

COURTS
ORIGINAL

UNITED STATES
SUPREME COURT

JOSEPH F. SADOWSKI,

-against-

W. DAVID HARMON,

Plaintiff / Appellant

Defendant / Appellee

Index # 2020/566

AFFIDAVIT OF SERVICE
for Motion of Time Out Of Time
and Affidavit Attached

To the Clerk of the Court

I, Dina Dullano, Swear, I am Not a Party to this action, I am above 21 years of age, and ON THIS 20th. DAY OF August 2021, I Served in a plain wrapper, envelope the Motion for with Motion for Time out of time, and the Affidavit in Support by the Philippines postage department, and LBC Express to the court for three-to-five-day service which ever was taking postage as to the Pandemic orders on the following,

White & McSpedon, P.C.
Christopher G. White Esq.
875 Avenue of the Americans, Suite 800
New York New York, New York 10001
(212) – 564 – 6633

to Mr. Michael Duggan Esq.
United States Supreme court
1 First Street, NE
Washington, DC 20543
Telephone: 202-479-3000

Solicitor General of the United States room 5614
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Phone: 202-514-2000

FAUG 20 2021

SUBSCRIBED AND SWORN to before me on the _____
day of _____ at _____, Date Affiant
exhibiting his/her valid identification card.

DOC. NO. 431 Notary Public until December 31, 2021
PAGE NO. 59 Roll of Attorney No. 47540
BOOK NO. W IBP Life No. 014564/12.28.15
SERIES OF 2021 PTR OR No. 14306678A/01.04.2021/Rizal
MCLE COMPLIANCE NO. VI-0016704 until 04.14.2022
Office Address: 529A Daang Bakal Street, Brgy. Balite, Rodriguez, Rizal
TIN 107-768-038

Respectfully Submitted

Dina Dullano

Dina Dullano
Dina_Dullano@yahoo.com
Phase 1 Block 5 Lot 57, Eastwind Homes,
San Isidro,
Montalban, Rizal
Philippines, 1860
01163-93333-705-30,

RECEIVED

AUG 25 2021

OFFICE OF THE CLERK
SUPREME COURT, U.S.

UNITED STATES
SUPREME COURT

-----X
JOSEPH F. SADOWSKI,
Plaintiff,

-against-

W. DAVID HARMON,
Defendant

Affidavit of Service For
NOTICE OF MOTION
Time out of Time
For a Writ of Certiorari
UNITED STATES SUPREME COURT

To the Clerk of the Court

X

#1. I Joseph A.F. Sadowski is filing a motion for time out of time at the Supreme Court Building, located at One First Street, NE, in Washington, DC, 20543 for a MOTION FOR LEAVE TO PROCEED *Time Out Of Time*

The petitioner asks to leave to file the attached petition for Time out if time in a case from the New York State Court of Appeals from the case from the Supreme Court Nassau County by Justice Peck on dismissal index# 4441/2013

Petitioner's affidavit or declaration in support of this motion is attached hereto.

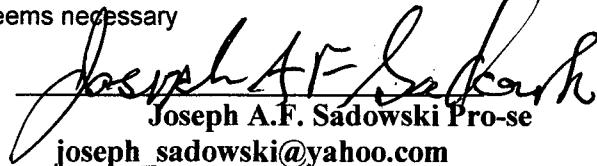
#1. I Joseph A.F. Sadowski is asking for permission to file a motion for time out of time at the Supreme Court Building,

#2. I ask for a stay on the case till the court reviews the case. under Rule 23. Stay,

#3. And any other relief this court deems necessary

8-20-2021

Montalban, Philippines


Joseph A.F. Sadowski Pro-se
joseph_sadowski@yahoo.com

Phase 1 Block 5 Lot 56
Eastwind Homes, San Isidro

Montalban, Rizal
Philippines 1860
09-3333-705-30

My NY Fax for the court, 1-516-706-5233

Supreme Court of the United States
Clerk of the Court,
1 First Street, NE
Washington, DC 20543
Telephone: 202-479-3000

White & McSpedon, P.C.
Christopher G. White Esq.
875 Avenue of the Americans, Suite 800
New York New York, New York 10001
(212) - 564 - 6633

Solicitor General of the United States, U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC 20530-0001, Phone: 202-514-2000.

