

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILFREDO TORRES,

Plaintiff,

X

-against-

NYC POLICE DEPARTMENT, et al.,
Defendants.

X

16 CIVIL 2362 (RA)

JUDGMENT

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated April 21, 2021. On March 31, 2021, the Court dismissed this action against remaining Defendants Kevin Wahligh, John Pepe, James Scordus, and Daniel Barvels. Judgment is entered for the Defendants in this action, and the parties shall bear their own fees and costs.

Dated: New York, New York
April 21, 2021

RUBY J. KRAJICK

BY:

Clerk of Court

David J. Lanza

Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Wilfredo Torres

(List the full name(s) of the plaintiff(s)/petitioner(s).)

16 CV 2362 (RA)(KAYF)

-against-

City of New York, et al

(List the full name(s) of the defendant(s)/respondent(s).)

NOTICE OF APPEAL

Notice is hereby given that the following parties: Wilfredo Torres

(list the names of all parties who are filing an appeal)

in the above-named case appeal to the United States Court of Appeals for the Second Circuit

from the judgment order entered on: April 21-2021
(date that judgment or order was entered on docket)

that:

Dismisses the above case

(If the appeal is from an order, provide a brief description above of the decision in the order.)

Dated

5-19-2021

Signature

Wilfredo Torres

Name (Last, First, MI)

Torres, Wilfredo

Address

470 Second Avenue (2A) New York, NY 10016

City

State

Zip Code

Telephone Number

212 447 1737

E-mail Address (if available)

* Each party filing the appeal must date and sign the Notice of Appeal and provide his or her mailing address and telephone number, EXCEPT that a signer of a pro se notice of appeal may sign for his or her spouse and minor children if they are parties to the case. Fed. R. App. P. 3(c)(2). Attach additional sheets of paper as necessary.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 9/3/19

WILFREDO TORRES.

Plaintiff,

v.

THE BLACKSTONE GROUP,

Defendant.

No. 18-CV-6434 (RA)

MEMORANDUM
OPINION & ORDER

RONNIE ABRAMS, United States District Judge:

Plaintiff Wilfredo Torres, proceeding *pro se*, alleges that Defendant The Blackstone Group (“Blackstone”) has sought to illegally intimidate him from taking certain legal actions. Defendant now moves to dismiss Plaintiff’s amended complaint pursuant to Federal Rule of Civil Procedure 12(b)(1) for lack of subject matter jurisdiction and Rule 12(b)(6) for failure to state a claim. For the following reasons, Defendant’s motion is granted.

BACKGROUND

The following facts are drawn from Plaintiff’s amended complaint, and are assumed to be true for the purposes of this motion. *See Stadnick v. Vivint Solar, Inc.*, 861 F.3d 31, 25 (2d Cir. 2017).

Plaintiff is a resident of affordable housing in Manhattan, New York. *See Am. Compl.*[¶] 1. According to Torres, Defendant purchased Plaintiff’s apartment complex in December of 2016 from the prior landlord, Bellevue South Associates (“BSA”). *Id.* ¶ 4.¹

¹ In response, Defendant asserts that, “in fact, Blackstone is not the owner of the building and is not Plaintiff’s landlord.” Def. Decl. in Reply ¶ 6. Because determining whether Plaintiff owns the building and is Torres’s landlord is not necessary to decide the instant motion, *infra* at 5-6, the Court takes no position on this matter.

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING TO A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

1 At a stated term of the United States Court of Appeals for the Second Circuit, held at
2 the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York,
3 on the 2nd day of December, two thousand twenty.

5 PRESENT:

JOHN M. WALKER, JR.,
ROBERT A. KATZMANN,
RICHARD C. WESLEY,
Circuit Judges.

Wilfredo Torres,

Plaintiff-Appellant,

v.

19-3202

The Blackstone Group,

Defendant-Appellee.

FOR PLAINTIFF-APPELLANT:

Wilfredo Torres, pro se,
New York, NY

FOR DEFENDANT-APPELLEE:

Paul Coppe, Dean Dreiblatt,
Rose & Rose, New York,
NY.

Appeal from a judgment of the United States District Court for the Southern District of

2 New York (Abrams, J.).

3 **UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED, AND**

4 **DECREEED** that the judgment of the district court is **AFFIRMED**.

5 Appellant Wilfredo Torres, proceeding pro se, appeals the district court's judgment
6 dismissing his complaint against The Blackstone Group ("Blackstone") without leave to amend.
7 Torres sued Blackstone, alleging that Blackstone owned his apartment complex and had taken
8 various actions to interfere with Torres's pursuit of a separate lawsuit. The district court construed
9 the pleadings as raising due process claims under 42 U.S.C. § 1983; violations of two criminal
10 statutes, 18 U.S.C. § 1512 and 18 U.S.C. § 1708; and state law claims. The district court dismissed
11 the due process claim for failure to state a claim, dismissed the criminal law claims for lack of
12 subject matter jurisdiction, and declined to exercise supplemental jurisdiction over the state law
13 claims. It further denied leave to amend as futile. This appeal followed. We assume the parties'
14 familiarity with the underlying facts, the procedural history, and the issues on appeal.

