

23A824

U.S SUPREME COURT DOCKET NUMBER

~~23A307~~

Supreme Court, U.S.
FILED

FEB 20 2024

OFFICE OF THE CLERK

IN THE SUPREME COURT OF THE UNITED STATES

WAYNE PHILLIP VANCE SENIOR, 12B368Z,
PETITIONER - PLAINTIFF,

vs.

THE STATE OF NEW YORK DEPARTMENT OF CORRECTIONS
AND COMMUNITY SUPERVISION, ET. AL,

DEFENDANTS - RESPONDENTS.

**A MOTION FOR A PROCEDURAL ORDER, INJUNCTIONS, EMERGENCY
ACTION AND OTHER RELIEF**

PLEASE TAKE NOTICE THAT UPON THE ANNEXED AFFIDAVIT OF THE PETITIONER-PLAINTIFF, ME, WAYNE P. VANCE SENIOR WHO HAVE MOVED THIS U.S SUPREME COURT LOCATED AT 1 FIRST STREET, N.E, WASHINGTON, DC 20543 ON THE 4TH DAY OF MARCH 2024, OR AS SOON THEREAFTER AS PROSE LITIGANT OR COUNSEL CAN BE HEARD FOR A PROCEDURAL ORDER, INJUNCTIONS, EMERGENCY ACTION AND OTHER RELIEF BECAUSE THE DEFENDANTS - RESPONDENTS ARE STILL ENGAGING IN ILLEGAL OR DECEPTIVE ACTIVITIES TO INTERFERE WITH THIS APPEAL PROCESS AND PREVENT ME FROM HANDLING MY LEGAL DUTIES IN THIS SECTION 1983 CIVIL RIGHTS CASE WHERE THE U.S COURT OF APPEALS FOR THE 2ND CIRCUIT HAD ILLEGALLY DENIED MY MOTIONS AND WRONGFULLY DISMISSED MY APPEAL FOR ILLEGITIMATE REASONS ON JULY 6, 2023, AND ILLEGALLY DENIED MY MOTION FOR RECONSIDERATION AND TO REINSTATE MY APPEAL ON JULY 27, 2023.

RESPECTFULLY SUBMITTED,

W. P. V.

WAYNE P. VANCE 12B368Z
ATTICA CORRECTIONAL FACILITY
P.O BOX 149
639 EXCHANGE STREET
ATTICA, NEW YORK 14011
DATED: FEBRUARY 16, 2024

TO: THE 2ND CIRCUIT JUSTICE OR ASSIGNED JUSTICE
THE U.S SUPREME COURT
1 FIRST STREET, N.E
WASHINGTON, DC 20543

THE UNITED STATES SOLICITOR GENERAL
THE DEPARTMENT OF JUSTICE - ROOM 5616
950 PENNSYLVANIA AVENUE, N.W
WASHINGTON, DC 20530-0001

NYS ASSISTANT SOLICITOR GENERAL FREDERICK A. BRODIE COUNSEL OF RECORDS
NEW YORK STATE ATTORNEY GENERAL OFFICE
DIVISION OF APPEALS AND OPINIONS
THE CAPITOL
ALBANY, NEW YORK 12224

THE UNITED STATES SUPREME COURT,
IN WASHINGTON DC

WAYNE P. VANCE, 12B368Z,

PLAINTIFF - PETITIONER,

AN AFFIDAVIT

VS.

U.S SUPREME COURT #

23 A 307

THE STATE OF NEW YORK DOCCS, ET AL,

DEFENDANTS - RESPONDENTS,

**A MOTION FOR A PROCEDURAL ORDER, INJUNCTIONS, EMERGENCY
ACTION AND OTHER RELIEF**

I, WAYNE P. VANCE, BEING DULY SWORN DEPOSES AND SAYS THAT :

1. I AM THE PLAINTIFF - PETITIONER WHO IS CURRENTLY INCARCERATED AT ATTICA CORRECTIONAL FACILITY, 639 EXCHANGE STREET, ATTICA, NEW YORK 14011

2. I HAVE MADE THIS APPLICATION FOR A PROCEDURAL ORDER, INJUNCTIONS, EMERGENCY ACTION AND OTHER RELIEF BECAUSE THE DEFENDANTS - RESPONDENTS ARE STILL ENGAGING IN ILLEGAL OR DECEPTIVE ACTIVITIES TO INTERFERE WITH THIS APPEAL PROCESS AND PREVENT ME FROM HANDLING MY LEGAL DUTIES. AT THIS POINT, THE DEFENDANTS - RESPONDENTS HAS BEEN ENGAGING IN ILLEGAL OR DECEPTIVE ACTIVITIES TO PREVENT ME FROM HANDLING MY LEGAL DUTIES AFTER BEING RETURNED MY PETITION FOR A WRIT OF CERTIORARI FROM THIS COURT ON JANUARY 24, 2024 WHICH WAS 20 DAYS AFTER THE DATE OF THIS COURT CLERK RASHONDA GARNER'S LETTER DATED 1/4/24 WHERE SHE HAD TOLD ME TO CORRECT MY PETITION AND RESUBMIT WITHIN 60 DAYS OF THE DATE OF HER LETTER DATED 1/4/24. I HAVE CORRECTED MY PETITION FOR A WRIT OF CERTIORARI AND NOW THE PETITION CONTAINS A CLEARLY INDICATED STATEMENT OF THE CASE SECTION AND REASONS RELIED ON FOR THE ALLOWANCE OF THE WRIT SECTION. BUT, I AM STILL HAVING PROBLEMS ACCESSING THE LAW LIBRARY FOR PHOTOCOPYING, NOTARY AND OTHER SERVICES THAT IS NEEDED TO HANDLE MY LEGAL DUTIES AND SERVE ALL PARTIES. THE STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION ARE DEFENDANTS - RESPONDENTS IN THIS CASE AND THEY ARE'NT RUNNING THING RIGHT WITHIN THIS PRISON (ATTICA) TO INTERFERE WITH THIS APPEAL PROCESS AND CONSPIRE WITH THE OTHER DEFENDANTS - RESPONDENTS TO ENCROACH ON THE INDIVIDUAL LIBERTIES