**UNITED STATES
SUPREME COURT**

<u>JOSEPH F. SADOWSKI,</u>	Plaintiff / Appellant	<u>Index # 2020/566</u>
-against-		AFFIDAVIT for Motion
		TIME OUT OF TIME
<u>W. DAVID HARMON,</u>	Defendant / Appellee	And a Stay under
		Rule 23. Stays

To the Clerk of the Court

At this time, I request time out of time as the Motion served during the Pandemic time line was changed 4 times in the Philippines and in Washington DC, for Lock Down orders the Philippines started its first Lockdown in October as people eating Pork from China were getting sick and the Public was told to stop eating Pork from China, which was removed just before Christmas, the second, Lockdown January 6, 2021, the rules in this court clearly state (You must file your petition for a Writ of Certiorari within 90 days from the date of the entry of the final judgment in the United States court of appeals or highest state appellate court or 90 days from the denial of a timely filed petition for rehearing.) The date received from the order sent by mail was received November 5, 2020 in the Philippines, taking that date into consideration I saw I had 90 days in time and the time it took to Borrow Money to send the written papers was January 8, 2021, which at that time I was trapped for sending any and all Papers as the Lockdown was January 6, 2021, which I did not know, first called the court and got a message which no one returned the call, then I sent an e-mail and did not receive any answer asking if I should place a motion in for time out of time, No Answer, then I saw a new pandemic order by this court given what I believed to be 150 days more, I then sent another e-mail and No Answer and a while latter I called the court again and no one returned my call to verify my information, and finally I did send the papers in and at no time did I get any answer from the court or another Phone call and after a while I got sick and tired that no one responded to my calls and e-mails and sent information over the internet where I was clicked off as I was garbage and no one would answer any questions through Face Book, Finally I sent another e-mail to the court and did get an answer from the clerks office, as it appeared they did receive the Papers and did not post them with a clerk making a statement (Mr. Duggan just clarified that his May 5, 2021, letter returning your materials to you was returned to us by the post office. Can you please provide the lower court case number as requested in the attached letter?)

In light of the ongoing COVID-19 pandemic, the Clerk's Office is providing guidance on potential impacts of the virus on operations. Documents filed before the filing outward date. Filing Deadlines; On March 19, 2021, the President of the Philippines still has Montalban on lockdown, I already requested extra time till the lockdown order was lifted and requested an oversize petition to 60 pages and have not received any reply to the request from The Clerk's Office, this was done through messaging of the Supreme Court which they have my E-mail address and local New York fax number, the Court already extended the deadline to file petitions for Writs. of Certiorari in all cases due on or after the date of that order to 150 days, added to the

original 90 days which is the original order for submission from this court, the Philippines was on lockdown from January 6th, 2021 to date, April 2, 2021, which was announced on a Friday after the normal hours of the Post office which made the first mailing Monday April 5, 2021, which the mailing was sent out to this court, April 5, 2021. Now, the order was received on November 5, 2020, as to the New York State Court of Appeals, mailing services, and the order was signed on October 22, 2020.

Now, President Duterte orders for the lockdown was clear, the clock was stopped on January 6 to the President order was lifted which was April 5, 2021, meaning for all court documents the court will issue new dated on that date to resume court business for each case. The court would only take up emergency cases upon their emergencies filed, and this case in the courts eyes was not any emergency not allowing transportation for all businesses including the Philippines Post office, each road in this country, (the Philippines) had road blocks by Police and Armed forces, which spread to the entrance of each housing development, or subdivision, there was no traveling to any place except to doctors, hospitals and food stores, and no travel was allowed to exist without a permission slip by the actual police road block at the entrance and exit of each development, if anyone was found going passed the certified travel, they were placed in jail till the lockdown was lifted. Each person received a large fine to appear in court to give their excuse for violating the lockdown order.