15 Because Mr. Torres has failed to raise and thus waived any argument relevant to the district
16 court's dismissal of his case on appeal, we affirm the judgement. Although "we liberally construe
17 pleadings and briefs submitted by pro se litigants, reading such submissions to raise the strongest
18 arguments they suggest," *McLeod v. Jewish Guild for the Blind*. 864 F.3d 154, 156 (2d Cir.
19 2017) (per curiam),¹ pro se appellants nonetheless must comply with Fed. R. App. P. 28(a), which

¹ Unless otherwise indicated, in quoting cases, all internal quotation marks, alterations, emphases, footnotes, and citations are omitted.

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

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

June 7, 2021

Mr. Wilfredo Torres
470 Second Ave., Apt. 2A
New York, NY 10016

Re: Wilfredo Torres
v. The Blackstone Group
No. 20-7869

Dear Mr. Torres:

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

The petition for a writ of certiorari is denied.

Sincerely,



Scott S. Harris, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
WILFREDO TORRES,

Plaintiff,
-against-

18 CIVIL 4665 (RA)

JUDGMENT

NYC HEALTH & HOSPITALS, *et al.*,

Defendants.

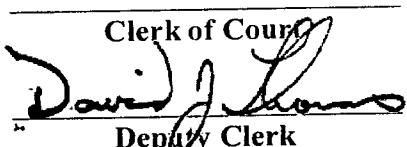
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum Opinion and Order dated January 7, 2021, the Court grants HHC's motion to dismiss; accordingly, this case is closed.

Dated: New York, New York

January 8, 2021

RUBY J. KRAJICK

BY:


Clerk of Court
Deputy Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Wilfredo Torres

(List the full name(s) of the plaintiff(s)/petitioner(s).)

-against-

18 CV 4665 (RA)(KBF)

NOTICE OF APPEAL

nyc Health & Hospitals Corp. et al.

(List the full name(s) of the defendant(s)/respondent(s).)

Notice is hereby given that the following parties:

Wilfredo Torres

(list the names of all parties who are filing an appeal)

in the above-named case appeal to the United States Court of Appeals for the Second Circuit

from the judgment order entered on: 1-07-2021
(date that judgment or order was entered on docket)

that:

dismisses the above case.

(If the appeal is from an order, provide a brief description above of the decision in the order.)

Dated

1-25-2021

Signature

Wilfredo Torres

Name (Last, First, MI)

Torres, Wilfredo

Address

470 Second Avenue (2A) New York, N.Y. 10016

City

State

Zip Code

Telephone Number

212 447 1737

E-mail Address (if available)

* Each party filing the appeal must date and sign the Notice of Appeal and provide his or her mailing address and telephone number, EXCEPT that a signer of a pro se notice of appeal may sign for his or her spouse and minor children if they are parties to the case. Fed. R. App. P. 3(c)(2). Attach additional sheets of paper as necessary.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILFREDO TORRES,

Plaintiff,

-against-

NEW YORK LEGAL ASSISTANCE GROUP,
ET AL.,

Defendants.

20-CV-6396 (LLS)

CIVIL JUDGMENT

Pursuant to the order issued September 23, 2020, dismissing the complaint,

IT IS ORDERED, ADJUDGED, AND DECREED that the complaint is dismissed under 28 U.S.C. § 1915(e)(2)(B)(i).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's judgment would not be taken in good faith.

IT IS FURTHER ORDERED that the Clerk of Court mail a copy of this judgment to Plaintiff and note service on the docket.

SO ORDERED.

Dated: September 23, 2020
New York, New York

Louis L. Stanton
Louis L. Stanton
U.S.D.J.

S.D.N.Y. - N.Y.C.
20-cv-6396
Stanton, J.

United States Court of Appeals
FOR THE
SECOND CIRCUIT

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 24th day of March, two thousand twenty-one.

Present:

Dennis Jacobs,
Robert A. Katzmann,
William J. Nardini,
Circuit Judges.

Wilfredo Torres,

Plaintiff-Appellant,

v.

20-3383

New York Legal Assistance Group, et al.,

Defendants-Appellees.

Appellant, *pro se*, moves for leave to proceed in forma pauperis and for reversal. Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeal is DISMISSED because it "lacks an arguable basis either in law or in fact." *Neitzke v. Williams*, 490 U.S. 319, 325 (1989); *see also* 28 U.S.C. § 1915(e).

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court



Catherine O'Hagan Wolfe

**Additional material
from this filing is
available in the
Clerk's Office.**