OR RIGHTS OF THE PETITIONER - PLAINTIFF, ME, WAYNE P. VANCE SENIOR AND MY FAMILY MEMBERS, FRIENDS, RELATIVES AND OTHER PEOPLE WHO HAVE A SHARE OR INTEREST IN OUR LIFESITUATION, SYSTEM AND CASE. THE DEFENDANTS - RESPONDENTS HAVE BEEN MANIPULATING MY ENVIRONMENT TO MAKE IT DIFFICULT OR IMPOSSIBLE TO RESUBMIT MY CORRECTED PETITION FOR A WRIT OF HABEAS CORPUS, APPENDICES, MOTIONS AND OTHER DOCUMENTS WITHIN THE TIME PERIOD SET BY THIS COURT CLERK RASHONDA GARNER OR APPLICABLE LAWS. THEY ARE TRYING TO MAKE ME FAIL TO MEET A FILING DEADLINE BECAUSE THEY KNOW THAT THIS COURT CLERK WILL NOT FILE ANY DOCUMENTS THAT IS JURISDICTIONALLY OUT OF TIME OR DOES NOT MEET A FILING DEADLINE. THEY ALSO HAVE BEEN TRYING TO PREVENT ME FROM ACTING ON THE THINGS THAT ARE TAKING PLACE WITHIN THE PRISON BECAUSE THIS COURT WILL FIND THAT EXCEPTIONAL CIRCUMSTANCES JUSTIFY THE GRANTING OF ANY EXTENSIONS OR EXPLAINS A DEFAULT. I HAVE BEEN HAVING ON-GOING PROBLEMS GETTING PHOTOCOPIES, NOTARIES, SUPPLIES, PRINTOUTS, AND LAW LIBRARY STAMPS AND SIGNATURES FOR MY LEGAL MAIL, DISBURSEMENTS AND AUTHORIZED ADVANCE REQUEST FORMS BECAUSE I'M BEING DENIED ACCESS TO THE LAW LIBRARY, LEGAL SERVICES AND SUPPLIES. I AM BEING FORCED TO SEEK ASSISTANCE FROM THE LAW LIBRARY FOR EVERYTHING BECAUSE ATTICA C-BLOCK OFFICERS ON 27 AND 28 COMPANY HAS BEEN REFUSING TO SIGN MY FORMS AND COLLECT MY LEGAL MAIL THAT HAS DISBURSEMENTS AND AUTHORIZED ADVANCE REQUEST FORMS ATTACHED TO THE LEGAL ENVELOPES FOR THEM TO SIGN AND PROCESS THE OUTGOING MAIL FOR THIS COURT AND OTHER PARTIES. I CANNOT SERVE THIS COURT AND OTHER PARTIES UNTIL I'M GRANTED ACCESS TO THE LAW LIBRARY WHERE I HOPE TO OBTAIN LEGAL, PHOTOCOPYING, AND OTHER SERVICES THAT IS NEEDED TO HANDLE MY LEGAL DUTIES AND SERVE ALL PARTIES. I DO NOT KNOW HOW LONG ITS GOING TO BE BEFORE I'M GRANTED ACCESS TO THE LAW LIBRARY BECAUSE THE DEFENDANTS - RESPONDENTS ARE BEING UNCOOPERATIVE, DISRUPTIVE, DISRESPECTFUL AND OPPRESSIVE. I HAVE A KNOWN DEADLINE AND I'VE HAVE ONLY BEEN ALLOWED TO ACCESS THE LAW LIBRARY TWO TIMES SINCE I'VE RECEIVED THE DEADLINE LETTER FROM THIS COURT CLERK RASHONDA GARNER DATED 1/4/24. ON 2/10/24 AND 2/13/24, I WAS FINALLY GRANTED ACCESS TO THE LAW LIBRARY AGAIN AND THE LAW LIBRARY COPYING MACHINE WAS DECLARED OUT OF ORDER AND I WAS FORCED TO LEAVE MY COVER LETTERS, MOTION APPENDIX H AND AFFIDAVIT OF SERVICE WITH THE LAW LIBRARY OFFICER WHO HAD PROVIDED FOR ME TO GET PHOTOCOPIES THROUGH ADMINISTRATION BY CORRECTIONAL OFFICER MICHAEL A. BARHAM AND MY LEGAL PAPERS WAS NOT COPIED THE RIGHT WAY ON EACH OCCASION. NOW, THE LAW