This information was passed onto this court clerk's office and it comes down to this court refused to honor and respect the decisions of the Orders of the President of the Philippines as if they were superior, as seen When the Clerk opened the box holding the files the very top page was from the Post Office of the Philippines when they were closed and the reasons, which was the pandemic running throughout all countries, throughout the entire world, this shows the honor and integrity of the Supreme Court of the United States located in Washington DC, which now makes this a federal matter under

In Light of your e-mail to me and your response I finally got an answer from this court after leaving two messages and after sending two (2) e-mails not counting this one as #3., I finally got an answer from this clerk's office,

This is in part the issue of this court service is concealed in my belief was with not placing enough money on the envelope and it is returned to the sender and never updated with the right price and the papers never being sent out to the party for service never being completed without the post office therefore having either signature request or certified, completed by the lawyers for paying the post office which is just \$1,00 and this is to much to ask any lawyer to present when any party request a form of completed service, the Clerks and Judges refuse to complete that request and no certified service is ever gotten for non-officers of the court. Watch this! Remember thousands of people lost their homes and money from storm damages from insurance companies because the plaintiffs never received any notice of motion to be present at the motion hearing!

Example: this is a response from the Di Pippo Law group,

Appendix Number 5, Exhibit #3. Page 1055, Paragraph 14. As this Court is aware. it is well settled that when serving motion papers from inside the State of New York, service is deemed complete when the motion papers are mail i.e., placed in a mail receptacle, and not when the recipient of the motion papers

actually receives the papers or even the date that is stated in the postmark. Indeed, "[service of papers by mail is deemed complete upon deposit of such papers in the mail and such manner of service creates a presumption of proper mailing to the addressee" See *Vita v. Heller*, 97 A.D.2d 464,467 N.Y.S.2d 65, 2 (2d Dept. 1983); see also CPLR §2103. In all instances, we have Affidavits of Service in which a staff member from our office attests that she deposited the submission in an official box of the United States Post Office prior to the date service was due. Therefore, in all instances, our service of all motion submissions was timely.

Remember not all PO Boxes are emptied each day some on long streets or even dead end streets are empty 2 times a Week!

Joseph Sadowski <joseph_sadowski@yahoo.com>
To:efilingsupport@supremecourt.gov,Joseph Sadowski
Bcc:Joseph Sadowski,Dina Dullano
Sat, Aug 7 at 2:01 AM
To the e-filing clerk!

I Need some Help in a filed case in paper and no response from e-filing when called for permission to E-file I believed I was not allowed after no one returned my call which was beginning of January as the Philippines country was completely closed down on January 6, 2021 the Philippines was not re-opened till April26, 2021 and that was a partial re-opening, at which time I for the third time had a third Affidavit of service prepared to be sent out which was a large package so on April 7, 2021 and the court received the Papers on April 28, 2021 and was signed for by The item was signed for by J KOUROS as received by the Supreme Court Washington DC

Your web-site Rules state

The Supreme Court's new electronic filing system is now in operation. While paper remains the official form of filing, all parties who are represented by counsel must also submit electronic versions of filings through the system. Most documents that are submitted electronically will be made available on the Court's public docket free of charge. Filings from pro se parties are submitted only on paper but will be scanned and made available electronically on the Court's docket. Additional information about the system is available in the documents below. Any other questions on these issues can be directed to the Clerk's Office at 202-479-5660 or efilingsupport@supremecourt.gov.

The Papers were sent out April 7, 2021 as seen here, and Received April 28, 2021

Philippines Post Express Contact
Copy link Copy details
Delivered (22 Days)
EE195813226PH

2021-04-28 11:16

Delivered, Your item was delivered at 11:16 am on April 28, 2021 in WASHINGTON, DC 20543 to SUPREME COURT 20543. The item was signed for by J KOUROS. WASHINGTON,DC,20543
2021-04-28 11:08

Available for Pickup WASHINGTON,DC,20543
2021-04-28 08:05

Arrived at Post Office WASHINGTON,DC,20018
2021-04-07 07:13

Processed Through Facility MNL CTRL MAIL EXCHANGE CTR EXPRESS,PHILIPPINES
2021-04-07 07:12

Processed Through Facility MNL CTRL MAIL EXCHANGE CTR EXPRESS,PHILIPPINES
2021-04-28 11:16:00

Item delivered United States of America (the)
2021-04-28 08:05:00

Receive item at delivery office United States of America (the)
2021-04-07 07:13:12

