

## 15. INDEX OF APPENDICES

Page No:

**APPENDIX A** – Court of appeals P.A. opinion.....Pet. App. 4 ,5, 12, 13, 14, 15

Petitioner’s motions to file exhibits and for rehearing, *Renee Chrustowski v. Cumberland County Guidance Center, et al.*, No. D.N.J. 1-23-cv-03112, 3d Cir. L.A.R. 106.1(a), motion to seal all documents, records, and exhibits denied without prejudice (December 20, 2024), petition for a rehearing granted (App. March 4, 2024)

**APPENDIX B** – Court of appeals P.A. opinion.....Pet. App. 4, 5, 6, 8, 9, 12-15

Petitioner’s remanded evidentiary hearing brief, *Renee A. Chrustowski v.*

*NAACP, et al*, No. E.D. P.A. 1:23-cv-03692, petition for a rehearing in the 3<sup>rd</sup> circuit en banc was denied, (App. February 23, 2024). Petitioners motion to seal denied, D.I. 1 and complaint dismissed 28 U.S.C. 1915(e)(2)(B)(i)(ii), (3<sup>rd</sup> circuit P.A., March 12, 2024). Petitioners’ forma paupris granted 28 U.S.C. sec 1915(e)(2), (3<sup>rd</sup> circuit, P.A. October 26, 2023)

**APPENDIX C** - Court of appeals P.A. opinion.....Pet. App. 4-14

Petitioners motion to proceed in forma paupris granted, motions to consolidate cases denied and 3 cases dismissed without prejudice, *Renee A. Chrustowski v. USPS, Louis DeJoy, Postmaster General, et al*, No. 23-2926, 23-2927, 23-2928 (App. October 17, 2023)

**APPENDIX D** – Court of appeals D.E. opinion.....Pet. App. 14

Petitioners’ complaint dismissed without prejudice, motion for summary judgement and to seal case denied as moot, *Renee A. Chrustowski v. Carney’s Point Township*, No. 23-858-CFC, (App. October 3, 2023)

**APPENDIX E** – Court of appeals D.E. opinion.....Pet. App. 15

Motion to seal cases was denied and complaint was dismissed, *Renee Chrustowski v. Jewel & Shelly Chrustowski* No. 1:23-cv-008-CFC, appeal dismissed D. Del. No. 1-23-cv-00746, (App. December 11, 2023)

**APPENDIX F** - Office of the Circuit Executive P.A. opinion.....Pet. App. 14-15

Petitioners’ complaint of Judicial Misconduct (28 U.S.C. 351et seq) against a federal judge was docketed, No. 03-23-90068 and 03-23-90069, (App. August 24, 2023), (App. December 27, 2023)

## APPENDICES CONTINUED

Page No:

**APPENDIX G** – Court of appeals D.E. opinion.....Pet. App. 15

Motion to seal cases was denied and complaint was dismissed, *Renee Chrustowski v. Pete Chrustowski* No. 1:23-cv-00746-CFC, (App. December 27, 2023)

**APPENDIX H** – Court of appeals Camden N.J opinion.....Pet. App. 6, 13

Petitioners' application to proceed in forma pauperis denied, *Renee A. Chrustowski v. Archer & Greiner*, No. 1:23-cv-22010 (RMB-EAP), (App. November 9, 2023)

**APPENDIX I** – Court of appeals D.E. opinion.....Pet. App. 4-14

Motions to consolidate cases denied, three cases dismissed without prejudice, pending motions denied as moot, *Renee Chrustowski v. USPS, Louis DeJoy Postmaster General, et al*, No. 1:23-cv-00745-CFC, (App. October 17, 2023)

**APPENDIX J** - District Court of N.J. opinion.....Pet. App. 4, 5, 12, 13, 14, 15

Letter requesting the court reassign petitioners' case to a new judge, *Chrustowski v. Cumberland County Guidance Center, et al.*, No. 1:23-cv-03112 (RMB/SAK), (App. July 7, 2023)

**APPENDIX K** – District Court of D.E. opinion.....Pet. App. 4, 12, 13  
Petitioners case docketed, *Renee A. Chrustowski v. Best Buy*, No. 1:23-cv-00036-CFC, (February 13, 2023)

**APPENDIX L** – District Court of D.E. opinion.....Pet. App. 4  
Petitioners case docketed, *Renee A. Chrustowski v. Life House Church, et al*, No. 1:23-cv-00035-CFC, (February 13, 2023)