LIBRARY OFFICER MICHAEL A. BARHAM CLAIMS THAT I HAVE TO WAIT UNTIL FEBRUARY 27, 2024 TO GET PHOTOCOPIES OF MY CORRECTED PETITION FOR A WRIT OF CERTIORARI, APPENDIX H, EXHIBIT #169 AND AFFIDAVIT OF SERVICE THROUGH ADMINISTRATION BECAUSE HE IS GOING ON VACATION AGAIN. I HAD TOLD HIM MY DEADLINE DATE AND HE HAD TOLD ME TO SEE IF ANOTHER LAW LIBRARY OFFICER WILL PERSONALLY MAKE THE PHOTOCOPIES FOR ME THROUGH ADMINISTRATION. HE HAD ALSO TOLD ME THAT I'VE BEEN GRANTED SPECIAL ACCESS TO THE LAW LIBRARY AGAIN AFTER WAITING FOR OVER 3 WEEKS FOR SUCH ACCESS. THE SPECIAL ACCESS WAS SUPPOSE TO BEGIN ON 2/17/24 BUT I DID NOT RECEIVE A LAW LIBRARY CALLOUT SLIP TO ACCESS THE LAW LIBRARY. LAW LIBRARY OFFICER MICHAEL A. BARHAM IS A OFFICER WHO IS KNOWN TO BE PARTICIPATING IN THE DANGEROUS, VICIOUS, IMMORAL AND OPPRESSIVE ACTIVITIES UNDERLYING THE CLAIMS SET FORTH IN THIS CASE. HE IS A REGULAR LAW LIBRARY OFFICER WHO HAS BEEN DENYING ME ACCESS TO THE LAW LIBRARY ON A REGULAR BASIS, AND PREVENTING ME FROM ACCESSING LAW LIBRARY COMPUTERS AND OBTAINING LEGAL MATERIALS, PHOTOCOPIES, PRINTOUTS, NOTARIES, AND SUPPLIES ON A REGULAR BASIS. THIS IS THE 3RD TIME THAT HIM AND OTHER LAW LIBRARY OFFICERS HAS DECLARED THAT THE LAW LIBRARY COPYING MACHINE IS OUT OF ORDER. IT IS A MOVE THAT THIS FACILITY HAS BEEN MAKING TO PREVENT ME FROM MAKING PHOTOCOPIES OF LEGAL PAPERS WHENEVER I HAVE A SERIOUS DEADLINE TO MEET OR WHENEVER I'M TRYING TO PREPARE AND SUBMIT A IMPORTANT DOCUMENT TO THE COURT AND OTHER PARTIES IN THE APPEAL PROCESS OF THIS CASE AT DIFFERENT POINTS. THEY HAVE BEEN DECLARING THAT THE LAW LIBRARY COPYING MACHINE HAS BEEN OUT OF ORDER FOR WEEKS AT A TIME. THIS TIME, THE LAW LIBRARY COPYING MACHINE HAS BEEN DECLARED OUT OF ORDER FOR OVER A WEEK NOW AND ITS CAUSING ME AND OTHER INMATES PROBLEMS. THE COPYING MACHINE LOOKS AND WORKS AS IF IT IS BRAND NEW WHENEVER THE LAW LIBRARY CLERKS ARE ALLOWED TO USE IT TO ASSIST ME AND OTHER INMATES. I DO NOT BELIEVE THAT IT IS OUT OF ORDER BECAUSE THE COPYING MACHINE IS HIGH TECH AND IN GREAT CONDITION. THE LAW LIBRARY OFFICERS AND CLERKS ARE MONITORED AND NO ONE MISUSES OR ABUSES THE COPYING MACHINE TO CAUSE IT TO BREAKDOWN. AND EVEN IF THE COPYING MACHINE IS BROKEN, THE STATE OF NEW YORK DOCCS HAS TECHNICIANS, CONTRACTORS AND OTHER EMPLOYEES WORKING FOR THEM SO THE COPYING MACHINE SHOULD BE FIXED OR REPLACED IMMEDIATELY ON EVERY OCCASION. THERE IS

NO EXCUSE FOR THE LAW LIBRARY COPYING MACHINE TO BE OUT OF ORDER FOR WEEKS AT A TIME WHEN THE STATE OF NEW YORK DOCCS HAS A DUTY TO PROVIDE FOR INMATES TO HAVE ACCESS TO A OPERABLE LAW LIBRARY COPYING MACHINE AT THIS FACILITY (ATTICA) AND OTHER CORRECTIONAL FACILITIES WHILE WE ARE IN THEIR CARE AND CUSTODY. I HAVE WROTE A DEPARTMENTAL GRIEVANCE AND SENT A LETTER TO ATTICA DEPUTY SUPERINTENDENT OF PROGRAMS MRS L. MIDDLEBROOK TO TRY TO ADDRESS THE LAW LIBRARY COPYING MACHINE ISSUE AND GET SOMEONE TO PROVIDE FOR ME AND OTHER INMATES TO GET OUR PHOTOCOPIES SOMEWAY SOMEHOW. I HAVE NOT RECEIVED A RESPONSE FROM THE GRIEVANCE COMMITTEE OR MS. L. MIDDLEBROOK YET SO I STILL HAVE NOT BEEN ABLE TO GET PHOTOCOPIES AND HANDLE MY OTHER LEGAL DUTIES AND ADDRESS SOME OF MY PROBLEMS THROUGH THEM. I HAVE SUBMITTED PRIOR MOTIONS TO THIS COURT RELATING TO MY ON-GOING PROBLEMS IN THIS APPEAL PROCESS BUT ONLY ONE MOTION WAS FILED BY THIS COURT CLERK RASHONDA GARNER AT THIS POINT. SHE HAS BEEN REJECTING MY MOTIONS AND REFUSING TO PROVIDE FOR THE REQUESTED RELIEF FOR THE REASONS STATED IN HER LETTERS. SHE HAD REFUSED TO FILE THE MOTIONS AND MAKE THE NECESSARY EXCEPTIONS, NOTIFICATIONS AND ARRANGEMENTS TO PREVENT ANY FURTHER PROBLEMS IN THIS APPEAL PROCESS BY THE DEFENDANTS - RESPONDENTS. I AM BEING AGGRIEVED OR ADVERSELY AFFECTED BY THIS COURT CLERK RASHONDA GARNER AND THE DEFENDANTS' ACTIONS SO I WOULD LIKE FOR THIS MOTION TO BE SUBMITTED TO A JUSTICE OR TO THE COURT. I WOULD LIKE FOR THIS COURT TO INTERVENE, TAKE EMERGENCY ACTION AND ISSUE A PROCEDURAL ORDER, INJUNCTIONS, AND GRANT ME AN EXTENSION OF TIME TO FILE MY CORRECTED PETITION FOR A WRIT OF CERTIORARI, APPENDICES, MOTIONS AND OTHER LEGAL PAPERS AS A RESULT OF THE WRONGFUL ACTIONS OF THE DEFENDANTS - RESPONDENTS WHO HAVE BEEN PARTICIPATING IN THE DANGEROUS, VICIOUS, IMMORAL AND OPPRESSIVE ACTIVITIES UNDERLYING THE CLAIMS SET FORTH IN THIS CASE. FOR GOOD CAUSE OR LEGITIMATE REASONS, A JUSTICE MAY EXTEND THE TIME TO FILE A PETITION FOR A WRIT OF CERTIORARI FOR A PERIOD NOT EXCEEDING 60 DAYS PURSUANT TO THIS COURT RULE 13(5). EXTRAORDINARY CIRCUMSTANCES HAS ARISE TO GIVE THIS COURT THE AUTHORITY, POWER OR RIGHT TO GRANT ME AN AN EXTENSION AND PROVIDE FOR THE OTHER RELIEF IN THIS SITUATION. PLEASE REVIEW ALL RECORDS FOR THIS CASE SO THAT YOU GUYS WILL BE ABLE TO RESPOND ~~TO~~ TO THIS MOTION IN THE

