRO in Judge Prus' court.

8. When judges say over and over that everything I say is frivolous, these are false statement under ¶8. Statements with implication that I don't deserve poor person relief are also false statements under ¶8. Statements Rigler/Rothbart made that my wife Yemima whom I married May 9, 1993 has no standing in a QDRO proceeding are false statements under ¶8. Statements that I just try to prolong court proceedings for no good reason are false statements under ¶8. Yes I try to be free of blame in my court papers. My reason: "Then you will find grace and good sense In the sight of God and man" (Proverbs 3:4).

9. Inquest August 1, 2013 [defendant not present at the proceedings]:

[page 3] THE COURT: What he says here, my main reason is that I already divorced Susan February 17th, 1993. That was a religious divorce. MS. SERLIN: It was a religious divorce in Israel without participation or knowledge of my client. THE COURT: Right. There were no issues involving equitable distribution? MS. SERLIN: There is a marital residence. That is the one and only issue. The separation agreement that they entered into, and there is a separation before, gives exclusive possession to my client. THE COURT: What does it say as far as equitable distribution of that? ... MS. SERLIN: He abandoned the property in 1991. THE COURT: And you client is seeking the [page 4] entire property? MS. SERLIN: She has paid all the mortgage payments, all the taxes, all the repairs. She is you honor. THE COURT: Is the plaintiff collecting any part of the defendant's pension? MS. SERLIN: She is. Because he never paid child support. She got a QDRO for the child support. And they taxed his pension. ... [page 6] THE PLAINTIFF; Right now, it's variable. Right now, I'm getting \$703.00 a month. THE COURT: And this case was before Judge Garson? MS. SERLIN: Most of it was before Judge Rigler. All of these decisions were Judge Rigler. Judge Garson was on it for about two months, but it was nothing was decided. [page 7] MS. SERLIN: He has focused on Judge Garson, obviously because— THE COURT: This was a determination after inquest or trial or settlement? MS. SERLIN: No. There was an inquest. I have a transcript of that inquest and which granted her a legal separation

at that point. THE COURT: So now you're seeking conversion divorce based on separation agreement? MS. SERLIN: Correct. THE COURT: Did he sign a separation agreement? MS. SERLIN: No. There was a judgment after inquest that he did fight the separation. They had a trial where he was represented. And Judge Rigler entered a judgment after a mini trial or hearing. THE COURT: A judgment of what? MS. SERLIN: a judgment of separation. THE COURT: Could I see that, please? MS. SERLIN: Sure. (handing up to the Court.) MS. SERLIN: And I have the transcript here also, in case you wanted to look at it...

10. I came to court August 1992 testifying before Rigler/Rothbart on the advice of Ian Anderson bearing a gift (a painting of a street in Jerusalem) for Susan and copies of 22 letters I sent Susan from Israel (I still have them). Ian in 1990 fought Fordham University for denying me a PhD in economics (Bronx Supreme Court 8538/1990 Judge Alan Saks). Ian 1991-1992, very busy to help me, showed Rigler/Rothbart letters I wrote to Susan, Rabbi Kornfeld letter to Susan, Deena letter to Susan and my mother letter to Chavie. I paid Ian some \$10,000. The last payment I made to Ian Anderson was \$250 for his showing up November 2001 for a hearing before Judge Garson that Susan did not show up. Susan called Larry Rothbart during the hearing. Larry Rothbart asked Ian Anderson for conference while talking on the phone with Susan. Larry Rothbart rescheduled the hearing for December 14, 2001. At the December 14, 2001 hearing Judge Garson threw Ian down the stairs.
11. It is sheer improbability that Judge Rigler signed a separation order March 7, 1995. This is deliberate fraud. The object to steal my house and my TIAA pension. Judge Prus, Myla Serlin and Susan expect to get away with their crime thinking that without a copy of the Rigler 1995 separation agreement I can't prove perjury. They want to claim, there is a reasonable doubt, maybe the Rigler 1995 separation agreement is genuine. No, there is no reasonable doubt, to any fair minded person. All possible explanations, other than deliberate fraud, are absurd. March 7, 1994 I and my wife Yemima were blessed with our baby, Hadassah, now a mother of a son, thank you God. March 7, 1995 was in the middle of the 1994-1997 100% freeze of my TIAA pension which I was desperately trying to free so I could pay Susan child support. I repeatedly offered Susan half of my TIAA pension for child support.
12. It's an embarrassment to the court the Rigler/Rothbart \$20,000 fines and the

Garson/Rothbart \$5,000 fines. It's an embarrassment to the court I'm approaching 76, married to Yemima since 5/9/1993 in Israel and I don't get my full TIAA pension. I gave the Get to Susan 2/17/1993. The NYS Get Law recognizes that when I give the Get and Susan receives the Get before witness before rabbis, Susan becomes free to remarry under Jewish/rabbinical law.

