

20-8096

ORIGINAL

Supreme Court
of the United States

X Petition for a Writ of Certiorari
: to NYS Court of Appeals

Gerald Aranoff,

Petitioner

Supreme Court, U.S.
FILED

-against-

MAY 18 2021

Susan Aranoff,

Respondent

OFFICE OF THE CLERK

X

State of Israel

Tel-Aviv SS:

Gerald Aranoff, being duly sworn, deposes and says:

Gerald Aranoff

Gerald Aranoff

8 Miriam Haneviah Street

Bnei Brak 51583 Israel

Phone 972-523-602370

Email: garanoff@netvision.net.il

RECEIVED
MAY 21 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

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?

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List of Parties

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

Susan Aranoff, Respondent
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Gerald Aranoff

Gerald Aranoff, Petitioner
8 Miriam Haneviah Street
Bnei Brak 51583 Israel
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1 Opinions Below

See Appendix A

State of New York

Court of Appeals

Decided and Entered on the
sixth day of May, 2021

Present, Hon. Janet DiFiore, Chief judge, presiding

.....
Mo. No. 2021-359

Susan Aranoff,

Respondent,

v.

Gerald Aranoff,

Appellant.

.....
Appellant having moved for reargument of motion 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 is denied

John P. Asiello
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, 20-6525. and 20-7892. 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 Ralbag'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 Ralbag'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 your 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 your 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. 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.
11. 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 Ralbag'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. 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.
12. Utter nonsense Susan/Rothbart/Rigler/Pesce that Yemima is my partner and Susan is my wife and so my children from Yemima are illegitimate. I quote:

"And if a man commits adultery with a married woman, committing adultery with another man's wife, the adulterer and the adulteress shall be put to death." (Leviticus 20:10).

Hertz Chumash p. 507 (edited): "commits adultery. The repetition of the phrase and the substitution of another man's wife for a married woman stress the heinousness of the offense. Marriage is not merely a 'contract'; it is a consecration, and adultery is far more than merely an offense against one of the parties to a contract. It is an offense against the Divine Command proclaimed at Sinai, and constitutes the annihilation of holiness in marriage (Z. Frankel)."

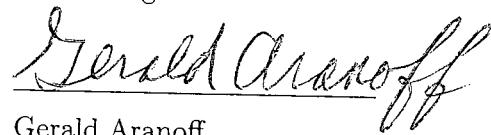
13. I lost my property, house and pension, due to fraud. I lost a PhD in economics due to fraud. I've been trying for 30 years to overturn NYS court rulings; rulings I don't understand. I turned to lawyers, police, government agencies, to TIAA, to Susan, to Fordham University, to Commission on Judicial Conduct, etc. The Inquest August 1, 2013 Judge Prus, Myla Serlin and Susan is like the 3 videos shown to the jury in the Judge Gerald Garson trial; convincing proof the late Judge Garson took bribes. Very hard to prove in a court that a judge takes bribes.
14. Bad judges like to freeze assets of defendants they don't like and even to throw them into jail for no good reason. Luckily I'm here in Israel and I can defend myself by mail using UPS without a lawyer. Bank Leumi just turned me down to go beyond my 100,000 debt to them. I'm waiting for my check for \$5,600 Biden/Harris Covid payments \$1,400 each for me and my Israeli born daughters Hadassah, Tamar, and Sapphire Rivka to clear. I'm in desperate need of my TIAA pension. I watch what happens with my six children from Susan from afar and care deeply.
15. I has the right and determination to defend myself. My fight in Aranoff v Aranoff is to defend my assets: house and pension. I love that SCOTUS puts my documents on public view. We have a room shelter for me, my wife, daughters, son-law and grandson. We get 2 minute warnings when we must run to our shelter. We prepare for the worst and hope for the best.

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.



Gerald Aranoff

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Sworn this 18th day of May 2021.