APPROPRIATE MANNER. PLEASE SEE MY GRIEVANCE DATED 2/16/24 AND LETTER DATED 2/16/24 WHICH IS ATTACHED TO THIS MOTION. [SEE EXHIBIT #158 AND 159]

WHEREFORE, I RESPECTFULLY ASK THAT THIS COURT PLEASE ENTER A PROCEDURAL ORDER GRANTING ME AN EXTENSION OF TIME TO FILE MY CORRECTED PETITION FOR A WRIT OF CERTIORARI, APPENDICES, MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS, MOTION TO FILE A PETITION IN EXCESS OF THE PAGE LIMIT, EXHIBITS, AND OTHER DOCUMENTS AS A RESULT OF THE WRONGFUL ACTIONS OF THE DEFENDANTS-RESPONDENTS IN THIS CASE.

WHEREFORE, I RESPECTFULLY ASK THAT THIS COURT PLEASE ENTER AN INJUNCTIONS ORDER DIRECTING THE STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION TO FIX OR REPLACE THE COPYING MACHINE IN THE LAW LIBRARY AT THIS FACILITY (ATTICA), PROVIDE FOR ME TO ACCESS THE LAW LIBRARY AND OBTAIN LEGAL SERVICES, PHOTOCOPIES, PRINTOUTS, NOTARIES, LEGAL MATERIALS, AND SUPPLIES ON A REGULAR BASIS, AND PROVIDE FOR ME TO SUBMIT MY PETITION FOR A WRIT OF CERTIORARI, APPENDICES, MOTIONS, EXHIBITS AND OTHER LEGAL PAPERS BEFORE THE NEW DEADLINE THAT WILL BE IMPOSED BY THIS COURT.

WHEREFORE, I RESPECTFULLY ASK THAT THIS COURT PLEASE INTERVENE BETWEEN PARTIES AND ISSUE INJUNCTIONS TO DETER OR PREVENT THE DEFENDANTS-RESPONDENTS FROM CONTINUING TO OBSTRUCT JUSTICE AND INTERFERE WITH CIVIL RIGHTS

WHEREFORE, I RESPECTFULLY ASK THAT THIS COURT PLEASE TAKE EMERGENCY ACTION OR MAKE ANY DETERMINATION NECESSARY OR APPRIATE TO ENFORCE OR IMPLEMENT LAWS AND COURT ORDERS AND TO PREVENT ABUSE OF PROCESSES.

WHEREFORE, I RESPECTFULLY ASK THAT THIS COURT PLEASE ACT ON THIS MOTION IN A PROMPT MANNER WITHOUT WAITING ON A RESPONSE FROM THE DEFENDANTS-RESPONDENTS BECAUSE A QUICK RESPONSE IS NEEDED IN THIS SITUATION WHERE THERE IS A DEADLINE, UNRESOLVED ISSUES AND MISUNDERSTANDING.

3. FOR THE FOREGOING REASONS, THIS COURT SHOULD GRANT THIS MOTION IN ITS ENTIRETY AND SUCH OTHER AND FURTHER RELIEF AS THIS COURT DEEMS JUST AND PROPER.