Dispatch item to destination country PHILIPPINES
2021-04-07 07:12:00

Receive item at origin country gateway PHILIPPINES

After waiting almost now three (3) months you can understand I am annoyed knowing I have never been treated like this in my entire life and it was done by the Highest court in our country, totally disrespect and a showing of the lack of honor and the lack of integrity, like the court has closed its eyes to so many Lawyers disrespecting the due process in the 5th and 14th Amendments of the United States Constitution and as many Justices which includes removing evidence from the records ordered by the Second Department Appellate court and the New York State Court of Appeals, and the stopping of arguments when we were called in another case on the day of arguments which consist of asking the court to exhume the body of Roger Koenig as the personal Lawyer refused to allow the wife any autopsy and the last person to see the deceased alive was the lawyer his personal friend while on the same day of the death the lawyer stripped her, the house of all papers and had the police carry out the personal family safe from the wife Renada Koenig even after the police was told the wife was in the hospital having treatment the police continued to allow the stripping of the house, all because the Mother hatted her son marrying a Black woman, Yes an African American stripping her of her home and 6 businesses, and her right to live, the mother was not ashamed of calling her the (N-word) then the New York State Court of Appeals refused to answer the single question (who is obey the orders from the Department of Health is it only the person who was ordered to stop work, because the person had Hepatitis C in stage three and was ordered not to go to public places no church, no shopping and going no place out of town or 20 miles from my home, and was only allowed to go to and from the treating facility, with the states being notified for tax purposes. The federal government paid me to stay home and gave me benefits not to go out, when I was finally recovered from the sickness which was accidentally given to me by a state hospital, then the county of Nassau took my home and the states with the assistance of my own attorney and the attorneys refusal to give a dime in compensation as they clearly stated there was nothing wrong with me, which was filed by the State Doctors stating I was 75% totally disabled after being run over by an SUV Truck, the counties took all I owned amounting to \$4.5 million dollars, And so much more and this court closed their eyes to thousands of people being ripped off by lawyers in New York and New Jersey and Connecticut with their reasoning the plaintiffs were never served motion papers, or they came in 3 to 8 weeks after the motion date passed,

Personally, I could not believe this court would close their eyes to this type of case with so many Judges breaking the laws and the State Court of Appeals never applied the constitution to their decisions and stated the Second Department did nothing wrong, well after 6 weeks I contacted Senator Cruz , this is the letter I sent him

To Senator Ted Cruz,

eFilingSupport <efilingsupport@supremecourt.gov>
To:'Joseph Sadowski',eFilingSupport
Sat, Aug 7 at 2:42 AM

Your assigned case analyst, Mr. Duggan, has recently received your resubmitted petition in response to his May 5, 2021 letter returning your original materials. Please be assured your filing will be reviewed and processed as soon as possible. Please contact Mr. Duggan with any questions about the status of your petition at 202-479-3025.

Electronic Filing is currently not required of individuals who are not attorneys that are members of the Court's Bar. Everyone (including attorneys) must file petitions in paper format, as paper is the official form of filing in this Court. Attorneys who are members of the Supreme Court have the additional burden of also e-filing.

This email address is only for technical support for the electronic filing system at the Supreme Court of the United States. The Court does not accept filings by email and is unable to provide legal advice. If you need to speak to a case analyst in the Clerk's Office, please call 202-479-3011.

Clerk's Office
Supreme Court of the United States
One First Street, NE
Washington, DC 20543
efilingsupport@supremecourt.gov

eFilingSupport <efilingsupport@supremecourt.gov>
To:eFilingSupport,'Joseph Sadowski'
Sat, Aug 7 at 3:03 AM
Mr. Duggan just clarified that his May 5, 2021, letter returning your materials to you was returned to us by the post office. Can you please provide the lower court case number as requested in the attached letter?

Clerk's Office
Supreme Court of the United States
One First Street, NE
Washington, DC 20543
efilingsupport@supremecourt.gov

Joseph Sadowski <joseph_sadowski@yahoo.com>
To:eFilingSupport,Joseph Sadowski
Sat, Aug 7 at 11:28 PM

If you took the time to read the e-mail, you will notice there are four (4) links to the whole case which is a copy of the original file that was sent to the court. The court received all the originals and is complete, I took those originals and gave them to this court. if you notice when opening up the box, I followed the court rules of the pandemic, you people refused to give authorization to file the papers in the electronic filing, if you read your own rules, you got everything necessary. this court got notice from the web master and twice by phone. which was very hard to do for the general public during the pandemic.