**APPENDIX M** – District Court of D.E. opinion..... Pet. App. 4  
Petitioners case docketed, *Renee A. Chrustowski v. Christian Life Center, et al.*, No. 1:23-cv-00888-CFC, (August 11, 2023)

**APPENDIX N** – U.S. Equal Employment Opportunity Commission. Pet. App. 4-14

Petitioners case filed, *Renee A. Chrustowski v. NAACP, Derrick Johnson, et al*, 29 C.F.R. 1614.110, No. 530-2024-00378, (October 17, 2023)

**APPENDIX O** – U.S. Equal Employment Opportunity Commission...Pet. App. 4-14

Petitioners case filed *Renee A. Chrustowski v. USPS, Louis DeJoy,*

*(Postmaster General), et al*, 29 C.F.R. 1614.110, No. 530-2024-00102X, (January 14, 2023)

## APPENDICES CONTINUED

Page No:

**APPENDIX P** – National Labor Relations Board (NLRB).....Pet. App. 5, 9-12

Petitioners case filed, *Renee A. Chrustowski v. USPS, Louis DeJoy (Postmaster General), et al*, 29 U.S.C. 151-169, No. 04-CA-327904(8)(a)(1)(5), (October 13, 2023), 04-CA-326726(8)(a)(1)(3), (October 6, 2023)

**APPENDIX Q** – National Labor Relations Board (NLRB).....Pet. App. 11, 12

Petitioners case filed, *Renee A. Chrustowski v. USPS, National Rural Letter Carrier Association (DERLCA 78 – RCA)*, No. 04-CB-333801 (January 18, 2024)

**APPENDIX R** – U.S. Federal Labor Relations Authority (FLRA).....Pet. App. 5, 6, 9

Petitioners case filed, *Renee A. Chrustowski v. USPS, Louis DeJoy*.....10, 11, 12  
(*Postmaster General*), *et al*, 5 U.S.C. 7116(a)(2)(4)(5), No. eOGC015532, (August 9, 2023)

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 23-2812

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RENEE CHRUSTOWSKI,  
Appellant

v.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED  
PEOPLE, DERRICK JOHNSON; 80EIGHTY; LGND SUPPLY CO, Giovanni  
Petruzziello; BALLYS DOVER CASINO; DELAWARE PARK CASINO

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(E.D. PA No. 1-23-cv-03692)

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SUR PETITION FOR REHEARING

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Present: CHAGARES, Chief Judge, JORDAN, HARDIMAN, SHWARTZ,  
KRAUSE, RESTREPO, BIBAS, PORTER, MATEY, PHIPPS, FREEMAN,  
MONTGOMERY-REEVES, CHUNG, and SCIRICA\*, Circuit Judges

The petition for rehearing filed by Appellant Renee Chrustowski in the above-  
entitled case having been submitted to the judges who participated in the decision of this  
Court and to all the other available circuit judges of the circuit in regular active service,

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\* Judge Scirica's vote is limited to panel rehearing only.

and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,

s/ Cheryl Ann Krause  
Circuit Judge

Dated: February 23, 2024  
JK/cc: Renee Chrustowski

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U.S. District Court

District of New Jersey [LIVE] (Camden)

CIVIL DOCKET FOR CASE #: 1:23-cv-03692-RMB-SAK

CHRUSTOWSKI v. NAACP et al  
Assigned to: Chief Judge Renee Marie Bumb  
Referred to: Magistrate Judge Sharon A. King  
Related Case: 1:23-cv-04251-RMB-SAK  
Case in other court: Third Circuit, 23-02812  
Cause: 28:1331 Federal Question: Other Civil Rights

Date Filed: 07/10/2023  
Date Terminated: 05/16/2024  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff**

RENEE A. CHRUSTOWSKI

represented by **RENEE A. CHRUSTOWSKI**  
711 WOOD DUCK CT.  
MIDDLETOWN, DE 19709  
856-878-8422  
Email: Renee\_C18@hotmail.com  
PRO SE

V.