I DECLARE UNDER THE PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT PURSUANT TO 28 U.S.C § 1746. EXECUTED ON THIS 17TH DAY OF FEBRUARY IN THE YEAR OF 2024

W. P. V.
WAYNE P. VANCE 128368Z
ATTICA CORRECTIONAL FAC.
P.O BOX 149
639 EXCHANGE ST.
ATTICA, N.Y 14011

SWORN TO BEFORE ME ON THE _____ DAY

OF _____ 2024

I WAS NOT ABLE TO GET THIS DOCUMENT NOTARIZED

NOTARY PUBLIC

A GRIEVANCE COMPLAINT

WAYNE P. VANCE 128368Z

TO: THE INMATE GRIEVANCE COMMITTEE

C-28-4

2/16/24

DESCRIPTION OF PROBLEM:

GREETINGS. I AM WRITING THIS GRIEVANCE BECAUSE I AM STILL HAVING PROBLEMS ACCESSING THE LAW LIBRARY FOR PHOTOCOPYING, NOTARY AND OTHER SERVICES THAT IS NEEDED TO HANDLE MY LEGAL DUTIES. I HAVE A KNOWN DEADLINE AND I'VE ONLY BEEN ALLOWED TO ACCESS THE LAW LIBRARY TWO TIMES SINCE I'VE RECEIVED THE DEADLINE LETTER FROM THE U.S SUPREME COURT CLERK RASHONDA GARNER DATED 1/4/24. ON 2/10/24 AND 2/13/24, I WAS FINALLY GRANTED ACCESS TO THE LAW LIBRARY AGAIN AND THE LAW LIBRARY COPYING MACHINE WAS DECLARED OUT OF ORDER AND I WAS FORCED TO LEAVE MY LEGAL PAPERS WITH THE LAW LIBRARY OFFICER WHO HAD PROVIDED FOR ME TO GET PHOTOCOPIES THROUGH ADMINISTRATION BY C. OFFICER MICHAEL A. BARHAM AND MY LEGAL PAPERS WAS NOT COPIED THE RIGHT WAY ON BOTH OCCASIONS, NOW, THE LAW LIBRARY OFFICER MICHAEL A. BARHAM CLAIMS THAT I HAVE TO WAIT UNTIL FEBRUARY 27, 2024 TO GET PHOTOCOPIES THROUGH ADMINISTRATION AGAIN BECAUSE HE IS GOING ON VACATION ONCE AGAIN. I HAD TOLD HIM MY DEADLINE DATE AND HE HAD TOLD ME TO SEE IF ANOTHER LAW LIBRARY OFFICER WILL PERSONALLY MAKE THE PHOTOCOPIES FOR ME THROUGH ADMINISTRATION. HE HAD ALSO TOLD ME THAT I'VE BEEN GRANTED SPECIAL ACCESS TO THE LAW LIBRARY AGAIN AFTER WAITING FOR OVER 3 WEEKS FOR SUCH ACCESS. THE SPECIAL ACCESS SUPPOSE TO BEGIN ON 2/17/24 BUT I DO NOT KNOW IF I WILL BE ABLE TO MAKE THE PHOTOCOPIES OF MY MOTIONS, PETITION FOR A WRIT OF CERTIORARI AND OTHER DOCUMENTS BECAUSE THE PHOTOCOPYING MACHINE HAS BEEN DECLARED OUT OF ORDER AND I DO NOT KNOW WHO WILL PROVIDE FOR ME AND OTHER INMATES TO GET PHOTOCOPIES THROUGH ADMINISTRATION AT THIS POINT.

ACTION REQUESTED: I WOULD LIKE FOR IGRC TO ADDRESS THIS ISSUE AND PROVIDE FOR ME AND OTHER INMATES TO GET PHOTOCOPYING SERVICE

THANKS,

W. P. V. —

FEBRUARY 16, 2024

DEAR THE DEPUTY SUPERINTENDENT OF PROGRAMS MRS. L. MIDDLEBROOK:

GREETINGS. I AM WRITING TO ASK THAT YOU PLEASE MAKE ARRANGEMENTS FOR ME AND OTHER INMATES TO GET PHOTOCOPIES THROUGH ADMINISTRATION BECAUSE THE LAW LIBRARY COPYING MACHINE HAS BEEN DECLARED OUT OF ORDER AND OFFICER MICHAEL A. BARHAM HAD TOLD ME THAT HE IS GOING ON VACATION AGAIN AND THAT HE WILL NOT BE HERE TO MAKE THE PHOTOCOPIES FOR US THROUGH ADMINISTRATION. OTHER ASSIGNED LAW LIBRARY OFFICERS SHOULD BE UNDER AN OBLIGATION TO MAKE OUR PHOTOCOPIES THROUGH ADMINISTRATION TO FULFILL THAT FUNCTION WHILE THE COPYING MACHINE IS OUT OF ORDER AND OFFICER BARHAM IS ON VACATION. ME AND OTHER INMATES HAVE DEADLINES TO MEET AND WE NEED YOU TO PROVIDE FOR US TO GET OUR PHOTOCOPIES SOMEWAY SOMEHOW. YOU ARE THE LAW LIBRARY OFFICERS SUPERVISOR SO WE ARE COUNTING ON YOU TO ADDRESS THIS ISSUE AND MAKE THINGS HAPPEN ON OUR BEHALF.

THANKS,

Wayne P. Vance
WAYNE P. VANCE 1283682

VERIFICATION WHEN NOTARY PUBLIC IS UNAVAILABLE

I, WAYNE P. UDNGE, am a prisoner of the State of New York, currently incarcerated at Attica Correctional Facility, which is located at 639 Exchange Street Attica New York 14011-0149 and my ability to acquire the services of a Notary Public is entirely under the control of correctional staff and officials. I have made several attempts to obtain a Notary Public via Law Library as well as requesting the same to my company and block officer here in Attica correctional facility. As of the date of this Verification, I have not received Notary Public services as required by Bounds V. Smith, 430 U.S. 817, 824-25 (1977). Due to timeliness I do not know when the next available Notary Public service will be available.