13. Susan/Serlin claims of amounts I owe are exaggerated. They include 9% interest on phony balance backdated to when I was still in NY. In Appendix A "(see Selinger v Selinger, 90 NY2d 842 [1997])" the court upheld 9% interest rate which blows up amounts owed enormously. This was why Susan getting 55% of my TIAA pension since early 1994 Susan claims huge amounts I owe her (nonsense). Selinger v Selinger is not relevant to Aranoff v Aranoff because Selinger v Selinger is a money dispute while Aranoff v Aranoff is a deliberate fraud case.
14. Rabbi Kornfeld testified in 1991 that Susan was abandoning me in not joining me in Israel. My mother testified in 1991 that Susan was seeking a NYS civil divorce and not thinking of the children. Deena testified in 1991 how badly she wanted Susan, her mother, to join me in Israel.

15. NYS courts eTrack View My Cases eTrack Account: Tefillin

	Court	Index Number	Case Status	Plaintiff	
1	Bronx Supreme Ct	8538/1990	Disposed	ARANOFF,GERALD	
2	Kings Supreme Ct	23213/1991	Disposed	ARANOFF,SUSAN	
3	Kings Supreme Ct	46412/1992	Disposed	ARANOFF,SUSAN	
4	Kings Supreme Ct	54688/2012	Disposed	ARANOFF,SUSAN	
	Plain. Firm	Defendant	Def. Firm	App. Date	Justice
1	BURTON & GREENBERG	FORDHAM UNIVERSITY		06/15/1990	ALAN SAKS
2	IRWIN H.HAUT, ESQ.	ARANOFF,GER.	Gerald Aranoff	05/14/2007	MICHAEL A. AMBROSIO, 5B
3	POPKIN,ELIZ. JACKSON	ARANOFF,GER.	IAN ANDERSON	06/21/1995	WILLIAM RIGLER
4	Unknown	ARANOFF,GER.		11/16/2016	Prus, Hon. Eric I.

16. In Case 1 Aranoff v Fordham University (Fordham University refused to give me a PhD in economics) I received this week by mail two books published by Book

Publisher International 2020 with my articles there.

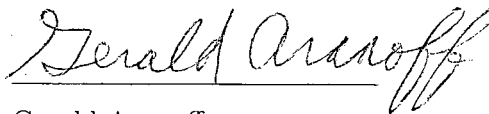
- (a) *Insights into Economics and Management Vol 1* Chapter 1 A Numerical Example Illustrating Globalization: Focus should be on Supply for the Peaks, 1-9 .
 - (b) *Current Strategies in Economics and Management Vol. 2*
 - i. Chapter 2 A Model of Room Rentals in a Seasonal Hotel Illustrating Monopolistic Competition: Descriptive Approach, 12-21.
 - ii. Chapter 3 A Model of Manufacturers and Buyers of Cars Over the Business Cycle Illustrating Competitive Manufacturing: Advanced Study, 22-32.
 - iii. Chapter 5 A Numerical Example Illustrating Cost of Idle capacity in Manufacturing: Advanced Study, 40-46.
 - iv. Chapter 6 A Mathematical Perspective: Focus during Weekday should be on Supply for the Sabbath a Support for Workable Competition, 47-55.
17. In Cases 2, 3, and 4 the March 7, 1995 Rigler/Rothbart Separation Order cannot be explained in any way other than deliberate fraud by Judge Rigler, Larry Rothbart, Judge Ambrosio and Judge Prus. Larry Rothbart was the clerk for Judge Gerald Garson at the time Judge Garson threw Ian Anderson out of his court for no good reason. Larry Rothbart did the figuring of child support and backdated to when I was still in NY. Larry Rothbart added a 9% interest to the phony balance. Larry Rothbart and Judge Rigler froze my TIAA pension 100% early 1994 till late 1997 for no good reason. This was especially mean because I told the court in 1993 that I want to give half of my pension to Susan for child support. Judge Rigler signed a QDRO in 1997 to award Susan 100% but TIAA blocked that. Judge Rigler ordered TIAA to pay Susan \$23,000+ January 1998 for no good reason. Judge Ambrosio did a new QDRO in 2007 for no good reason. Judge Prus ruled to give Susan 55% of my TIAA pension for no good reason.

3 Reasons for Granting the Petition

The trial and jail sentence of the late Judge Gerald Garson was just the tip of the iceberg of fraud etc in NYS civil courts. The Court granting me my petition will help root out fraud in NYS civil courts.

4 Conclusion

The petition for a writ of certiorari should be granted.

A handwritten signature in cursive script, reading "Gerald Aranoff", written over a horizontal line.

Gerald Aranoff

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Sworn this 25th day of April 2021.