I cannot imagine you asking for the CASE NUMBER OF THE NEW YORK STATE APPELLATE COURT WHEN YOU HAVE THAT IN THE PAPERS BEFORE THIS COURT AND YOU'RE HOLDING THE FILE, THIS DOES NOT SOUND RIGHT TO ME AND SOUNDS LIKE SOMEONE HAS DONE THIS FOR A FAVOR OR CASH!

THANK YOU and God bless. I think it will be in everyone's best interest that, I will file in the Federal Court on Tuesday, as I see I cannot even trust this court to honestly do the right thing, because of you total dis-

respect in the case of this magnitude. I suggest you notify the justices of this court in what is ongoing, in expanding this timeline from January 2021 when this court refused to give that authority to file e-filing knowing the Philippines was on Lockdown totally with check points with roadblocks and no one allowed to walk in their blocks only with permission to go to food stores to buy food. everything was completely closed, it took calls with Senator Gordon of the Philippines senate, and you can call him to check this out. I realize the original had to be filed when I was able to file, as our post office was on lock down from January 6, 2021, to April 2, 2021 which was a Friday stating it will open on Monday April 5, 2021, that the post office will be opened and allowed drop offs in an orderly fashion, which you saw when you opened the box which was placed on the very top page, notice from that post office the days it was on lock down to the day it was finally opened and your still just holding the information without filing it in this court. and now to this date.

Time related information to get an answer from this court to file a case in the State of Maine was very important to me, as there was a strong possibility of getting back, 174 acres of my Island property which I owned for over 30 years. if this court would have answered just two questions before October 1. 2021

I'm going to wait till Tuesday to File in the Federal Court with all the information they need to file in e-filing because it is now 8 months I have tried my hardest to get this case heard in this High court, which I see only totally disrespect for this Petitioner, I'm gonna wait until your Monday to see what this court does on Monday to the blunder and Disrespect of the Clerk's office. You have all my papers since April 28, 2021 and did nothing to accommodate the case before this court, to have filed this case for their convenience for deliberations of how is this going to transpire, I say this clearly to you as this is the nail which shows the total corruption in this clerk's office which is total destruction of Law within our constitution, as if you had a problem, you had a fax number and you had an e-mail address to reply to any of your problems especially in a case of this magnitude, Personally and I say this nicely it is time you look for other employment as what this office has caused me in time and money, I have borrowed over \$2,000.00, to put this case together and now you want to return this file back to me,

I am sure the justices in this court when knowing this will not sit still for your indiscretion and dishonor of this court. and the disrespect toward each and every one of them, and it is a crying shame of you trying to place this blame upon me when I followed the rules of this court during the pandemic. if it was me sitting over there you would be escorted out of that building today and not be allowed to take anything from that building no stamps or anything important as you sound like that type of person of being the local troublemaker doing side work for others and a Very large Price.

I realize no one will do anything on Monday, but any Federal Court Justice will ask the ONE question did you allow the court to respond to repair the damage before you file in their court. and that would be human.

I have to say this bluntly the African Americans are right as the poor Black women her own lawyer stripped her of everything she owned, especially when John Naveratta took us to court to get us out of her home and that judge told him to return the safe and all her belongings and papers then he could file the case again instead they were at my door the next morning with 5 other White thuds with bats telling me to get out now or go to the ER. imagine after they were told by the judge John Naveratta could not remove her from the house legally after her husband was killed in his house because he was changing the managers in the 6 clubs! This woman is now missing since her meeting. it was John Naveratta who last was with the husband before announcing him dead, and it was Renada Koenig who was asked to meet 2 days before the date the club was to be sold to the manager, papers are all within this filing. And remember Renada Koenig was African American. Roger found the manager had tapes of people including Judges in laptop rooms and Donn Stipes had these in the office safe which Roger Koenig owns, and found when the manager was not in.

now if you really need the index numbers here is 3 of several in this case and a total of most others desperately loving total corruption playing with the Lawyers

Petitioner / Plaintiff Supreme court# 4441/2013

§ 2306 N.Y.C.P.L.R. Hospital records; medical records of department or bureau of a municipal corporation or of the state.