Therefore, I am verifying the enclosed documents by the method approved in the court decision of of the New York Court of Appeals pursuant to People V. SULLIVAN, 56 N.Y.2d 378 (1982) to wit:

I verify that the foregoing statements and/or documents are true and accurate to the best of my knowledge. That I base them upon facts that I personally know, or believe in good faith to be true. I further declare and/or verify that any false statements made herein are to be punishable as a class A misdemeanor pursuant to Penal Law § 210.40. I further understand that to offer or present the forgoing documents to a judicial officer, knowing that it contains any false statement (s) is punishable to Penal Law § 170.30

I declare under the penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C. § 1746.

EXECUTED ON THIS 18TH DAY OF FEBRUARY
IN THE YEAR OF 2024.

Respectfully submitted by;

Way P. U

AFFIDAVIT OF SERVICE

I, WAYNE P. VANCE, HAD SERVED A COPY OF MY COVER LETTER; MOTION FOR A PROCEDURAL ORDER, INJUNCTIONS, EMERGENCY ACTION AND OTHER RELIEF; AND PROOF OF SERVICE BY PLACING SAID DOCUMENTS INTO PROPERLY ADDRESSED LEGAL ENVELOPES AND PLACING SAID PROPERLY ADDRESSED LEGAL ENVELOPES INTO THE FACILITY MAILBOX AT ATTICA CORRECTIONAL FACILITY TO BE PROCESSED AND FIRST CLASS MAILED TO THE COURT CLERK'S OFFICE, THE U.S SUPREME COURT, 1 FIRST STREET, N.E, WASHINGTON, DC 20543 ON THE 18TH DAY OF FEBRUARY 2024; THE U.S SOLICITOR GENERAL, THE DEPARTMENT OF JUSTICE, ROOM 5616, 950 PENNSYLVANIA AVENUE, N.W, WASHINGTON, DC 20530 ON THE 18TH DAY OF FEBRUARY 2024; AND THE NYS ATTORNEY GENERAL LETITIA JAMES, DEPUTY SOLICITOR GENERAL JEFFREY LANG AND ASSISTANT SOLICITOR GENERAL FREDERICK A. BRODIE, THE NYS ATTORNEY GENERAL OFFICE, THE DIVISION OF APPEALS AND OPINIONS, THE CAPITOL, ALBANY, NEW YORK 12224 ON THE 18TH DAY OF FEBRUARY 2024. THE NYS ATTORNEY GENERAL OFFICE IS SUPPOSE TO BE REPRESENTING ALL STATE AGENCIES AND EMPLOYEES WHO HAVE BEEN LABELED, IDENTIFIED OR NAMED AS DEFENDANTS, APPELLEES OR RESPONDENTS IN THIS CASE. THE U.S DEPARTMENT OF JUSTICE IS SUPPOSE TO BE REPRESENTING THE U.S GOVERNMENT AND ALL FEDERAL AGENCIES AND EMPLOYEES WHO HAVE BEEN LABELED, IDENTIFIED OR NAMED AS DEFENDANTS, APPELLEES OR RESPONDENTS IN THIS CASE.

RESPECTFULLY SUBMITTED,

Wayne P. Vance
WAYNE P. VANCE 128368Z
ATTICA CORRECTIONAL FACILITY
P.O BOX 149
639 EXCHANGE STREET
ATTICA, NY 14011

SWORN TO BEFORE ME ON THE _____ DAY
OF _____ 2024
I WAS UNABLE TO GET A NOTARY

NOTARY PUBLIC

ALL PARTIES REQUIRED TO BE SERVED HAVE BEEN SERVED AND THIS IS A LIST OF THE NAMES, ADDRESSES AND TELEPHONE NUMBERS OF COUNSELS OR AGENCIES INDICATING THE NAMES OF THE PARTIES EACH COUNSELOR AGENCY IS SUPPOSE TO BE REPRESENTING IN THIS CIVIL RIGHTS CASE:

THE NEW YORK STATE ATTORNEY GENERAL OFFICE
DIVISION OF APPEALS AND OPINIONS

THE CAPITOL
ALBANY, NEW YORK 12224-0341
(518) 776-2317

NYS ATTORNEY GENERAL LETITIA JAMES
NYS DEPUTY SOLICITOR GENERAL JEFFREY LANG
NYS ASSISTANT SOLICITOR GENERAL FREDERICK A. BRODIE