**Defendant**

NAACP  
*DERRICK JOHNSON*

**Defendant**

80EIGHTY

**Defendant**

LGND SUPPLY CO.  
*Giovanni Petruzzello*

**Defendant**

BALLY'S DOVER CASINO

**Defendant**

DELAWARE PARK CASINO

Date Filed	#	Docket Text
07/10/2023	<u>1</u>	Complaint Received. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Application IFP, # <u>3</u> Consent to Receive Documents Electronically, # <u>4</u> Certificate of Service, # <u>5</u> Notice of Motion, # <u>6</u> Envelope)(jab) (Additional attachment(s) added on 7/12/2023: # <u>7</u> Text of

		Proposed Order) (jab, ). (Entered: 07/12/2023)
07/12/2023	<u>2</u>	Notice of Guidelines for Appearing Pro Se (jab) (Entered: 07/12/2023)
07/26/2023	<u>3</u>	Order Denying Plaintiff's IFP applications (Civ. No. 23-3112, Docket No. 8; Civ. No. 23-3692, Docket No. 1-2); Clerk of Court shall not file the complaint in either action unless Plaintiff remits the filing fee or submits a completed IFP application that is approved by this Court. Signed by Chief Judge Renee Marie Bumb on 7/25/2023. (mag, N.M.) (Entered: 07/26/2023)
09/05/2023		Filing fee: \$ 402, receipt number CAM14681 (jab) (Entered: 09/08/2023)
09/05/2023	<u>4</u>	Letter from RENEE A. CHRUSTOWSKI, addressed to Chief Judge Bumb, requesting to combine this case with 23-cv-4251. (jab) (Entered: 09/08/2023)
09/05/2023		COMPLAINT filed. Please see docket entry <u>1</u> for Complaint. (jab) (Entered: 09/08/2023)
09/08/2023	<u>5</u>	SUMMONS ISSUED as to 80EIGHTY, BALLY'S DOVER CASINO, DELAWARE PARK CASINO, LGND SUPPLY CO., NAACP. Attached is the official court Summons, please fill out Defendant and Plaintiffs attorney information and serve. (jab) (Entered: 09/08/2023)
09/21/2023	<u>6</u>	MOTION to Appoint Pro Bono Counsel by RENEE A. CHRUSTOWSKI. (Attachments: # <u>1</u> Envelope)(alb, ) (Entered: 09/22/2023)
09/21/2023	<u>7</u>	MOTION Seeking \$100,000 in Relief for Harm and Damages, Defamation, and Harassment caused by Defendants by RENEE A. CHRUSTOWSKI. (Attachments: # <u>1</u> Envelope)(alb, ) (Entered: 09/22/2023)
09/25/2023		Set Deadlines as to <u>6</u> MOTION to Appoint Pro Bono Counsel. Motion set for 10/16/2023 before Magistrate Judge Sharon A. King. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (alb, ) (Entered: 09/25/2023)
09/25/2023		Set Deadlines as to <u>7</u> MOTION Seeking \$100,000 in Relief for Harm and Damages, Defamation, and Harassment caused by Defendants. Motion set for 10/16/2023 before Chief Judge Renee Marie Bumb. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (alb, ) (Entered: 09/25/2023)
10/02/2023	<u>8</u>	MOTION to Appoint Pro Bono Counsel by RENEE A. CHRUSTOWSKI. (Attachments: # <u>1</u> Envelope)(alb, ) (Entered: 10/03/2023)
10/02/2023		Set Deadlines as to <u>8</u> MOTION to Appoint Pro Bono Counsel. Motion set for 11/6/2023 before Magistrate Judge Sharon A. King. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (alb, ) (Entered: 10/03/2023)
10/02/2023	<u>9</u>	MOTION seeking Order granting Plaintiff \$1,400,000.00 in Award Money for Damages caused by Defendants by RENEE A. CHRUSTOWSKI. (Attachments: # <u>1</u> Envelope)(alb, ) (Entered: 10/03/2023)