- *Transcript or reproduction. Where a subpoena duces tecum is served upon a hospital, or upon a department or bureau of a municipal corporation or of the state, or an officer thereof, requiring the production of records relating to the condition or treatment of a patient, a transcript or a full-sized legible reproduction, certified as correct by the superintendent or head of the hospital, department or bureau or his assistant, or the officer, may be produced unless otherwise ordered by a court. Such a subpoena shall be served at least three days before the time fixed for the production of the records unless otherwise ordered by a court.*

Now with Michael Duggan looking for a reason to place blame on me but never sent notice by e-mail or fax to asked to correct it or what I wanted or needed to do they let the papers be buried for 4 months and then I then started my notices to the justices they had a very big problem as the clerk's office were hiding papers submitted into this High Court,

Now we could look at it as a mistake or forgot, to which is not likely, except what would be the reasons, and why? As it is we caught the law firms Destroying records and destroying three computers which is with evidence and called **international sabotage and Cyber Terrorism, three law firms which knows the trouble they are in**

Sabotage is a deliberate action aimed at weakening a polity, effort, or organization through subversion, obstruction, disruption, or destruction.

#1, Relief requested at this time I ask this court to allow the consideration of the time out of time as to the 13 days being late into this court while under the Pandemic orders as the changing of the dates got confusing

#2. A Stay on this case as the timelines are closing in for any further actions of property in Maine.

#3. I ask this court for any further relief this court deems just and necessary,

Montalban, Philippines, Date: **AUG 20 2021**

SUBSCRIBED AND SWORN to before me this

day of _____ at Rodriguez, Rizal, Afiant

exhibiting his/her Notary Public Card.

JOAN R. BULAWAN

DOC. NO. **440** Notary Public until December 31, 2021

PAGE NO. **89** Roll of Attorney No. 47540

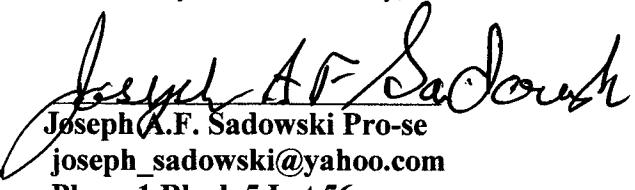
BOOK NO. **440** NBP Life No 014564/1M935

BOOK NO. **440** PFR UR No. 14305678A/01.04.2021/Rizal

BOOK NO. **440** MCLE COMPLIANCE NO. VI-0016704 until 04.14.2022

BOOK NO. **440** Office Address: 529A Daang Bakal Street, Brgy. Balite, Rodriguez, Rizal

TIN 102-768-038

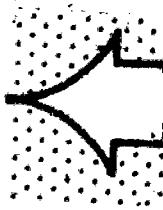

Joseph A.F. Sadowski Pro-se
joseph_sadowski@yahoo.com

Phase 1 Block 5 Lot 56
Eastwind Homes, San Isidro
Montalban, Rizal

Philippines 1860
09-3333-705-30

Fax for the court, 1-516-706-5233

14



State of New York

Court of Appeals

*Decided and Entered on the
twenty-second day of October, 2020*

Present, Hon. Janet DiFiore, *Chief Judge, presiding.*

Mo. No. 2020-566

Joseph A.F. Sadowski,
Appellant,

v.

David W. Harmon,
Respondent.

Appellant having moved for reargument of a motion for leave to appeal to the Court of Appeals and for a stay &c. in the above cause;

Upon the papers filed and due deliberation, it is

ORDERED, that the motion for reargument is denied; and it is further

ORDERED, that the motion for a stay &c. is dismissed as academic.



Heather Davis
Deputy Clerk of the Court

**State of New York
Court of Appeals**

*Decided and Entered on the
second day of April, 2020*

Present, Hon. Janet DiFiore, *Chief Judge, presiding.*

Mo. No. 2019-1165

Joseph F. Sadowski,
Appellant,

v.

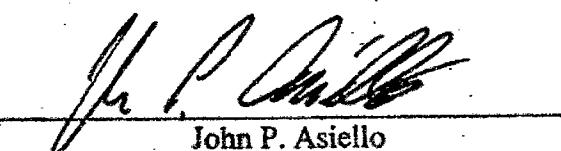
W. David Harmon,
Respondent.

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 for leave to appeal is dismissed upon the ground that the 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 is dismissed as academic.



John P. Asiello
Clerk of the Court

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