THE ABOVE STATE AGENCY AND COUNSELS OF RECORD ARE REQUIRED TO REPRESENT OR PROVIDE FOR THE REPRESENTATION OF THE FOLLOWING NYS AGENCIES AND EMPLOYEES WHO HAVE BEEN IDENTIFIED, LABELED OR NAMED AS DEFENDANTS-RESPONDENTS IN THIS CASE: NYS GOVERNOR OFFICE; NYS ATTORNEY GENERAL OFFICE; NYS ERIE COUNTY BUFFALO CITY HALL; NYS COURT OF APPEALS; NYS APPELLATE DIVISION 4TH DEPARTMENT; NYS APPELLATE DIVISION 3RD DEPARTMENT; NYS ERIE COUNTY SUPREME COURT; NYS ERIE COUNTY BUFFALO CITY COURT; NYS ERIE COUNTY CHEEKTOWAGA TOWN COURT; NYS ALBANY COUNTY SUPREME COURT; NYS ERIE COUNTY PROBATE DEPARTMENT; NYS ERIE COUNTY TONAWANDA TOWN COURT; NYS ERIE COUNTY BUFFALO FAMILY COURT; NYS ERIE COUNTY BUFFALO POLICE DEPARTMENT; NYS ERIE COUNTY JAIL; NYS ERIE COUNTY HOLDING CENTER; NAACP; CRISIS SERVICES; THE SAFE HARBORS OF THE FINGER LAKES; PRISONERS' LEGAL SERVICES OF NEW YORK; THE LEGAL AID SOCIETY OR PRISONERS' RIGHTS PROJECT; NYS ERIE COUNTY MEDICAL CENTER; NYS ERIE COUNTY BUFFALO BOARD OF EDUCATION; THE UNIVERSITY OF BUFFALO ORTHOPEDIC CLINIC; NYS CIVIL LIBERTIES UNION; THE STATE OF NEW YORK DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION AND ITS EMPLOYEES WHO HAVE BEEN PARTICIPATING IN THE DANGEROUS, VICIOUS, IMMORAL AND OPPRESSIVE ACTIVITIES UNDERLYING THE CLAIMS SET FORTH IN THIS CASE; LETITIA JAMES; ERIK PINSONNAULT; JONATHAN REINER; SHANNAN G. KRASNOKUTSKI; ROWAN D. WILSON; GERALD J. WHALEN; FRANCIS G. CAFELL; GERALD CONNOLLY; MICHAEL F. PIETRUSZKA; LYNN OYBULSKI; CHRISTOPHER L. JACOBS; FRANK A. SEDITA III; MICHAEL FLAHERTY; AMY J. GOLDSTEIN; JAMES F. BARGHESI; ASHLEY R. LOWRY; ANTHONY J. ANNUCCI; KAREN BELLAMY; A. RODRIGUEZ; DONALD VENETTOZZI; MR. WEISHAUP; DONALD UHLER; MICHAEL KIRKPATRICK;

CITY OF BUFFALO CITY COUNCIL MEMBER DARIUS PRIDGET ; GEORGE POFF ; MR. BULLIS ;
MRS. HENLEY ; MRS. LIBERTY ; RICHARD ADAMS ; MANDALAYWALA MD VIJAY KUMAN
DRAOS MACELARU ; CATHERINE CALLEY ; G. WATERSON ; GLEN ENGSTROM ; AMBROSE
WALDRON ; B. CHRISTIAN ; CHAD ROWE ; TRAVIS BAXTER ; J. RIEF ; S. BARCOMB ;
J. RUSSELL ; T. WILSON ; M. FREW ; M. WETZLER ; S. BECK ; K. WARNER ; NYS
APPELLATE DIVISION 4TH DEPARTMENT JUDGES SMITH, P.J., CENTRA, PERADOTTO
AND CARNI ; JEFFREY LANG ; FREDERICK A. BRODIE ; BARBARA D. UNDERWOOD ;
E. CAREY CANTWELL ; NYS APPELLATE DIVISION 3RD DEPARTMENT CLERK ROBERT
D. MAYBERGER AND JUDGES PETERS, P.J., LYNCH, ROSE, MULVEY JJ, AERONS,
PRITZKER JJ, MCCARTHY AND EGAN JR. ; C. COX ; J. RUFA ; K. DREW ; MR. BOSARDI
; MR. ARCHAMBEAULT ; MR. BAXTER ; AND ATTICA PACKAGE ROOM OFFICERS AND
NYS DOCS CORRECTIONAL OFFICERS ASSIGNED TO THE BLOCKS THAT I WAS HOUSED
IN AT DIFFERENT FACILITIES. DEFENSE ATTORNEY E. CAREY CANTWELL WORKS FOR
THE STATE GOVERNMENT AND WAS APPOINTED TO MISREPRESENT ME BY THE NYS
ERIE COUNTY SUPREME COURT IN MY CRIMINAL CASE FOR THE OUSTIFIABLE HOMICIDE
OF MR. FREDERICK A. GELSEY JUNIOR SO I HAD SERVED HIM AND THE OTHER PARTIES
IN THIS PARAGRAPH BY SERVICE MADE ON THE NYS ATTORNEY GENERAL OFFICE,
DIVISION OF APPEALS AND OPINIONS, THE CAPITOL, ALBANY, NEW YORK 12224 -
ATTENTION : NYS ATTORNEY GENERAL LETITIA JAMES, NYS DEPUTY SOLICITOR
GENERAL JEFFREY LANG, NYS ASSISTANT SOLICITOR GENERAL FREDERICK
A. BRODIE AND OTHER STATE OF NEW YORK ATTORNEY GENERAL OFFICE
EMPLOYEES.

NYS ASSISTANT SOLICITOR GENERAL FREDERICK A. BRODIE HAD CLAIMED TO
BE ONLY REPRESENTING (9) DEFENDANTS - APPELLEES IN THIS CASE WHILE
MISHANDLING THIS CASE IN THE PAINFULLY WICKED OR POISONOUS APPEAL PROCESS
OF THE 2ND CIRCUIT. HE HAD CLAIMED TO BE ONLY REPRESENTING THE STATE OF
NEW YORK DOCS CORRECTIONAL OFFICERS TRAVIS BAXTER, S. BARCOMB, GLEN
ENGSTROM, C. COX, J. RIEF, J. RUFA, CHAD ROWE, J. RUSSELL, AND AMBROSE
WALDRON UPON THE SUBMISSION OF HIS ACKNOWLEDGMENT AND NOTICE OF
APPEARANCE FORMS, AND NOTICE OF APPEARANCE FORMS FOR SUBSTITUTE,
ADDITIONAL OR AMICUS COUNSEL. HE WAS THE ONLY COUNSEL OF RECORD
WHO HAD SUBMITTED ACKNOWLEDGMENT AND NOTICE OF APPEARANCE FORMS,
AND/OR NOTICE OF APPEARANCE FORMS FOR SUBSTITUTE, ADDITIONAL OR
AMICUS COUNSEL.