10/02/2023		Set Deadlines as to <u>9</u> MOTION seeking Order granting Plaintiff 1,400,000.00 in Award Money for Damages caused by Defendants. Motion set for 11/6/2023 before Chief Judge Renee Marie Bumb. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (alb, ) (Entered: 10/03/2023)
10/02/2023	<u>10</u>	NOTICE OF APPEAL as to <u>9</u> Motion by RENEE A. CHRUSTOWSKI. The Clerk's Office hereby certifies the record and the docket sheet available through ECF to be the certified list in lieu of the record and/or the certified copy of the docket entries. (No Filing Fee or Application to Proceed IFP Submitted) (js) (Entered: 10/03/2023)
10/10/2023	<u>11</u>	USCA Case Number 23-2812 for <u>10</u> Notice of Appeal (USCA), filed by RENEE A. CHRUSTOWSKI. USCA Case Manager James (Document Restricted - Court Only) (ca3jk, ) (Entered: 10/10/2023)
12/08/2023	<u>12</u>	ORDER denying <u>6</u> & <u>8</u> Plaintiff's Motions to Appoint Pro Bono Counsel. Signed by Magistrate Judge Sharon A. King on 12/8/2023. (alb, n.m.) (Entered: 12/08/2023)
12/08/2023		ORDER <u>12</u> sent to Plaintiff via regular U.S. mail on 12/8/2023. (alb, ) (Entered: 12/08/2023)
12/18/2023	<u>13</u>	APPLICATION to proceed IN FORMA PAUPERIS by RENEE A. CHRUSTOWSKI. (alb, ) (Entered: 12/19/2023)
01/24/2024	<u>14</u>	CERTIFIED ORDER of USCA in lieu of formal MANDATE as to <u>10</u> Notice of Appeal (USCA), filed by RENEE A. CHRUSTOWSKI (Finance notified). Appeal dismissed for lack of appellate jurisdiction. (ca3jk, ) (Entered: 01/24/2024)
02/22/2024	<u>15</u>	MOTION to Appoint Pro Bono Counsel by RENEE A. CHRUSTOWSKI. (jab) (Entered: 02/23/2024)
02/23/2024		Set Deadlines as to <u>15</u> MOTION to Appoint Pro Bono. Motion set for 3/18/2024 before Magistrate Judge Sharon A. King. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk's Office and does not supersede any previous or subsequent orders from the Court. (jab) (Entered: 02/23/2024)
03/22/2024	<u>16</u>	ORDER denying <u>15</u> Motion to Appoint Pro Bono Counsel without prejudice. Signed by Magistrate Judge Sharon A. King on 3/22/2024. (jab,N.M.) (Entered: 03/25/2024)
03/25/2024		ORDER <u>16</u> sent to Plaintiff by regular U.S. mail. (jab,N.M.) (Entered: 03/25/2024)
03/26/2024	<u>17</u>	MEMORANDUM & ORDER denying <u>7</u> and <u>9</u> Plaintiff's Motions. Plaintiff shall serve the Complaint and Summons in this Case within thirty (30) days of the date of hereof or this action shall be dismissed without prejudice for failure to serve and/or prosecute. The Clerk shall MAIL a copy of this Memorandum and Order to Plaintiff's address via regular mail and shall NOTE on the docket the date upon which it is mailed accordingly. Signed by Chief Judge Renee Marie Bumb on 3/26/2024. (jab,N.M.) (Entered: 03/26/2024)
03/26/2024		MEMORANDUM & ORDER <u>17</u> sent to Plaintiff by regular U.S. mail. (jab,N.M.) (Entered: 03/26/2024)
05/16/2024	<u>18</u>	ORDER dismissing Plaintiff's <u>1</u> Complaint without prejudice; upon a showing of good cause and compliance with the requirements of the Court's Order, Plaintiff may request



		for the Court to reopen this action; the Clerk of the Court shall MAIL a copy of this Order to Plaintiff at her mailing address of record; the Clerk of Court shall CLOSE this file. Signed by Chief Judge Renee Marie Bumb on 5/16/2024. (sms2) (Entered: 05/17/2024)
05/17/2024		<u>18</u> Order sent to Plaintiff via regular U.S. mail. (sms2) (Entered: 05/17/2024)
05/28/2024	<u>19</u>	Petition to Reopen Case from RENEE A. CHRUSTOWSKI. (sms2) (Entered: 05/30/2024)

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CLD-054

RE: Chrustowski v. NAACP

C.A. No. 23-2812

Page 2

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ORDER

Appellant's motion to expedite the resolution of this appeal is denied. Absent exceptions that do not apply here, our appellate jurisdiction is limited to reviewing "final" decisions of the district courts. See 28 U.S.C. § 1291. In this appeal, Appellant does not challenge *any* district court order, let alone a final one. Instead, she discusses the merits of a case that is currently proceeding before the District Court. Accordingly, we hereby dismiss this appeal for lack of jurisdiction. In view of this disposition, we do not decide whether it would be appropriate to dismiss this appeal under 28 U.S.C. § 1915(e)(2) or resolve it via summary action. Nothing in this order prevents Appellant from filing a new notice of appeal once the District Court enters a final order in her case. At this time, we take no position on the merits of such an appeal.

By the Court,

s/ Cheryl Ann Krause  
Circuit Judge

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Dated: January 24, 2024  
JK/cc: Renee Chrustowski



A True Copy:

*Patricia S. Dodszeit*

Patricia S. Dodszeit, Clerk  
Certified Order Issued in Lieu of Mandate