THE UNITED STATES SOLICITOR GENERAL
THE DEPARTMENT OF JUSTICE - ROOM 5614
950 PENNSYLVANIA AVENUE, N.W.
WASHINGTON DC 20530-0001
(TELEPHONE NUMBER IS UNKNOWN)

THE ABOVE FEDERAL AGENCY AND COUNSEL ARE REQUIRED TO REPRESENT OR PROVIDE FOR THE REPRESENTATION OF THE UNITED STATES GOVERNMENT AND THE FOLLOWING FEDERAL AGENCIES AND EMPLOYEES WHO HAVE BEEN IDENTIFIED, LABELED OR NAMED AS DEFENDANTS - RESPONDENTS IN THIS CASE:

THE AGENCY OR AGENCIES OF THE GOVERNMENT'S CYBERPUNK EMPLOYEES;
U.S COURT OF APPEALS FOR THE 2ND CIRCUIT; U.S DISTRICT COURT IN SYRACUS
NEW YORK; U.S DISTRICT COURT IN ALBANY, NEW YORK; U.S DISTRICT COURT
IN BUFFALO, NEW YORK; U.S DISTRICT COURT IN ROCHESTER, NEW YORK; U.S
DEPARTMENT OF JUSTICE; U.S ATTORNEY OFFICE IN SYRACUSE, NEW YORK;
U.S POSTAL SERVICE; U.S DISTRICT JUDGES DAVID G. LARIMER, BRENDA K. SANNI
AND MAE A. D'AGOSTINO; U.S MAGISTRATE JUDGE ANDREW T. BAXTER;
U.S COURT REPORTERS EILEEN McDONOUGH, JODI HIBBARD, HANNAH CAVANAUGH,
ABIGAIL HALLOWELL AND ALEXANDER JONES; U.S DISTRICT COURT FORMER
CHIEF JUDGE GLEN T. SUDDABLY; 2ND CIRCUIT JUDGES MICHAEL H. PARK,
WILLIAM J. HARDINI, AND J. LOHIER JUNIOR; 2ND CIRCUIT CLERK GATHERIN
O'HAGAN WOLFE; 2ND CIRCUIT CHIEF JUDGE DEBRA ANN LIVINGSTON; U.S
DISTRICT COURT CLERKS LAWRENCE K. BAERMAN, JOHN M. DOMURAD,
N. EALLONARDO AND MARY C. LDEWENGUTH; U.S DISTRICT COURT APPOINTED
TRIAL ATTORNEYS ELIZABETH GENUNG AND GEORGE LOWE. TRIAL ATTORNE
ELIZABETH GENUNG AND GEORGE LOWE WORKS FOR THE U.S GOVERNMENT AND
WAS APPOINTED TO MISREPRESENT ME BY U.S DISTRICT JUDGE BRENDA K. SANNE'S
IN THIS CIVIL RIGHTS CASE. SO I HAD SERVED THEM AND THE OTHER PARTIES IN
THIS PARAGRAPH BY SERVICE MADE ON THE U.S SOLICITOR GENERAL, THE
DEPARTMENT OF JUSTICE, ROOM 5614, 950 PENNSYLVANIA AVENUE, N.W,
WASHINGTON DC 20530-0001

THERE ISN'T ANY ATTORNEY WHO HAS APPEARED OR REPRESENTED THE U.S GOVERN-
MENT AND THE FEDERAL AGENCIES AND EMPLOYEES WHO HAS BEEN IDENTIFIED,
LABELED OR NAMED AS DEFENDANTS, APPELLEES OR RESPONDENTS IN THIS
CASE WHILE I WAS ON APPEAL TO THE 2ND CIRCUIT OR PROSECUTING THIS CASE IN
THE U.S DISTRICT COURTS FOR THE NORTHERN DISTRICT OF NEW YORK..

VERIFICATION WHEN NOTARY PUBLIC IS UNAVAILABLE

I, WAYNE P. VANCE, am a prisoner of the State of New York, currently incarcerated at Attica Correctional Facility, which is located at 639 Exchange Street Attica New York 14011-0149 and my ability to acquire the services of a Notary Public is entirely under the control of correctional staff and officials. I have made several attempts to obtain a Notary Public via Law Library as well as requesting the same to my company and block officer here in Attica correctional facility. As of the date of this Verification, I have not received Notary Public services as required by Bounds V. Smith, 430 U.S. 817, 824-25 (1977). Due to timeliness I do not know when the next available Notary Public service will be available.

Therefore, I am verifying the enclosed documents by the method approved in the court decision of of the New York Court of Appeals pursuant to People V. SULLIVAN, 56 N.Y.2d 378 (1982) to wit:

I verify that the foregoing statements and/or documents are true and accurate to the best of my knowledge. That I base them upon facts that I personally know, or believe in good faith to be true. I further declare and/or verify that any false statements made herein are to be punishable as a class A misdemeanor pursuant to Penal Law § 210.40. I further understand that to offer or present the forgoing documents to a judicial officer, knowing that it contains any false statement (s) is punishable to Penal Law § 170.30

I declare under the penalty of perjury that the foregoing is true and correct pursuant to 28 U.S.C. § 1746.

EXECUTED ON THIS 18TH DAY OF FEBRUARY,
IN THE YEAR OF 2024.

Respectfully submitted by;

W P V